

**MINUTES  
CITY COUNCIL OF THE CITY OF MORENO VALLEY**

**SPECIAL MEETING – 6:00 P.M.  
FEBRUARY 3, 2009**

**CALL TO ORDER** - A Special Meeting of the City Council of the City of Moreno Valley was called to order at 6:06 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was led by Council Member Hastings

**INVOCATION** - City Attorney Robert Herrick

**ROLL CALL**

Council:

Richard A. Stewart	Mayor
William H. Batey II	Council Member
Bonnie Flickinger	Mayor Pro Tem
Robin N. Hastings	Council Member
Jesse L. Molina	Council Member

Staff:

Jane Halstead	City Clerk
Julienne Clay	Administrative Assistant
Robert Herrick	City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
Kyle Kollar	Community Development Director
Mike McCarty	Parks & Community Services Director
John Terell	Planning Official
Mark Gross	Senior Planner
George Hanson	Electric Utility Division Manager
Mark Sambito	Land Development Division Manager
Eric Lewis	City Traffic Engineer
Margery Lazarus	Senior Engineer
Chris Vogt	Public Works Director/City Engineer

## **E. PUBLIC HEARING**

E1. A PHASED TENTATIVE PARCEL MAP (PA07-0090 AND P08-057) TO SUBDIVIDE A 158 GROSS ACRE SITE (265.3 ACRES INCLUDING OFFSITE IMPROVEMENTS AND DRAINAGE) INTO FOUR BUILDABLE PARCELS AND TWO PARCELS DEDICATED FOR FUTURE FREEWAY IMPROVEMENT PURPOSES (THIRTEEN PARCELS TOTAL INCLUDING PUBLIC ACCESS AND DEDICATION), AND FIRST PHASE PLOT PLAN (PA07-0091) FOR AN APPROXIMATELY 1,820,000 SQUARE FOOT WAREHOUSE INDUSTRIAL BUILDING ON APPROXIMATELY 83 ACRES (TOTAL OF 2,620,000 SQUARE FEET OF BUILDING FOR THE ALL PHASES OF DEVELOPMENT). THE PROJECT SITE CURRENTLY LIES WITHIN THE BP (BUSINESS PARK) AND CC (COMMUNITY COMMERCIAL) LAND USE DISTRICTS AND INCLUDES A REQUEST A CHANGE OF ZONE (PA07-0088) TO LI (LIGHT INDUSTRIAL) FOR ALL PROPOSED INDUSTRIAL USES AND A GENERAL PLAN AMENDMENT (PA07-0089) TO ELIMINATE A PLANNED MULTI-USE TRAIL OVER HIGHWAY 60, TO ADJUST AND EXTEND A PLANNED MULTI-USE TRAIL FROM THE SOUTH TO THE NORTH SIDE OF FUTURE EUCALYPTUS AVENUE FROM QUINCY STREET TO THEODORE STREET, TO RE-DESIGNATE FUTURE EUCALYPTUS AVENUE FROM REDLANDS BOULEVARD TO THEODORE STREET FROM AN ARTERIAL TO A DIVIDED ARTERIAL TO ALLOW THE ADDITION OF MEDIANS, AND TO ADJUST PARCEL LINES AND LAND USE FOR TWO PARCELS LOCATED IN THE CC LAND USE DISTRICT (NARROW WIDTH 126 FEET ON THE EASTERN PORTION OF THE SITE AND WIDEN 87 FEET ON THE WESTERN PORTION OF THE SITE). THE PROPOSED PROJECT IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. AN APPEAL HAS BEEN FILED BY THE PROJECT APPLICANT, HIGHLAND FAIRVIEW PROPERTIES, TO PROTECT THEIR RIGHTS (Report of: Community Development Department)

Applicant Iddo Benzeevi of Highland Fairview Properties made the presentation.

Mayor Stewart opened the public testimony portion of the public hearing. Public testimony was received from Stephen Crews (opposed), Lisa Spencer (opposed), Sam Martinez (supported), John Granillo (supported), Barbara Wint (supported), Sandra Downing (supported), Alex Hernandez (supported), Victoria Baca (supported), Robert Doherty (supported), Francisco Cuevas (supported)

**RECESS  
RECONVENED**

Public testimony continued:

George Hague (opposed), Karen Jakpor, MD (opposed), Jose Dionisio Chavez (supported), Stuart Swan (supported), Garry Murrell (supported), Ruthee Goldkorn (opposed), Melody Lardner (opposed), Ray Carbajal (opposed), Ann McKibben (opposed), Oscar Valdepena (supported), Dennis Leon (opposed), Marcia Narog (opposed), Michele Carrasco (opposed), Robert Then (opposed), Charles R. White (opposed), Keri A. Then (opposed), Elena Santa Cruz (supported), Lorena Santa Cruz (supported), Daryl Terrell (supported), Suzanne Hanna (opposed), Steve Clute (supported), Michelle Terese Gerard (opposed), Anthony Metcalf (opposed), Jamil Dada (supported), Harold Trubo (supported), Ziyileht Murillo (supported), Librada Murillo (supported), Vincent Ortiz (opposed), Larry Froehlich (supported), Michael Greco (supported), Jim Jernigan (supported), Allan Leigh (supported), Duncan Bush (opposed), Francisco Sanchez (supported), Deanna Reeder (opposed), Deborah Clark-Crews (opposed), Tom Albertazzie (supported), Jo Ann Stephan (supported), Brenda Jackson (opposed), Susan Gilchrist (opposed), Margie Breitreuz (opposed), Jan Beyers (opposed), Vicki Watson (opposed), Debra Coggins-Ortiz (opposed), Alex Ortiz (opposed), Marcia Amino (opposed), Priscilla Banks (supported), Rachel Lopez (opposed), Anthony Despart (opposed), John Esquivel (opposed), Suzanne Potter (supported), Louise Palomarez (supported), Jim Koch (opposed), Adolf Kruger (opposed), Joe Zmudosky (supported), Ruth Magana (supported), William Arsenault (opposed), Nutcharin Dickson (opposed), and Cathy Godfrey (opposed).

The following motions were made during the public testimony portion of the public hearing:

**Council Member Batey made a motion, seconded by Council Member Molina to continue the meeting at least until midnight. Approved by a 4-0-1 vote, Flickinger abstained.**

Substitute motion: **Mayor Pro Tem Flickinger made a motion to continue the meeting to allow public testimony of four speakers already called, seconded by Council Member Molina. Motion failed 2-3, Batey, Hastings and Stewart opposed.**

**Council Member Batey made a motion to continue the meeting until 1 p.m., seconded by Council Member Hastings. Approved by a 4-1 vote, Flickinger opposed.**

**Recommendation:** The Planning Commission recommends that the City Council conduct a public hearing to:

1. **DENY** PA07-0088 (Change of Zone) and a policy decision to change the zoning map on a 104.9 acre portion of a 158 acre project site from Business Park (BP), requiring a maximum of 50,000 square foot industrial/business park buildings, to Light Industrial (LI), allowing for industrial warehouse buildings greater than 50,000 square feet, thus denying the applicant's appeal and the project request as a whole. (If the Planning Commission's recommendation to deny the policy decision and change of zone is upheld, a resolution would be provided under separate cover at the meeting.)

If the applicant's appeal is upheld and a policy decision to change the zone from BP (Business Park) to LI (Light Industrial) can be justified by the City Council, the following alternative recommendation may be considered:

1. **APPROVE** Resolution No. 2009-08 to **CERTIFY** an Environmental Impact Report (P07-157), including approval of Statement of Overriding Considerations and a required Mitigation Monitoring Program for a Change of Zone (PA07-0088), General Plan Amendment (PA07-0089), Tentative Parcel Map (PA08-0090 and P08-057) and a Plot Plan (PA07-0091), pursuant to the California Environmental Quality Act (CEQA) Guidelines;

Resolution No. 2009-08

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P07-157), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the Highland Fairview Corporate Park Project, Generally Located Adjacent to and South Of Highway 60 Along Future Eucalyptus Avenue (Fir Avenue) Between Redlands Boulevard and Theodore Street

2. **INTRODUCE** Ordinance No. 785 for a Change of Zone (PA07-0088), to change the zone on approximately 104.9 acres of a 158 acre site from BP (Business Park) to LI (Light Industrial) to allow for industrial warehouse buildings greater than 50,000 square feet, subject to the findings included in the resolution; and

Ordinance No. 785

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Official Zoning Atlas of Said City, to Include a Change of Zone (PA07-0088) From BP (Business Park) To LI (Light Industrial) for an Approximate 104.9 Acre Portion of the Site, Including a Change of Zone for a 87 Foot Area Between Parcels 2 and 3 from BP (Business Park) to CC (Community Commercial) and Change of Zone for 126 Feet of Land Between Parcels 1 and 4 from CC (Community Commercial) To LI (Light Industrial), All Encompassed Within an Approximately 158 Acre Site (Including Relevant Offsite Improvements and Drainage) Commercial Land Uses on the Property Located South of and Adjacent to Highway 60 Between Redlands Boulevard and Theodore Street Along Future Eucalyptus (Fir Avenue)

3. **APPROVE** Resolution Nos. 2009-09, 2009-10, and 2009-11 for a General Plan Amendment (PA07-0089) to modify the Master Plan of Trails and Circulation Map of the General Plan, a plot plan (PA07-0090) and Tentative Parcel Map No. 35629 including phasing (PA07-0091 and P08-057) for the subdivision of a 158 acre site into four buildable parcels and additional parcels for public access and dedication purposes and a 2,620,000 square foot industrial/commercial development, including a 1,800,000 square foot industrial warehouse building (Phase 1), two parcels for future freeway improvements and numerous lettered lots for maintenance and easement purposes, subject to all mitigation measures within the EIR, as well as findings included in the resolutions, and conditions of approval, attached as Exhibit A to two of the resolutions.

#### Resolution No. 2009-09

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA07-0089) for the Elimination of a Portion of a General Plan Designated Multi-Use Trail, the Adjustment of a Planned Multi-Use Trail on Future Eucalyptus Avenue (Fir), the Upgrading from an Arterial to a Divided Arterial for Future Eucalyptus Avenue (Fir) and a Change in Land Use for a 87 Foot Area Between Parcel of Land Use for of 126 Feet of Land Between Parcels 1 and 4 From C (Commercial) to BP (Business Park), and a Plot Plan for an Approximately 1,820,000 Square Foot Warehouse Industrial Building (Total of 2,620,000 Square Feet for All Phases of Development Consisting of Industrial and Commercial Land Uses) on the Property Located South of and Adjacent to Highway 60 Between Redlands Boulevard and Theodore Street Along Future Eucalyptus (Fir Avenue)

Resolution No. 2009-10

A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of PA07-0090 (Tentative Parcel Map No. 35629) for Four Separate Buildable Parcels and Two Primary Parcels Dedicated for Freeway and Improvement Purposes (Thirteen Parcels Overall to Include Lettered Lots for Public Access and Dedication Purposes) and a Phased Subdivision of Land (P08-057) Consisting of a Proposed Industrial and Commercial Development (2,620,000 Square Feet) to Include Two Parcels for Industrial Warehouse Uses, Two Parcels for Commercial/Retail Uses and Two Parcels that will be Dedicated for Future Freeway Improvements on a 158 Acre Site (With Additional Off-Site Improvements and Drainage) Located Adjacent to and South of Highway 60 Along Future Eucalyptus Avenue (Fir Avenue) Between Redlands Boulevard and Theodore Street

Resolution No. 2009-11

A Resolution of the City Council of the City of Moreno Valley, California Approving PA07-0091 (Plot Plan) for an Approximate 1,820,000 Square Foot Industrial Warehouse Building with Ancillary Commercial/Retail and Office Uses on an Approximately 83 Acre Parcel Generally Located Adjacent to and South of Highway 60 Along Future Eucalyptus Avenue (Fir Avenue) Between Redlands Boulevard and Theodore Street

Mayor Pro Tem Flickinger announced that RTA public hearing regarding changes in bus service including eliminating Route 17 will be held on February 12, 2009 at the Moreno Valley Council Chamber and a public meeting with the RTA staff regarding proposed change of cost of riding a bus will be held on February 5.

**Mayor Pro Tem Flickinger made a motion to continue the public hearing to February 10, 2009 at 6:30 p.m. and to continue the public testimony for the remaining four (4) speakers (who were not called to speak), seconded by Council Member Hastings. Approved by a 5-0 vote.**

## ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 1:45 a.m. by unanimous informal consent.

Submitted by:

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Jane Halstead, City Clerk, CMC

Approved by:

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Richard A. Stewart, Mayor

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