

## Jeff Zwack

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**From:** George Hague <gbhague@gmail.com>  
**Sent:** Thursday, March 28, 2019 10:16 AM  
**To:** Jeff Zwack  
**Cc:** City Clerk; Chris Ormsby  
**Subject:** Comments for the Planning Commission & Skechers Expansion (item 1)and Settlement Agreement  
**Attachments:** Highland Fairview Settlement Agreement0001(1).pdf; ATT00001.htm

Good morning Moreno Valley Planning Commissioners,

**RE: PROJECT:**

PEN18-0191 – General Plan Amendment

PEN18-0192 – Change of Zone

PEN18-0193 – EIR Addendum

PEN18-0254 –Plot Plan for a 768,000 square foot industrial building

**There is an existing settlement agreement between Highland Fairview and the Sierra Club on the original Sketchers project which includes this land/proposal. It along with its Exhibits A and B are attached and must be printed out for your reading prior to any vote.** The City has previously been given the settlement agreement and asked if they are in **compliance with this new project, but no response has been returned.** The City is a signatory to the agreement and must make sure that this proposed change in the original Sketcher project is in compliance. I hope all of you have been provided a copy before now. **I have been waiting unsuccessfully for the City's response before finally writing this email.**

**I hope all of you will ask question and demand answers after reading all the material you have been given. You may find some to ask by reading what is written below as well as the attached settlement agreement along with its two Exhibits.**

Some of the concerns are listed below, but others also exist:

1. The applicant for this proposal is an entirely new entity from any of those identified under the defined term "Highland Fairview".
2. The settlement agreement includes a provision in which the Club agrees not to challenge a modified "project" as long as there are no significant impacts. I would argue that the General Plan Amendment component removing the commercial designation at the west end of the site goes beyond a modification of the "Project". This is particularly true in light of the agreement clause in which HF agreed to include a commercial buffer as part of the World Logistic Center. (WLC).

3. **The current proposal includes a City-wide amendment to the Circulation Element that is so poorly disclosed/explained that it is impossible to understand the intent or the potential impacts. Do not let this happen without your full and complete understanding.**
4. The traffic analysis seems to rely on peak hour traffic counts taken over one four-day period in May to support substantially reduced traffic volumes based on the Skechers operation. If they are going to rely on such a narrow analysis, the conditions and/or mitigation measures need to restrict the user to Skechers. **Peak times like the opening of school and the holidays is the better times of year for impacts to be measured. May is after basketball season and for other reasons is a poor time to rely on traffic numbers from Sketchers to protect residents from the impacts from the project..**
5. They are modifying existing mitigation measures which need to be fully disclosed and easily understood by the public. This is not the case and must be remedied.
6. They simply dismiss the "changed circumstances" aspect of the addendum analysis by stating that there are none. In contrast, they rely on the WLC to update the implementation status of several of the mitigation measures. The WLC approval and the now operating Aldi, and Prologis projects are obvious changed circumstances that warrant consideration, particularly with respect to cumulative, growth inducing as well as direct and indirect impacts.
7. The text of the staff report refers to a standard intersection configuration for Redlands/Eucalyptus, but all of the exhibits I show the proposed traffic circle. Also, the traffic circle design includes impacts west of current Redlands Boulevard. It is not clear from the materials in the staff report whether this was considered in the technical reports (particularly for biological resources and cultural resources.) Could also be an issue for noise and other impacts on future residential uses as the adjoining lands south of Eucalyptus and west of Redlands are still designated for residential uses.
8. One of the traffic memorandums states that trucks will not be allowed to use Redlands Boulevard, but I did not find any such restriction in my review of the conditions or the mitigation measures. The site plan included with the Planning Commission packet includes notes for signs on the traffic circle to tell truckers they must use Theodore and that they may not go south on Redlands, but we know signs mean nothing.
9. There are several aspects of the agreement that the City/HF have not performed on - WLC commercial buffer, freeway signs to direct traffic to Theodore, trucks using Redlands, enforcement of truck idling, a mitigation program for SR60, LEDs in City streetlights, and dark sky ordinance.
10. Elimination of the Redlands Boulevard commercial component changes the economic analysis that was the basis for the overrides on the original EIR. **I did not see any**

**reference to an updated economic analysis and this must be done prior to your vote. With every warehouse our City approves we are condemning future residents to a life of commuting. This is because so much job producing land is being consumed by warehouses which produce very few jobs per acre and even those are being automated at a rapid rate — even trucking will be automated/self driving.**

11. The project includes a conveyor bridge to connect the two buildings. There is not much information about the design or operation of this aspect, so it is not possible to know whether it may entail any aesthetic, noise, lighting, or traffic safety (distraction for freeway traffic) impacts not already disclosed. How will vegetation be used to hide this ugly feature? **Our City has a very poor record of using appropriate vegetation to hide/soften these cement boxes as well as filtering the toxic diesel pollution coming from the site.**

12. The site plan shows an 18-foot-wide trail easement wedged between Redlands Boulevard and the new fire lane that stops when it hits the new traffic circle. It is not clear whether or how the addendum addresses trail impacts. Prologis and Aldi have trails to the immediate west and need to connect to this project as well as others.

13. The traffic circle at Redlands Boulevard seems to push the improvements north. There are unusual circumstances here with the proximity of the existing freeway ramps and the grade going over the bridge; it is not clear this has been considered in the addendum.

The agreement requires either side to notify the other of a breach within 30 days.

This project doesn't do an adequate job of analyzing the Greenhouse Gas (GHG) impacts and impacts to energy. The mitigation measures fail to reduce both of these to a level of insignificance and the project has not been required to do so. Much more solar is needed to cover all electrical demand, electric yard goats/hostlers, electric forklifts and requiring only 2010 or newer diesel trucks as well as other measures must be required. The project needs to be pre-wired for electric Auxiliary Power Units (APU), electric semi-trucks, electric two axil trucks, and electric cars to reduce pollution and GHG.

The project needs to be at least LEED certified to a level of Silver to help reduce some of its many impacts on the environment as well as the health of its employees and surrounding existing/future residents. **This is a signature entrance to our City and it appears that this is simply another cement box with a couple of curves. You must demand much more.**

**This Project should not be approved this evening without much more additional information provided to you.**

Please keep us informed in a timely manner of all future meetings and documents related to this project.

Sincerely,

George Hague  
Sierra Club  
Moreno Valley Group  
Conservation Chair

## Jeff Zwack

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**From:** Keri Then <kerithen@earthlink.net>  
**Sent:** Thursday, March 28, 2019 11:24 AM  
**To:** Jeff Zwack  
**Cc:** CityAttorney; David Marquez; Dr. Carla J. Thornton; Victoria Baca; Ulises Cabrera; Dr. Yxstian A. Gutierrez; City Clerk  
**Subject:** Planning Commission - Agenda Item 1. Oppose Expansion of Sketchers Warehouse

Dear Mr. Zwack,

I oppose the the rezoning and expansion of the Sketchers warehouse based on the following reasons:

- The RCTC new regional warehouse fee - \$.65 per sf, that SHOULD be imposed on new warehouses, i.e., HF & Sketchers, will not mitigate the impact on our highways. The County's 2018 study determined the money will be used to improve roads in Corona and Riverside - not Moreno Valley. It's as though our roads (and Air & Water) are not impacted by the trucks coming to/from the warehouses located here. See full RCTC Report [https://www.rctc.org/wp-content/uploads/2018/10/RCTC\\_Widescreen\\_Stakeholders-2.pdf](https://www.rctc.org/wp-content/uploads/2018/10/RCTC_Widescreen_Stakeholders-2.pdf)
- I oppose the additional Sketchers warehouses based on the lack of comprehension regional planning to assess what's already built and the fact that there is no plan in place to reuse these mega concrete structures once the e-commerce industry bails on the IE for closer, greener pastures, or starts to feel the impact of tariffs and stops shipping cheap goods in from overseas.

I would also request that Planning Commissions Mr. Harris and Ms. Stephens recuse themselves from the vote on Agenda Item 1 and leave the room. They might find it very difficult to state that they have never received money from this developer.

Keri A. Then  
909-223-2608

## Jeff Zwack

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**From:** Ann McKibben <atmckibben@roadrunner.com>  
**Sent:** Thursday, March 28, 2019 3:25 PM  
**To:** Jeff Zwack; City Clerk  
**Subject:** MV Planning Commission; March 28 Meeting, Agenda Item 1

28 March 2019

Via email: Jeff Zwack, [jeffz@moval.org](mailto:jeffz@moval.org) & City Clerk, [CityClerk@moval.org](mailto:CityClerk@moval.org)

Moreno Valley Planning Commission  
City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, CA 92553

Dear Planning Commission Members:

Re: Agenda Item 1, PEN18-0191, PEN18-0192, PEN18-0254, PEN18-0193

I am writing to ask that you Vote No on Agenda Item 1.

I don't agree with the need to make the suggested land use changes. I don't agree with adding 74 truck-loading docks with the related diesel trucks to clog our roads and pollute our air.

It is disappointing that the city is unwilling and unable to diversify its economic base. How many warehouses can the city expect to sustain? How many warehouses built on speculation can the city approve? How many warehouses in surrounding communities will siphon off businesses locating in Moreno Valley?

The existing Skechers building is an eyesore. Many times I have been asked by people living outside of town who drive along Highway 60, "What is that building? It is so ugly." In this case, expanding the building would make it even more of an eyesore.

Once again, please vote not on Agenda Item 1.

Sincerely,

Ann McKibben  
23296 Sonnet Drive  
Moreno Valley, CA 92557

## Jeff Zwack

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**From:** Patty Nevins  
**Sent:** Thursday, March 28, 2019 3:34 PM  
**To:** Chris Ormsby; Jeff Zwack  
**Cc:** Richard Sandzimier  
**Subject:** Fwd: Skechers Addition

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Vera Sanchez <veras@moval.org>  
**Date:** 3/28/19 3:30 PM (GMT-08:00)  
**To:** Patty Nevins <pattyn@moval.org>  
**Subject:** FW: Skechers Addition

### **Vera Sanchez**

**Senior Administrative Assistant  
Community Development  
City of Moreno Valley**

p: 951.413.3207 | e: [veras@moval.org](mailto:veras@moval.org) W: [www.moval.org](http://www.moval.org)  
14177 Frederick St., Moreno Valley, CA 92553

**From:** Richard Archer <rlfa17@yahoo.com>  
**Sent:** Thursday, March 28, 2019 3:07 PM  
**To:** Planning Email <PlanningEmail@moval.org>  
**Subject:** Skechers Addition

Dear Ms Nevins:

I wanted to voice my personal support for the Skechers Addition Project, now being considered. I had been a Building Department Accreditation Program Manager for several years and had direct dealings with the Leeds Certification Programs. Our company was also researching the possibility of offering a Green Construction Accreditation Program. As such, I have a great appreciation for the criteria required to achieve the level of excellence that was accomplished with the original Skechers project. Highland Fairview did an outstanding job in executing and seeing to fruition what is an extraordinary asset for the Moreno Valley Community.

I am confident that HF will look to exceed their previous performance with the new Skechers project as proposed. It is my hope that the Commission will vote unanimously their approval to move it forward.

Sincerely,

Richard L F Archer, Sr

## Jeff Zwack

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**From:** Lindsay Robinson <lr92555@gmail.com>  
**Sent:** Thursday, March 28, 2019 3:46 PM  
**To:** Jeff Zwack  
**Cc:** Jeff Bradshaw; Jeffrey Sims; Patricia Korzec; Alvin Dejohnette; Robert Harris; JoAnn Stephan; Ray Baker  
**Subject:** Oppose HF request for rezone, change in general plan, addendum to EIR

Dear Commissioners, Mr. Zwack, city staff,

I am writing to oppose the city's recommendation to allow Highland Fairview to rezone the NE corner of Redlands/Eucalyptus, change the general plan and to add an addendum to an EIR that is 10+ years old.

Highland Fairview has had 10 years to finish building phase 2 and 3 of the HF Business park and done nothing. In order to get the initial rezoning to allow the skechers warehouse he promised 2000 jobs that never materialized. Our final build out plan was tossed aside to accommodate his request. Losing the retail and business park aspect if this change is allowed will not benefit the community and will certainly cut the promised number of jobs due to automation. Retail and office space, not bigger warehouses are needed.

For far too long the city has bent over backwards to cater to Mr. Benzeevi with his renaming to Rancho Belago (city paid for signs), pushing Nason thru to benefit his Aquabella property (never built, money pulled from other projects for his benefit), having city under Henry Garcia prepare/promote wlc (taxpayer funds again), suing JPA to stop their Medical corridor-in effect suing ourselves, because he wanted to build a medical corridor (not done and lawsuit dropped when cooler heads prevailed), convincing city to put a moratorium on warehouses along the east 60 to delay Prologis, promising 2000 jobs to get the rezoning for skechers warehouse (not even close), costly lawsuits over faulty wlc EIR (residents pointed out so many flaws during the hearings, but council ignored), illegal initiative where he hired folks to threaten, harass and intimidate residents (breaking federal, state, local laws), renaming Historically recognized Theodore St (taxpayer funded), city is now jumping over Moreno Beach and Redlands to improve Theodore/60 interchange- and at city meeting the city is now going to improve Eucalyptus below skechers which is his responsibility (taxpayers again), and on and on. The city would not have done any of this on their own without pressure from HF- specifically Mr. Benzeevi.

Mr. Harris should ethically recuse himself from this item as he served on Mr. Benzeevi's PACs and benefited from his participation. Additionally his partner Chip was one of those illegally blocking during our signature gathering and also illegally removed signs.

It's time for the city to stand up and say no more benefits from the public funds. It's time to say no to more changes until he completes an existing project. He's received too many benefits from public funds already and not provided what he has promised.

Please do not approve this rezoning nor change to the general plan to allow another massive warehouse in an area that was never intended for warehouses to begin with. An addendum to an outdated EIR should not be accepted especially based on the article cited. There are more trucks than our roads can handle and they are not following proper truck routes knowing there is little to no enforcement (including improperly exiting onto Redlands from skechers).

Thank you,  
Lindsay Robinson

March 28, 2019

RE: Skechers Expansion (PEN 18-00191, PEN 18-0192, PEN 18-0193, PEN 18-0254)

Dear Planning Commissioner,

You have an enormous staff report and supporting documents to review in what seems to be an unreasonably short time in which to review and evaluate all that is proposed with the Skechers expansion. My time, like yours, is limited and only so much could be reviewed in less than a week. Below are just a few items I wanted to bring to your attention. It is my feeling that the plans you are reviewing do not depict all that should be included and thus the built facility and property will not be as you expect nor favorable to the local residents. Please give consideration to the comments below and request that the project be continued to address these comments and all other comments that come forth from others and yourselves.

1. The existing Skecher project's conditions of approval [all associated with Plot Plan (PA07-0091), and a Tentative Parcel Map] include conditions that go into effect with the development of the current project site and yet some of them are not likely addressed nor included in the new project's conditions.
2. In the Conditions of Approval for the HFCP project, and as amended by City Council, require the developer to cover the fair share costs for installation of roadway, intersections, and trails. There is limited reference to the requirements being met with this project yet they are requirements for this phase of development.
3. The PC should require that all required project area trails be installed with this project's development. COA 178 requires it to be identified on the plan but that condition seems to be after the fact. This multi-use trail was required along the north side of Eucalyptus but never installed when the existing Skechers was built. The trail is still required but it is not shown on the site or landscape plans nor is there any reference to its required installation. Those plans should be revised to include the trail and associated landscape improvement so the Planning Commission can see just how the trails interface with the project and the community. The multi-use trail has been installed all along Eucalyptus west of Redlands Blvd.
4. A more comprehensive landscape plan should be provided that expands the landscape buffer beyond the roundabout at Redlands and Eucalyptus. The landscape plan provided in the staff report contains no tree planting near the intersection on Eucalyptus or along Redlands heading towards the overpass. Previous project Conditions of Approval required both of these areas to be landscaped to screen parking lot and provide buffering.
5. The intersection of Redland and Eucalyptus should include a significant landscape entry statement. Currently, there is a better landscape entry statement at Fredrick and Alessandro. This project should have even more than this.
6. Previous COA required SR-60 off-ramp improvements which need to be completed prior to occupancy of this new facility. Believe improvements were required with the other warehouse to the west on Eucalyptus but nothing more has been completed since Prologics has been getting final occupancy release.

7. The Planning Commission should be asking to see a calculation of the zoning acreages of land still available for development in each zoning designation before considering changing any designation. The City has done a poor job over the past 10 years maintaining consistency with the General Plan Land Uses. The initial loss of the Business Park zoning, along the freeway frontage, and now the Commercial zoning further diminish the City's ability to offer diverse development and job opportunities not to mention the lost tax revenue businesses in those zoning districts typically generate. This property has freeway visibility with is a premium Moreno Valley seems too willing to squander.
8. In the addendum the text for some Mitigation Measure has been removed and replaced with a comment writing off the MM as addressed, but without the text there is no way of understanding what was done to achieve mitigation. Example below notes the MM LU-2 is no longer applicable yet I don't know what MM LU-1 should be requiring. Additionally, this project area is not within the WLC-SP so an explanation is needed to understand the tie-in if the MM is not considered applicable.

*MM LU-1: Note that Mitigation Measure LU-1 from the HFCP Final EIR is no longer applicable to the Proposed Project. Similar to MM AQ-13, this mitigation measure has been satisfied through the adoption of the World Logistics Center Specific Plan.*

9. What did Caltrans have to say about the round-about concept as it is in close proximity to the SR-60 eastbound ramps.
10. Plot Plan COA 2 references the wrong project file number which is a CUP project being heard by the PC on 3/28/19. Believe it should be PA07-0091.
11. Plot Plan COA 138 defines a 37 foot wide easement which as described calculates to 53 feet. COA 139 has a similar easement description that makes little sense either.
12. Where on-line (MV website) did the City post the Notice of Availability for the EIR Addendum or for the upcoming hearing? The Addendum is dated March 18, 2019, which means it was complete just 10 days before the hearing. The City should have provided a longer review period and should have notified all review parties of the original HFCP EIR. Don't see any indication this was done.
13. Please give serious consideration to expanding the 300 foot noticing radius for large lot projects. With the large lots around this project site it is likely notifications were sent to less than half a dozen different property owners.

Thanks for your consideration.

Tom Thornsley  
Moreno Valley

Responses received as of close of business on 3/26/19

Highland Fairview Corporate Park PEN18-0254

3/26/19

I'm against sketchers expanding... the larger footprint and higher truck traffic, pollution and the fact they are highly automated all all good reasons!

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3/26/19

I am against any expansion of sketchers as we don't want the extra pollution and truck trips. They are very automated even when they promised so many jobs.

No more traffic and pollution.

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3/26/19

Good afternoon Planning Commission Members and Staff,

I am briefly writing to express my opposition to approval of a General Plan amendment allowing for construction and zoning changes of a new 750,000 square foot distribution center for Skechers in the Highland Fairview Corporate Park. This part of the Friday regular meeting agenda.

I personally do not oppose the introduction of industrial buildings to eastern Moreno Valley and understand Skechers is expanding its product inventory and needs larger storage capacity in the form of an of additional building. The eastern area I feel needs development, but also strong planning that can maintain sustainability and balance with what's currently around it. At the present, I feel the plans to expand the facility will create immediate conflicts with the surrounding area and leave open many questions about infrastructure and impact.

Before I address these points, I first want to highlight upfront concerns and questions about objectivity of most members of the present Planning Commission in regards to topics related to Highland Fairview. Most members were appointed by Mayor Yxstian Gutierrez who has benefitted in his election campaigns from literally hundreds of thousands of campaign donations made from Highland Fairview Super PACs since 2014. The same is true of Mayor Pro-Tem Victoria Baca of whom and the mayor many of the commissioners are personal friends with, have worked on campaigns alongside, or jointly for Super PACs and campaigns organized by Highland Fairview in the past including in regards to the World Logistics Center. Many have vocally spoken in favor of related Highland Fairview proposals as well.

At least half of the current Planning Commission has taken part of one of the related activities from above. The question of objectivity concerning this company is a very serious matter for many in the public including myself. Many are not sure if we can trust the current members not

to simply rubber stamp items for Highland Fairview in the future which can also be said for the current city council majority also.

It's my recommendation for the sake of the impression of transparency and objectivity that the board for this meeting have a quorum of only the members who have not been part of Super PACs for the Highland Fairview or similar campaigns. This is not a legal requirement, but would go a long way to show this board is committed to fair and non-biased consideration of any new building proposals from Highland Fairview and others. Failure to do so in my opinion would further reinforce the widely felt public impression of unethical favoritism to this company.

Moving along to the problems with the new Skechers facility itself, is that the change of plot plan and zoning eliminate commercial space on the western edge of Redlands Boulevard that could be used for services that residents along Redlands Boulevard will need in the future ranging from gas stations, to grocery stores, and other storefront businesses that may appear in a shopping center in an area fed by a growing population in the future. It also limits the diverse types of businesses found there and job creation that could be produced by using the space for one particular building.

A second major drawback of the current plan is that if the building permits are approved and construction ultimately begins, an expanded interchange or freeway bridge for Redlands Boulevard to handle an increased amount of traffic will certainly be needed if vehicle traffic from the site uses it. This interchange already backs up and is congested due to current morning traffic, it especially is when the freeway is closed to accidents and fires. It can back up into other roads nearby including San Timoteo Canyon and Gilman Springs Road. As of my last questioning of the city there wasn't even a study for a new interchange for Redlands Boulevard commissioned only Theodore Street and Moreno Beach Drive. Most trucks and vehicles from the Skechers distribution center use Redlands Boulevard and the unpaved section of Eucalyptus Avenue. Code enforcement nor the police have done much to counter this issue.

If a new facility is added the question of whether they should be allowed to use Redlands Boulevard or will continue to agree to regulations presently used that they already violate remains to be seen and needs to be addressed.

Will new vehicle traffic cause not only larger back ups of Redlands Boulevard which has twelve times the flow as Theodore Street does and also further damage a fifty three year old freeway interchange that already needs expansion and improvement with what uses it currently. This bridge doesn't have updated studies to proceed nor a source of funding unlike the Measure A for Moreno Beach Drive and a federal grant for Theodore Street. Will there be a source of funding to make these improvements especially before this and other distribution facilities from Prologis' property add tenants and open for operation?

Another drawback to the current plan study are over the need for roundabouts which are completely unnecessary at this time given only two distribution centers have access to this portion of Redlands Boulevard. Most of the western development along Redlands Boulevard or zoning is currently mixed use or residential. The western portion of Eucalyptus isn't connected fully between Redlands Boulevard and Moreno Beach Drive. It won't be unless the Prologis development reaches buildout first or another source of funding is found. The eastern area of Redlands Boulevard is zoned for mixed use and commercial on the southern end. Other

portions are under legal dispute right now regarding litigation from the World Logistics Center which still has its current Environmental Impact Report needing replacement by Highland Fairview. Many like myself feel this process will eventually be too costly for Highland Fairview and will cause them to seek a different rezoning in the future that doesn't need roundabouts. Before allowing use of these constructed for traffic mitigation, the city needs to wait and see the ultimate outcome for that type of development in the eastern end of the community before using public funds that could use an alternative mitigation first.

Even if in the future there is significant logistics or industrial development there, roundabouts can be alternated by more traditional street designs and technology. No matter what is there, traffic collision risk increases through roundabouts which overall are a general safety hazard for commuters and traffic on Redlands Boulevard going onto the freeway or over it. This is especially true if industrial development lags or never occurs for it to be used. This confluence alone negatively impacts commerce and travel in itself let alone from increased truck and vehicle traffic heading in and out of a new 35 acre distribution center. My recommendation is to permanently leave this as a traditional intersection design as an alternative no matter the eventual type of construction there.

Another common question is who or what will fund the needed infrastructure improvements if this distribution center is to be constructed in the near future. Highland Fairview was once contracted to complete Eucalyptus Avenue for any second phase of the corporate park and interchanges needed and is currently for some aspects regarding the World Logistics Center. In 2018, the city considered construction of this same area as an alternate construction route if a new Theodore Street interchange were added. That plan included the city funding Eucalyptus Avenue as a temporary construction route. Who will fund these needed pieces of infrastructure, the city itself or other parties? Will they include resources from Highland Fairview that will be adding a significant amount of traffic to this interchange? This is a valid concern as projects such as the nearby Prologis property have been approved and not completed such as the Moreno Beach Drive interchange. Once these other properties reach buildout a need for a new interchange is imminent.

Beyond these immediate impacts there are alternatives to the site plan and other factors to consider from the applicant itself. When the first Skechers distribution center was completed in 2011, it first promised 1,000 permanent positions with just the original phase to begin. Both Skechers and Highland Fairview who jointly own this building through now two joint ventures, namely Highland Fairview Logistics, made statements of this kind. The reality was almost no positions were created by the new building. Skechers eliminated 400 positions in a net loss from five pre-existing distribution centers near Ontario International Airport due to a more condensed operation and automation. At peak season, no more than about 400 employees even use this facility. Most of these positions are minimum wage in the retail store, employees who sort and pack inside of the distribution center, or similar. Many are not residents of Moreno Valley for the few positions even created in the years after the facility opening. I previously knew the associate manager of the retail store who lived in Cherry Valley and was transferred from Ontario as well as others employed in the distribution center as temporary labor or who worked in the store only able to acquire part-time hours because no more could be expanded. The only addition that has occurred since is the cafe inside which produces only similar types of minimum wage service positions.

Highland Fairview itself has promised tens of thousands of jobs with the World Logistics Center and other proposals previously such as Moreno Highlands, the Moreno International Trade Center, and similar projections for this same property. Iddo Benzeevi has owned the World Logistics Center properties since 1985 through the dissolved entity Benzeevi-Cohen Corp first which ultimately merged into Highland Fairview around 2004. Both firms promoted Moreno Highlands projected to have 20 and 30,000 jobs with mixed use development and the Moreno International Trade Center logistics aerospace airport with estimates as high as 50,000 jobs. Neither concept nor any other Benzeevi or these companies have brought forward at all materialized, lived up to promises projected, or were even completed by them as claimed.

Given the track record of the past claims for these parties there is little reason now that this new expansion will be different or produce more types of positions than already mentioned. With thirty-five years of activity in Moreno Valley and Southern California with literally no results there is enormous doubt another phase will even be completed to begin with from Highland Fairview or its partner.

Even if there is a completed distribution center it seems eliminating the previous zoning from commercial to logistics would reduce the ultimate possible job creation by taking out different types of possible business construction.

Highland Fairview will claim it alone produced the Skechers distribution center which by itself is false as the property is owned through three joint ventures with Skechers USA including Highland Fairview Partners and Highland Fairview Logistics which is actually a subsidiary corporation of Skechers USA to finish construction on the distribution center. We are already seeing a business which did not and will not produce what is claims.

Another possible obstacle is that Highland Fairview's is operated with a small executive under by Iddo Benzeevi who is its president and Chief Executive Officer. Benzeevi besides having formed Highland Fairview also did so another company based in Visalia, Healthcare Conglomerate Associates or HCCA that previously managed Tulare County Regional Medical Center and Southern Inyo Hospital in the Central Valley.

This company in 2017 was stripped of its management contract by the boards operating both medical facilities. Both also were closed to the public following management from HCCA, one for almost a year. HCCA including Iddo Benzeevi and his younger brother Yorai Benny Benzeevi who served as the firm's CEO and former medical doctor are under criminal investigation by the Tulare County District Attorney's office. Not only does it give solid questions about the management of Highland Fairview and ethics, but a reasonable possibility exists Iddo Benzeevi could be criminally indicted by this probe in the future. His absence from Highland Fairview's small executive team could be a negative hindrance to a new distribution center moving forward given Skechers is bringing about the second phase with it as a partnership and joint venture. Until this probe is resolved than it may be time not to pursue or allow for a second phase. Highland Fairview's first general contractor also in 2011 left construction of the project breaking promises of using regional labor as three firms were later commissioned from Orange County. Many of the companies used in the construction out as part of mechanical liens unpaid for months and years after the first Skechers building was completed. Highland Fairview as a whole has a poor and thon track record of building and following through with completed agreements. This has been true for decades of Benzeevi's companies.

There are possible solutions to the more immediate negative drawbacks of the plan. Requiring Highland Fairview to move the site south of its already existing facility could keep the current zoning from other needed business uses. Having it along Theodore Street or only allowed to use Eucalyptus to this portion on some level also reduces negative impact from traffic of vehicles entering and leaving. There is no need for any roundabouts until a future and more large scale development occurs, especially if Highland Fairview changes what it intends to do with the property in the future. They are not needed anyway for semi traffic on any magnitude as it is.

If there is not some mitigation to this, there could be an increased chance of further litigation over the approval of a new Skechers distribution center due to alleged flaws in the Environmental Impact Report or some other aspect of planning like infrastructure. Litigation continues and has successfully halted parts of the documents for the World Logistics Center Environmental Impact which has already shown Highland Fairview did poorly and non-transparently in planning for this and probably will for any building for Skechers. Either way the city has already expended hundreds of thousands of dollars in legal fees for litigation regarding Highland Fairview proposals which it has very slowly been reimbursed by this company in the process. The litigation has already negatively impacted the credibility and reputation of the city for these aspects, especially lost litigation, and likely will again because of a rapid approval process for a building that potentially would be in the larger property of the World Logistics Center. It's as if the city fails to learn from the past or doesn't care about adequate planning practices to protect the public from environmental impacts or mitigation the traffic either. This may or may not be the case of the city staff, but more negative legal outcomes or press will solidify this impression in the minds of much of the public.

The city cannot continue to ignore these factors, it only harms its ability to do business and reputation, especially in regards to the impression of ethics.

I sincerely hope you take and consider many of the concerns I have over the current plans and process for this approval seriously and with objectivity. Moreno Valley needs fair, trustworthy, and ethical representation in future planning and development. I hope you all can bring it.

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3/26/19

Chris,

Thanks for the follow through with the docs requested. Have not yet heard a response back from Jeff Zwack and have to ask when and why he has a title of Planning Consultant doing MV planning reports. The report and addendum are a tremendous amount of material to review in the little spare time I and I expect most Commissioners have. Would like to know what other material the Planning Commissioners might have received, such as full size plans for the project. Just viewing the plans at the end of the report leaves me with a lot of questions that might be answered with better graphics. If something more is available, please make it available.

## Jeff Zwack

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**From:** George Hague <gbhague@gmail.com>  
**Sent:** Thursday, March 28, 2019 10:16 AM  
**To:** Jeff Zwack  
**Cc:** City Clerk; Chris Ormsby  
**Subject:** Comments for the Planning Commission & Skechers Expansion (item 1)and Settlement Agreement  
**Attachments:** Highland Fairview Settlement Agreement0001(1).pdf; ATT00001.htm

Good morning Moreno Valley Planning Commissioners,

**RE: PROJECT:**

PEN18-0191 – General Plan Amendment

PEN18-0192 – Change of Zone

PEN18-0193 – EIR Addendum

PEN18-0254 –Plot Plan for a 768,000 square foot industrial building

**There is an existing settlement agreement between Highland Fairview and the Sierra Club on the original Sketchers project which includes this land/proposal. It along with its Exhibits A and B are attached and must be printed out for your reading prior to any vote. The City has previously been given the settlement agreement and asked if they are in compliance with this new project, but no response has been returned. The City is a signatory to the agreement and must make sure that this proposed change in the original Sketcher project is in compliance. I hope all of you have been provided a copy before now. I have been waiting unsuccessfully for the City's response before finally writing this email.**

**I hope all of you will ask question and demand answers after reading all the material you have been given. You may find some to ask by reading what is written below as well as the attached settlement agreement along with its two Exhibits.**

Some of the concerns are listed below, but others also exist:

1. The applicant for this proposal is an entirely new entity from any of those identified under the defined term "Highland Fairview".
2. The settlement agreement includes a provision in which the Club agrees not to challenge a modified "project" as long as there are no significant impacts. I would argue that the General Plan Amendment component removing the commercial designation at the west end of the site goes beyond a modification of the "Project". This is particularly true in light of the agreement clause in which HF agreed to include a commercial buffer as part of the World Logistic Center. (WLC).

3. **The current proposal includes a City-wide amendment to the Circulation Element that is so poorly disclosed/explained that it is impossible to understand the intent or the potential impacts. Do not let this happen without your full and complete understanding.**

4. The traffic analysis seems to rely on peak hour traffic counts taken over one four-day period in May to support substantially reduced traffic volumes based on the Skechers operation. If they are going to rely on such a narrow analysis, the conditions and/or mitigation measures need to restrict the user to Skechers. **Peak times like the opening of school and the holidays is the better times of year for impacts to be measured. May is after basketball season and for other reasons is a poor time to rely on traffic numbers from Sketchers to protect residents from the impacts from the project..**

5. They are modifying existing mitigation measures which need to be fully disclosed and easily understood by the public. This is not the case and must be remedied.

6. They simply dismiss the "changed circumstances" aspect of the addendum analysis by stating that there are none. In contrast, they rely on the WLC to update the implementation status of several of the mitigation measures. The WLC approval and the now operating Aldi, and Prologis projects are obvious changed circumstances that warrant consideration, particularly with respect to cumulative, growth inducing as well as direct and indirect impacts.

7. The text of the staff report refers to a standard intersection configuration for Redlands/Eucalyptus, but all of the exhibits I show the proposed traffic circle. Also, the traffic circle design includes impacts west of current Redlands Boulevard. It is not clear from the materials in the staff report whether this was considered in the technical reports (particularly for biological resources and cultural resources.) Could also be an issue for noise and other impacts on future residential uses as the adjoining lands south of Eucalyptus and west of Redlands are still designated for residential uses.

8. One of the traffic memorandums states that trucks will not be allowed to use Redlands Boulevard, but I did not find any such restriction in my review of the conditions or the mitigation measures. The site plan included with the Planning Commission packet includes notes for signs on the traffic circle to tell truckers they must use Theodore and that they may not go south on Redlands, but we know signs mean nothing.

9. There are several aspects of the agreement that the City/HF have not performed on - WLC commercial buffer, freeway signs to direct traffic to Theodore, trucks using Redlands, enforcement of truck idling, a mitigation program for SR60, LEDs in City streetlights, and dark sky ordinance.

10. Elimination of the Redlands Boulevard commercial component changes the economic analysis that was the basis for the overrides on the original EIR. **I did not see any**

**reference to an updated economic analysis and this must be done prior to your vote. With every warehouse our City approves we are condemning future residents to a life of commuting. This is because so much job producing land is being consumed by warehouses which produce very few jobs per acre and even those are being automated at a rapid rate — even trucking will be automated/self driving.**

11. The project includes a conveyor bridge to connect the two buildings. There is not much information about the design or operation of this aspect, so it is not possible to know whether it may entail any aesthetic, noise, lighting, or traffic safety (distraction for freeway traffic) impacts not already disclosed. How will vegetation be used to hide this ugly feature? **Our City has a very poor record of using appropriate vegetation to hide/soften these cement boxes as well as filtering the toxic diesel pollution coming from the site.**

12. The site plan shows an 18-foot-wide trail easement wedged between Redlands Boulevard and the new fire lane that stops when it hits the new traffic circle. It is not clear whether or how the addendum addresses trail impacts. Prologis and Aldi have trails to the immediate west and need to connect to this project as well as others.

13. The traffic circle at Redlands Boulevard seems to push the improvements north. There are unusual circumstances here with the proximity of the existing freeway ramps and the grade going over the bridge; it is not clear this has been considered in the addendum.

The agreement requires either side to notify the other of a breach within 30 days.

This project doesn't do an adequate job of analyzing the Greenhouse Gas (GHG) impacts and impacts to energy. The mitigation measures fail to reduce both of these to a level of insignificance and the project has not been required to do so. Much more solar is needed to cover all electrical demand, electric yard goats/hostlers, electric forklifts and requiring only 2010 or newer diesel trucks as well as other measures must be required. The project needs to be pre-wired for electric Auxiliary Power Units (APU), electric semi-trucks, electric two axil trucks, and electric cars to reduce pollution and GHG.

The project needs to be at least LEED certified to a level of Silver to help reduce some of its many impacts on the environment as well as the health of its employees and surrounding existing/future residents. **This is a signature entrance to our City and it appears that this is simply another cement box with a couple of curves. You must demand much more.**

**This Project should not be approved this evening without much more additional information provided to you.**

Please keep us informed in a timely manner of all future meetings and documents related to this project.

Sincerely,

George Hague  
Sierra Club  
Moreno Valley Group  
Conservation Chair

## Jeff Zwack

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**From:** Keri Then <kerithen@earthlink.net>  
**Sent:** Thursday, March 28, 2019 11:24 AM  
**To:** Jeff Zwack  
**Cc:** CityAttorney; David Marquez; Dr. Carla J. Thornton; Victoria Baca; Ulises Cabrera; Dr. Yxstian A. Gutierrez; City Clerk  
**Subject:** Planning Commission - Agenda Item 1. Oppose Expansion of Sketchers Warehouse

Dear Mr. Zwack,

I oppose the the rezoning and expansion of the Sketchers warehouse based on the following reasons:

- The RCTC new regional warehouse fee - \$.65 per sf, that SHOULD be imposed on new warehouses, i.e., HF & Sketchers, will not mitigate the impact on our highways. The County's 2018 study determined the money will be used to improve roads in Corona and Riverside - not Moreno Valley. It's as though our roads (and Air & Water) are not impacted by the trucks coming to/from the warehouses located here. See full RCTC Report [https://www.rctc.org/wp-content/uploads/2018/10/RCTC\\_Widescreen\\_Stakeholders-2.pdf](https://www.rctc.org/wp-content/uploads/2018/10/RCTC_Widescreen_Stakeholders-2.pdf)
- I oppose the additional Sketchers warehouses based on the lack of comprehension regional planning to assess what's already built and the fact that there is no plan in place to reuse these mega concrete structures once the e-commerce industry bails on the IE for closer, greener pastures, or starts to feel the impact of tariffs and stops shipping cheap goods in from overseas.

I would also request that Planning Commissions Mr. Harris and Ms. Stephens recuse themselves from the vote on Agenda Item 1 and leave the room. They might find it very difficult to state that they have never received money from this developer.

Keri A. Then  
909-223-2608

## Jeff Zwack

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**From:** Ann McKibben <atmckibben@roadrunner.com>  
**Sent:** Thursday, March 28, 2019 3:25 PM  
**To:** Jeff Zwack; City Clerk  
**Subject:** MV Planning Commission; March 28 Meeting, Agenda Item 1

28 March 2019

Via email: Jeff Zwack, [jeffz@moval.org](mailto:jeffz@moval.org) & City Clerk, [CityClerk@moval.org](mailto:CityClerk@moval.org)

Moreno Valley Planning Commission  
City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, CA 92553

Dear Planning Commission Members:

Re: Agenda Item 1, PEN18-0191, PEN18-0192, PEN18-0254, PEN18-0193

I am writing to ask that you Vote No on Agenda Item 1.

I don't agree with the need to make the suggested land use changes. I don't agree with adding 74 truck-loading docks with the related diesel trucks to clog our roads and pollute our air.

It is disappointing that the city is unwilling and unable to diversify its economic base. How many warehouses can the city expect to sustain? How many warehouses built on speculation can the city approve? How many warehouses in surrounding communities will siphon off businesses locating in Moreno Valley?

The existing Skechers building is an eyesore. Many times I have been asked by people living outside of town who drive along Highway 60, "What is that building? It is so ugly." In this case, expanding the building would make it even more of an eyesore.

Once again, please vote not on Agenda Item 1.

Sincerely,

Ann McKibben  
23296 Sonnet Drive  
Moreno Valley, CA 92557

## Jeff Zwack

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**From:** Patty Nevins  
**Sent:** Thursday, March 28, 2019 3:34 PM  
**To:** Chris Ormsby; Jeff Zwack  
**Cc:** Richard Sandzimier  
**Subject:** Fwd: Skechers Addition

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Vera Sanchez <veras@moval.org>  
**Date:** 3/28/19 3:30 PM (GMT-08:00)  
**To:** Patty Nevins <pattyn@moval.org>  
**Subject:** FW: Skechers Addition

### **Vera Sanchez**

**Senior Administrative Assistant  
Community Development  
City of Moreno Valley**

p: 951.413.3207 | e: [veras@moval.org](mailto:veras@moval.org) w: [www.moval.org](http://www.moval.org)  
14177 Frederick St., Moreno Valley, CA 92553

**From:** Richard Archer <rlfa17@yahoo.com>  
**Sent:** Thursday, March 28, 2019 3:07 PM  
**To:** Planning Email <PlanningEmail@moval.org>  
**Subject:** Skechers Addition

Dear Ms Nevins:

I wanted to voice my personal support for the Skechers Addition Project, now being considered. I had been a Building Department Accreditation Program Manager for several years and had direct dealings with the Leeds Certification Programs. Our company was also researching the possibility of offering a Green Construction Accreditation Program. As such, I have a great appreciation for the criteria required to achieve the level of excellence that was accomplished with the original Skechers project. Highland Fairview did an outstanding job in executing and seeing to fruition what is an extraordinary asset for the Moreno Valley Community.

I am confident that HF will look to exceed their previous performance with the new Skechers project as proposed. It is my hope that the Commission will vote unanimously their approval to move it forward.

Sincerely,

Richard L F Archer, Sr

## Jeff Zwack

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**From:** Lindsay Robinson <lr92555@gmail.com>  
**Sent:** Thursday, March 28, 2019 3:46 PM  
**To:** Jeff Zwack  
**Cc:** Jeff Bradshaw; Jeffrey Sims; Patricia Korzec; Alvin Dejohnette; Robert Harris; JoAnn Stephan; Ray Baker  
**Subject:** Oppose HF request for rezone, change in general plan, addendum to EIR

Dear Commissioners, Mr. Zwack, city staff,

I am writing to oppose the city's recommendation to allow Highland Fairview to rezone the NE corner of Redlands/Eucalyptus, change the general plan and to add an addendum to an EIR that is 10+ years old.

Highland Fairview has had 10 years to finish building phase 2 and 3 of the HF Business park and done nothing. In order to get the initial rezoning to allow the skechers warehouse he promised 2000 jobs that never materialized. Our final build out plan was tossed aside to accommodate his request. Losing the retail and business park aspect if this change is allowed will not benefit the community and will certainly cut the promised number of jobs due to automation. Retail and office space, not bigger warehouses are needed.

For far too long the city has bent over backwards to cater to Mr. Benzeevi with his renaming to Rancho Belago (city paid for signs), pushing Nason thru to benefit his Aquabella property (never built, money pulled from other projects for his benefit), having city under Henry Garcia prepare/promote wlc (taxpayer funds again), suing JPA to stop their Medical corridor-in effect suing ourselves, because he wanted to build a medical corridor (not done and lawsuit dropped when cooler heads prevailed), convincing city to put a moratorium on warehouses along the east 60 to delay Prologis, promising 2000 jobs to get the rezoning for skechers warehouse (not even close), costly lawsuits over faulty wlc EIR (residents pointed out so many flaws during the hearings, but council ignored), illegal initiative where he hired folks to threaten, harass and intimidate residents (breaking federal, state, local laws), renaming Historically recognized Theodore St (taxpayer funded), city is now jumping over Moreno Beach and Redlands to improve Theodore/60 interchange- and at city meeting the city is now going to improve Eucalyptus below skechers which is his responsibility (taxpayers again), and on and on. The city would not have done any of this on their own without pressure from HF- specifically Mr. Benzeevi.

Mr. Harris should ethically recuse himself from this item as he served on Mr. Benzeevi's PACs and benefited from his participation. Additionally his partner Chip was one of those illegally blocking during our signature gathering and also illegally removed signs.

It's time for the city to stand up and say no more benefits from the public funds. It's time to say no to more changes until he completes an existing project. He's received too many benefits from public funds already and not provided what he has promised.

Please do not approve this rezoning nor change to the general plan to allow another massive warehouse in an area that was never intended for warehouses to begin with. An addendum to an outdated EIR should not be accepted especially based on the article cited. There are more trucks than our roads can handle and they are not following proper truck routes knowing there is little to no enforcement (including improperly exiting onto Redlands from skechers).

Thank you,  
Lindsay Robinson

March 28, 2019

RE: Skechers Expansion (PEN 18-00191, PEN 18-0192, PEN 18-0193, PEN 18-0254)

Dear Planning Commissioner,

You have an enormous staff report and supporting documents to review in what seems to be an unreasonably short time in which to review and evaluate all that is proposed with the Skechers expansion. My time, like yours, is limited and only so much could be reviewed in less than a week. Below are just a few items I wanted to bring to your attention. It is my feeling that the plans you are reviewing do not depict all that should be included and thus the built facility and property will not be as you expect nor favorable to the local residents. Please give consideration to the comments below and request that the project be continued to address these comments and all other comments that come forth from others and yourselves.

1. The existing Skecher project's conditions of approval [all associated with Plot Plan (PA07-0091), and a Tentative Parcel Map] include conditions that go into effect with the development of the current project site and yet some of them are not likely addressed nor included in the new project's conditions.
2. In the Conditions of Approval for the HFCP project, and as amended by City Council, require the developer to cover the fair share costs for installation of roadway, intersections, and trails. There is limited reference to the requirements being met with this project yet they are requirements for this phase of development.
3. The PC should require that all required project area trails be installed with this project's development. COA 178 requires it to be identified on the plan but that condition seems to be after the fact. This multi-use trail was required along the north side of Eucalyptus but never installed when the existing Skechers was built. The trail is still required but it is not shown on the site or landscape plans nor is there any reference to its required installation. Those plans should be revised to include the trail and associated landscape improvement so the Planning Commission can see just how the trails interface with the project and the community. The multi-use trail has been installed all along Eucalyptus west of Redlands Blvd.
4. A more comprehensive landscape plan should be provided that expands the landscape buffer beyond the roundabout at Redlands and Eucalyptus. The landscape plan provided in the staff report contains no tree planting near the intersection on Eucalyptus or along Redlands heading towards the overpass. Previous project Conditions of Approval required both of these areas to be landscaped to screen parking lot and provide buffering.
5. The intersection of Redland and Eucalyptus should include a significant landscape entry statement. Currently, there is a better landscape entry statement at Fredrick and Alessandro. This project should have even more than this.
6. Previous COA required SR-60 off-ramp improvements which need to be completed prior to occupancy of this new facility. Believe improvements were required with the other warehouse to the west on Eucalyptus but nothing more has been completed since Prologics has been getting final occupancy release.

7. The Planning Commission should be asking to see a calculation of the zoning acreages of land still available for development in each zoning designation before considering changing any designation. The City has done a poor job over the past 10 years maintaining consistency with the General Plan Land Uses. The initial loss of the Business Park zoning, along the freeway frontage, and now the Commercial zoning further diminish the City's ability to offer diverse development and job opportunities not to mention the lost tax revenue businesses in those zoning districts typically generate. This property has freeway visibility with is a premium Moreno Valley seems too willing to squander.
8. In the addendum the text for some Mitigation Measure has been removed and replaced with a comment writing off the MM as addressed, but without the text there is no way of understanding what was done to achieve mitigation. Example below notes the MM LU-2 is no longer applicable yet I don't know what MM LU-1 should be requiring. Additionally, this project area is not within the WLC-SP so an explanation is needed to understand the tie-in if the MM is not considered applicable.

*MM LU-1: Note that Mitigation Measure LU-1 from the HFCP Final EIR is no longer applicable to the Proposed Project. Similar to MM AQ-13, this mitigation measure has been satisfied through the adoption of the World Logistics Center Specific Plan.*

9. What did Caltrans have to say about the round-about concept as it is in close proximity to the SR-60 eastbound ramps.
10. Plot Plan COA 2 references the wrong project file number which is a CUP project being heard by the PC on 3/28/19. Believe it should be PA07-0091.
11. Plot Plan COA 138 defines a 37 foot wide easement which as described calculates to 53 feet. COA 139 has a similar easement description that makes little sense either.
12. Where on-line (MV website) did the City post the Notice of Availability for the EIR Addendum or for the upcoming hearing? The Addendum is dated March 18, 2019, which means it was complete just 10 days before the hearing. The City should have provided a longer review period and should have notified all review parties of the original HFCP EIR. Don't see any indication this was done.
13. Please give serious consideration to expanding the 300 foot noticing radius for large lot projects. With the large lots around this project site it is likely notifications were send to less than half a dozen different property owners.

Thanks for your consideration.

Tom Thornsley  
Moreno Valley

Responses received as of close of business on 3/26/19

Highland Fairview Corporate Park PEN18-0254

3/26/19

I'm against sketchers expanding... the larger footprint and higher truck traffic, pollution and the fact they are highly automated all all good reasons!

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3/26/19

I am against any expansion of sketchers as we don't want the extra pollution and truck trips. They are very automated even when they promised so many jobs.

No more traffic and pollution.

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3/26/19

Good afternoon Planning Commission Members and Staff,

I am briefly writing to express my opposition to approval of a General Plan amendment allowing for construction and zoning changes of a new 750,000 square foot distribution center for Skechers in the Highland Fairview Corporate Park. This part of the Friday regular meeting agenda.

I personally do not oppose the introduction of industrial buildings to eastern Moreno Valley and understand Skechers is expanding its product inventory and needs larger storage capacity in the form of an of additional building. The eastern area I feel needs development, but also strong planning that can maintain sustainability and balance with what's currently around it. At the present, I feel the plans to expand the facility will create immediate conflicts with the surrounding area and leave open many questions about infrastructure and impact.

Before I address these points, I first want to highlight upfront concerns and questions about objectivity of most members of the present Planning Commission in regards to topics related to Highland Fairview. Most members were appointed by Mayor Yxstian Gutierrez who has benefitted in his election campaigns from literally hundreds of thousands of campaign donations made from Highland Fairview Super PACs since 2014. The same is true of Mayor Pro-Tem Victoria Baca of whom and the mayor many of the commissioners are personal friends with, have worked on campaigns alongside, or jointly for Super PACs and campaigns organized by Highland Fairview in the past including in regards to the World Logistics Center. Many have vocally spoken in favor of related Highland Fairview proposals as well.

At least half of the current Planning Commission has taken part of one of the related activities from above. The question of objectivity concerning this company is a very serious matter for many in the public including myself. Many are not sure if we can trust the current members not

to simply rubber stamp items for Highland Fairview in the future which can also be said for the current city council majority also.

It's my recommendation for the sake of the impression of transparency and objectivity that the board for this meeting have a quorum of only the members who have not been part of Super PACs for the Highland Fairview or similar campaigns. This is not a legal requirement, but would go a long way to show this board is committed to fair and non-biased consideration of any new building proposals from Highland Fairview and others. Failure to do so in my opinion would further reinforce the widely felt public impression of unethical favoritism to this company.

Moving along to the problems with the new Skechers facility itself, is that the change of plot plan and zoning eliminate commercial space on the western edge of Redlands Boulevard that could be used for services that residents along Redlands Boulevard will need in the future ranging from gas stations, to grocery stores, and other storefront businesses that may appear in a shopping center in an area fed by a growing population in the future. It also limits the diverse types of businesses found there and job creation that could be produced by using the space for one particular building.

A second major drawback of the current plan is that if the building permits are approved and construction ultimately begins, an expanded interchange or freeway bridge for Redlands Boulevard to handle an increased amount of traffic will certainly be needed if vehicle traffic from the site uses it. This interchange already backs up and is congested due to current morning traffic, it especially is when the freeway is closed to accidents and fires. It can back up into other roads nearby including San Timoteo Canyon and Gilman Springs Road. As of my last questioning of the city there wasn't even a study for a new interchange for Redlands Boulevard commissioned only Theodore Street and Moreno Beach Drive. Most trucks and vehicles from the Skechers distribution center use Redlands Boulevard and the unpaved section of Eucalyptus Avenue. Code enforcement nor the police have done much to counter this issue.

If a new facility is added the question of whether they should be allowed to use Redlands Boulevard or will continue to agree to regulations presently used that they already violate remains to be seen and needs to be addressed.

Will new vehicle traffic cause not only larger back ups of Redlands Boulevard which has twelve times the flow as Theodore Street does and also further damage a fifty three year old freeway interchange that already needs expansion and improvement with what uses it currently. This bridge doesn't have updated studies to proceed nor a source of funding unlike the Measure A for Moreno Beach Drive and a federal grant for Theodore Street. Will there be a source of funding to make these improvements especially before this and other distribution facilities from Prologis' property add tenants and open for operation?

Another drawback to the current plan study are over the need for roundabouts which are completely unnecessary at this time given only two distribution centers have access to this portion of Redlands Boulevard. Most of the western development along Redlands Boulevard or zoning is currently mixed use or residential. The western portion of Eucalyptus isn't connected fully between Redlands Boulevard and Moreno Beach Drive. It won't be unless the Prologis development reaches buildout first or another source of funding is found. The eastern area of Redlands Boulevard is zoned for mixed use and commercial on the southern end. Other

portions are under legal dispute right now regarding litigation from the World Logistics Center which still has its current Environmental Impact Report needing replacement by Highland Fairview. Many like myself feel this process will eventually be too costly for Highland Fairview and will cause them to seek a different rezoning in the future that doesn't need roundabouts. Before allowing use of these constructed for traffic mitigation, the city needs to wait and see the ultimate outcome for that type of development in the eastern end of the community before using public funds that could use an alternative mitigation first.

Even if in the future there is significant logistics or industrial development there, roundabouts can be alternated by more traditional street designs and technology. No matter what is there, traffic collision risk increases through roundabouts which overall are a general safety hazard for commuters and traffic on Redlands Boulevard going onto the freeway or over it. This is especially true if industrial development lags or never occurs for it to be used. This conflux alone negatively impacts commerce and travel in itself let alone from increased truck and vehicle traffic heading in and out of a new 35 acre distribution center. My recommendation is to permanently leave this as a traditional intersection design as an alternative no matter the eventual type of construction there.

Another common question is who or what will fund the needed infrastructure improvements if this distribution center is to be constructed in the near future. Highland Fairview was once contracted to complete Eucalyptus Avenue for any second phase of the corporate park and interchanges needed and is currently for some aspects regarding the World Logistics Center. In 2018, the city considered construction of this same area as an alternate construction route if a new Theodore Street interchange were added. That plan included the city funding Eucalyptus Avenue as a temporary construction route. Who will fund these needed pieces of infrastructure, the city itself or other parties? Will they include resources from Highland Fairview that will be adding a significant amount of traffic to this interchange? This is a valid concern as projects such as the nearby Prologis property have been approved and not completed such as the Moreno Beach Drive interchange. Once these other properties reach buildout a need for a new interchange is imminent.

Beyond these immediate impacts there are alternatives to the site plan and other factors to consider from the applicant itself. When the first Skechers distribution center was completed in 2011, it first promised 1,000 permanent positions with just the original phase to begin. Both Skechers and Highland Fairview who jointly own this building through now two joint ventures, namely Highland Fairview Logistics, made statements of this kind. The reality was almost no positions were created by the new building. Skechers eliminated 400 positions in a net loss from five pre-existing distribution centers near Ontario International Airport due to a more condensed operation and automation. At peak season, no more than about 400 employees even use this facility. Most of these positions are minimum wage in the retail store, employees who sort and pack inside of the distribution center, or similar. Many are not residents of Moreno Valley for the few positions even created in the years after the facility opening. I previously knew the associate manager of the retail store who lived in Cherry Valley and was transferred from Ontario as well as others employed in the distribution center as temporary labor or who worked in the store only able to acquire part-time hours because no more could be expanded. The only addition that has occurred since is the cafe inside which produces only similar types of minimum wage service positions.

Highland Fairview itself has promised tens of thousands of jobs with the World Logistics Center and other proposals previously such as Moreno Highlands, the Moreno International Trade Center, and similar projections for this same property. Iddo Benzeevi has owned the World Logistics Center properties since 1985 through the dissolved entity Benzeevi-Cohen Corp first which ultimately merged into Highland Fairview around 2004. Both firms promoted Moreno Highlands projected to have 20 and 30,000 jobs with mixed use development and the Moreno International Trade Center logistics aerospace airport with estimates as high as 50,000 jobs. Neither concept nor any other Benzeevi or these companies have brought forward at all materialized, lived up to promises projected, or were even completed by them as claimed.

Given the track record of the past claims for these parties there is little reason now that this new expansion will be different or produce more types of positions than already mentioned. With thirty-five years of activity in Moreno Valley and Southern California with literally no results there is enormous doubt another phase will even be completed to begin with from Highland Fairview or its partner.

Even if there is a completed distribution center it seems eliminating the previous zoning from commercial to logistics would reduce the ultimate possible job creation by taking out different types of possible business construction.

Highland Fairview will claim it alone produced the Skechers distribution center which by itself is false as the property is owned through three joint ventures with Skechers USA including Highland Fairview Partners and Highland Fairview Logistics which is actually a subsidiary corporation of Skechers USA to finish construction on the distribution center. We are already seeing a business which did not and will not produce what is claims.

Another possible obstacle is that Highland Fairview's is operated with a small executive under by Iddo Benzeevi who is its president and Chief Executive Officer. Benzeevi besides having formed Highland Fairview also did so another company based in Visalia, Healthcare Conglomerate Associates or HCCA that previously managed Tulare County Regional Medical Center and Southern Inyo Hospital in the Central Valley.

This company in 2017 was stripped of its management contract by the boards operating both medical facilities. Both also were closed to the public following management from HCCA, one for almost a year. HCCA including Iddo Benzeevi and his younger brother Yorai Benny Benzeevi who served as the firm's CEO and former medical doctor are under criminal investigation by the Tulare County District Attorney's office. Not only does it give solid questions about the management of Highland Fairview and ethics, but a reasonable possibility exists Iddo Benzeevi could be criminally indicted by this probe in the future. His absence from Highland Fairview's small executive team could be a negative hindrance to a new distribution center moving forward given Skechers is bringing about the second phase with it as a partnership and joint venture. Until this probe is resolved than it may be time not to pursue or allow for a second phase. Highland Fairview's first general contractor also in 2011 left construction of the project breaking promises of using regional labor as three firms were later commissioned from Orange County. Many of the companies used in the construction out as part of mechanical liens unpaid for months and years after the first Skechers building was completed. Highland Fairview as a whole has a poor and thon track record of building and following through with completed agreements. This has been true for decades of Benzeevi's companies.

There are possible solutions to the more immediate negative drawbacks of the plan. Requiring Highland Fairview to move the site south of its already existing facility could keep the current zoning from other needed business uses. Having it along Theodore Street or only allowed to use Eucalyptus to this portion on some level also reduces negative impact from traffic of vehicles entering and leaving. There is no need for any roundabouts until a future and more large scale development occurs, especially if Highland Fairview changes what it intends to do with the property in the future. They are not needed anyway for semi traffic on any magnitude as it is.

If there is not some mitigation to this, there could be an increased chance of further litigation over the approval of a new Skechers distribution center due to alleged flaws in the Environmental Impact Report or some other aspect of planning like infrastructure. Litigation continues and has successfully halted parts of the documents for the World Logistics Center Environmental Impact which has already shown Highland Fairview did poorly and non-transparently in planning for this and probably will for any building for Skechers. Either way the city has already expended hundreds of thousands of dollars in legal fees for litigation regarding Highland Fairview proposals which it has very slowly been reimbursed by this company in the process. The litigation has already negatively impacted the credibility and reputation of the city for these aspects, especially lost litigation, and likely will again because of a rapid approval process for a building that potentially would be in the larger property of the World Logistics Center. It's as if the city fails to learn from the past or doesn't care about adequate planning practices to protect the public from environmental impacts or mitigation the traffic either. This may or may not be the case of the city staff, but more negative legal outcomes or press will solidify this impression in the minds of much of the public.

The city cannot continue to ignore these factors, it only harms its ability to do business and reputation, especially in regards to the impression of ethics.

I sincerely hope you take and consider many of the concerns I have over the current plans and process for this approval seriously and with objectivity. Moreno Valley needs fair, trustworthy, and ethical representation in future planning and development. I hope you all can bring it.

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3/26/19

Chris,

Thanks for the follow through with the docs requested. Have not yet heard a response back from Jeff Zwack and have to ask when and why he has a title of Planning Consultant doing MV planning reports. The report and addendum are a tremendous amount of material to review in the little spare time I and I expect most Commissioners have. Would like to know what other material the Planning Commissioners might have received, such as full size plans for the project. Just viewing the plans at the end of the report leaves me with a lot of questions that might be answered with better graphics. If something more is available, please make it available.

Based on the site and landscape plan in the report there is an unaddressed area that could be a plaza at the southwest corner of the building and quite limited landscaping between the roundabout and the building. Please answer the following.

1. What are the details for the plaza element?
2. What does this building elevation look like?
3. What better detail is there of all the building elevations?
4. Will the look of this building just be cloned element from the existing Skechers?
5. There does not appear to be any landscaping between the roundabout and the building parking lot - why?
6. A trail is noted along the east side of Redlands and described as being in the r-o-w easement along Eucalyptus but it is not shown/defined on the plan. Why?
7. I found no mention, even in the conditions of approval, that the trail will be installed. Will it or won't it be installed? Why not?
8. A multi-purposed trail was to be installed the entire length of the existing Skechers site but the developer got the City Council to postpone the installation until later. Seems to me it is now later and time for the entire trail to be installed. Will it? If not, why not?
9. It does not appear that the existing streetscape design and screen wall set back continue to Redlands. Is this correct or have I miss read the plans?
10. Why is there not a commanding, focal/entry design element on both corners of Eucalyptus at Redlands? This will be a primary entry point to the WLC and space to accommodate any landscape or monumentation is not available, as least not on the project site.
11. Have a lot of respect for the use of roundabouts but want to know what Caltrans has to say about one proposed so close to their on/off ramps?
12. Since the roundabouts are a future install with WLC what upgrades will be done now to deal with the current congestions and project congestion. Thought more improvements were already required but noting more has occurred since Aldi's completion and we are now getting traffic to the Prologis warehouses.

I will really appreciate answers to these questions because they just can't be asked and answered at the public hearings.

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March 22, 2019

Jeff/Chris

I was informed the existing Skechers wants to expand and make GP/Zoning changes to the property next door to the west. Please provide me with the following information:

1. Existing Skecher project's conditions of approval (all associated with that project's for HFCP General Plan Amendment (PA07-0089), Change of Zone (PA07-0088), a Plot Plan (PA07-0091), and a Tentative Parcel Map.)
2. Where on-line (MV website) did you post the Notice of Availability for the EIR Addendum or for the upcoming hearing?
3. I have read the proposed Circulation Element text changes but there is no explanation in the staff report about the purpose of this addition or impedes for it. The resolution to

- adopt say it is to provide added clarification. Please explain why this came about now and why it is wrapped into this project. See no correlation based on the project design.
4. Desire to see a calculation of the zoning acreages of land still available for development in the zoning designation BP, BPX, and I. This past decade has seen almost all the BP and BPX rezoned to I. Please explain where business park development could flourish in Moreno Valley. We are losing development and job diversity in our city limiting zoning to Industrial and thus warehousing.
  5. Where can I find the original mitigation measures. In the addendum some MM are written off as addressed but the text of the MM is not provided to understand what was addressed. Example below notes the MM LU-1 is no longer applicable yet I don't know what MM LU-1 should be requiring. Additionally, this project area is not within the WLC-SP so an explanation is needed to understand the tie-in if the MM is not considered applicable.

**MM LU-1:** *Note that Mitigation Measure LU-1 from the HFCP Final EIR is no longer applicable to the Proposed Project. Similar to MM AQ-13, this mitigation measure has been satisfied through the adoption of the World Logistics Center Specific Plan.*

Please give serious consideration to expanding your 300 foot noticing radius. With the large lots around this project site is likely you notified less than half a dozen different property owners. Therefore, I would appreciate being notified of all projects associate with Highland Fairview and any other warehouse development in Moreno Valley. Will accept either mail of email notification.

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March 19, 2019

Good evening/morning Mr Zwack,

Can and will you answer my question in my email found below as well as indicating differences/conflicts between the settlement agreement I sent you and documents you sent me.

Thank you for the documents,

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March 19, 2019

Good afternoon Mr Zwack,

Please read the November email found below. Can you assure me that all aspects of the attached settlement agreement has been honored with the proposed General Plan Amendment, Change of Zone and EIR Addendum for the Plot Plan for a 768,000 square foot industrial building. at the NE corner of Redlands Boulevard and Eucalyptus Ave?

Please email me today links to the environmental documents related to this project and staff's report.

If there are differences between the proposed project and the settlement agreement, please make sure they are indicated.

Thank you,

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November 27, 2018

Good morning Ms. Yaghoubian,

The Sierra Club is quite concerned about the proposed General Plan Amendment and Change of Zone for the area west of Skechers. The project area was part of a Settlement Agreement which needs to be honored. Please make sure you explain how the proposed project will deviate from the condition of the agreement and also where it will add to the impacts identified in the original EIR.

Please keep the Sierra Club informed of all documents, meetings and hearings related to this project.

Thank you,

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