

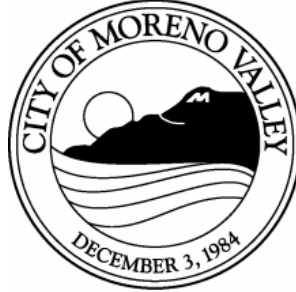
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**PLANNING COMMISSIONERS**

MELI VAN NATTA  
Chair

BRIAN LOWELL  
Commissioner

JEFFREY GIBA  
Commissioner



AMBER CROTHERS  
Commissioner

JEFFREY SIMS  
Commissioner

CARLOS RAMIREZ  
Commissioner

RAY L. BAKER  
Commissioner

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# **PLANNING COMMISSION AGENDA**

**April 25, 2013**

**PLANNING COMMISSION MEETING – 7:00 P.M.**

**CITY OF MORENO VALLEY  
City Hall Council Chambers  
14177 Frederick Street  
Moreno Valley, California 92553**

## **CALL TO ORDER**

1. Introduction and Swearing-In of New Planning Commissioners:
  - Brian Lowell
  - Jeffrey Sims

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

## **PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING**

(ON DISPLAY AT THE REAR OF THE ROOM)

## **COMMENTS BY ANY MEMBER OF THE PUBLIC ON ANY MATTER WHICH IS NOT LISTED ON THE AGENDA AND WHICH IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION**

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact Mel Alonzo, ADA Coordinator at (951) 413-3027 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

## NON-PUBLIC HEARING ITEMS

### APPROVAL OF MINUTES

1. August 23, 2012
2. September 13, 2012
3. November 29, 2012
4. December 13, 2012
5. January 17, 2013

### PUBLIC HEARING ITEMS

1. Case Description: PA12-0028 Municipal Code Amendment  
P12-117 Specific Plan Amendment  
Applicant: City of Moreno Valley  
Owner: City of Moreno Valley  
Representative: City of Moreno Valley  
Location: Citywide  
Proposal: To amend the Moreno Valley Industrial Area Specific Plan (SP 208) and zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code to include Emergency Shelters, Farm Worker Housing, and Single Room Occupancy Units (SRO). There are also some minor technical clean ups to the Municipal Code. The amendment will provide the necessary consistency with the City of Moreno Valley's certified Housing Element.  
  
Case Planner: Claudia Manrique  
  
**Recommendation:** **APPROVE** Resolution No. 2013-16 and thereby **RECOMMEND** that the City Council:
  1. **RECOGNIZE** that PA12-0028 (Municipal Code Amendment) and P12-117 (Specific Plan Amendment), qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378; and,
  2. **APPROVE** PA12-0028 (Municipal Code Amendment) and P12-117 (Specific Plan Amendment).

## **OTHER BUSINESS**

1. 2012 Annual Report of the Planning Commission

**Recommendation:**

Staff recommends that the Planning Commission:

1. **ACCEPT** the 2012 Annual Report of the Planning Commission; and,
2. **DIRECT** Staff to forward the 2012 Annual Report of the Planning Commission to the City Council.

2. Election of Officers

## **STAFF COMMENTS**

## **PLANNING COMMISSIONER COMMENTS**

## **ADJOURNMENT**

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1 CITY OF MORENO VALLEY  
2 PLANNING COMMISSION  
3 REGULAR MEETING  
4 AUGUST 23<sup>RD</sup>, 2012

5  
6  
7 **CALL TO ORDER**

8  
9 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley  
10 Planning Commission on the above date in the City Council Chambers located at  
11 14177 Frederick Street.

12  
13  
14 **ROLL CALL**

15  
16 Commissioners Present:

17 Chair Van Natta  
18 Commissioner Baker  
19 Commissioner Crothers  
20 Commissioner Giba  
21 Commissioner Owings  
22 Commissioner Ramirez

23  
24 Excused:

25 Vice Chair Salas

26  
27 Staff Present:

28 John Terell, Planning Official  
29 Larry Gonzales, Senior Engineer, Public Works  
30 Mark Gross, Senior Planner  
31 Julia Descoteaux, Associate Planner  
32 Michael Lloyd, Senior Transportation Engineer  
33 Clement Jimenez, Land Development Engineer

34  
35  
36 **PLEDGE OF ALLEGIANCE**

37  
38  
39 **APPROVAL OF AGENDA**

40  
41 **CHAIR VAN NATTA** – Okay, we've all had a chance to take a look at the  
42 Agenda. Do I have a motion to approve?

43  
44 **COMMISSIONER GIBA** – I move we approve the Agenda  
45

1 **COMMISSIONER OWINGS** - Second

2  
3 **CHAIR VAN NATTA** – Thank you. Okay moved and approved; all in favor?

4  
5 Opposed – 0

6  
7 **Motion carries 6 – 0, with one absent (Vice Chair Salas)**

8  
9  
10 **PUBLIC HEARING ITEMS**

11  
12 **CHAIR VAN NATTA** – The public is now advised of the procedures to be  
13 followed in the meeting. There is a display in the rear of the room that explains  
14 those.

15  
16  
17 **PUBLIC COMMENTS**

18  
19 **CHAIR VAN NATTA** – At this point we will take comments from by any of the  
20 public on any matter which is not listed on the Agenda but which is within the  
21 subject matter jurisdiction of the Commission and I don't see any Speaker Slips  
22 and I don't see anybody at the podium, so we will move on.

23  
24  
25 **PUBLIC HEARING ITEMS**

26  
27 **1. Case Number: P12-077 Amended Conditional Use Permit for a**  
28 **98,700 square foot Assisted Living and**  
29 **Memory Care Facility**

30  
31 **Case Planner: Mark Gross**

32  
33 **CHAIR VAN NATTA** – Our first item of business is a case that I am going to  
34 have excuse myself from the room for because I have a property leased that  
35 could be within the 500 feet from this, so I am going to allow Commissioner  
36 Baker to take over the Chair for this item.

37  
38 **COMMISSIONER BAKER** – Okay, thank you Commissioner Meli. The first item  
39 under our Public Hearing Item is case number P12-077. It has to do with an  
40 Amended Conditional Use Permit for a 98,700 square foot Assisted Living and  
41 Memory Care Facility. I think what we will do is have the Planner... Mark Gross  
42 is going to kind of give us a run down on what we are doing. This is a review of  
43 something we did here maybe six or eight months ago if I remember right. Okay,  
44 thank you Mark and proceed.

1 **SENIOR PLANNER GROSS** – Thank you very much. Good evening everyone.  
2 I'm Mark Gross, Senior Planner here. We are going to provide a little bit of a  
3 report here on this project before you this evening. This is a project by  
4 Continental East and as Commissioner Baker mentioned it is really a revision to  
5 something that has already come in before you actually back in December, but  
6 the requirement at this point is a Conditional Use Permit; it is an Amended  
7 Conditional Use Permit to develop a two-phase 98,700 square foot, 138 unit, 150  
8 bed Senior Assisted and Memory Care Facility on a 7.33 acre parcel of land and  
9 that is within the Residential 15 Land Use District. The proposed project which  
10 is named Renaissance Village is located on the southwest corner of Moreno  
11 Beach Drive and Brodiaea Avenue and will be replacing as we mentioned the  
12 project which was approved for a 139 unit, 155 bed Senior Assisted Living  
13 Facility and the Planning Commission did approve that project back on  
14 December 8<sup>th</sup>, 2011; so right at the end of last year.

15  
16 Now in comparing the current project to what was approved for the site back in  
17 December of 2011, the amended project does contain a few less beds; there is  
18 one less unit, some changes to the originally approved architecture. There are  
19 some minor modifications to the internal circulation pattern, but the primary  
20 change is really the addition of the memory care or Alzheimer's care component  
21 and that is located on the southern portion of the project site. Now amenities  
22 provided for the community are consistent to the originally approved project and  
23 include a recreation building, exercise pool. There is going to be a spa, various  
24 arbors and gazebos. There is going to be a couple of water features, some  
25 raised gardening areas, rose garden, barbecue areas and there will be some  
26 synthetic turf for gathering areas. Now there will be some private patios provided  
27 for some of the individual assisted living units and are conditioned to include  
28 landscape, hardscape and seating areas. Now there are three points of access  
29 that are proposed to each and each of these will include decorative paving.  
30 Parking is going to be 76 parking stalls proposed for the site. That is comparable  
31 to the 76 parking stalls required for the original slightly larger project that was  
32 based on the some of the conclusions of a parking analysis that was done at that  
33 particular time. Now the project site plan and color elevations are located over  
34 there to the far wall there on the left hand side primarily.

35  
36 The project is consistent with the surrounding commercial and residential land  
37 uses in the vicinity. The architecture itself; architecturally the complex will  
38 provide some details and earth-tone colors from the surrounding shopping  
39 center, however the project is really going to be actually be more compatible to a  
40 residential development, since it is a residential type development itself. Now the  
41 buildings will include stucco structures with details including tile roofs, shutters,  
42 decorative windows, decorative iron fencing enhancements and decorative  
43 lighting. Now as far as fencing goes around the site, there is an existing six foot  
44 decorative wall with entrance gates currently located on the southern portion of  
45 the project currently. There will be a proposed decorative iron fence with  
46 pilasters and a cap to be located along Brodiaea and Moreno Beach Drive and a

1 decorative wall with pilasters and a cap adjacent to the vacant residential lot,  
2 which is located to the west of the site. Now as the proposed project is not more  
3 intensive than the original approved assisted living project, an addendum to the  
4 negative declaration for the original project is required per California  
5 Environmental Quality Act Guidelines.  
6

7 Public noticing was sent; the notices were sent to all property owners of record  
8 surrounding the site, published in the newspaper and posted on site and Staff did  
9 not receive any public inquiries on this project. That concludes Staff's brief report  
10 on the project and we are here to answer any questions that you may have. In  
11 addition, I did want to mention that Charlene Kushner and representatives from  
12 Continental East and the rest of her team here are in the audience this evening  
13 to answer questions a little later on during the Applicant comments portion of the  
14 hearing. Thank you.  
15

16 **COMMISSIONER BAKER** – Okay, do I have any Commissioners that have  
17 questions of Staff of this project; the revision or anything? If not, then I am going  
18 to ask the Applicant to come forward and Charlene, if you don't mind coming  
19 forward. State your name and maybe your address for the record.  
20

21 **APPLICANT KUSHNER** – Good evening. My name is Charlene Kushner. I am  
22 Project Manager for Continental East Development, located at 25467 Medical  
23 Center Drive, Suite 201 in Murrieta, California, 92562. Continental East  
24 Development is very pleased to be before you again Commissioners for this  
25 Amended CUP and we are here to answer any questions that you may have.  
26

27 **COMMISSIONER BAKER** – Is there anyone with any questions of the  
28 Applicant?  
29

30 **COMMISSIONER GIBA** – I have one. What happened to the extra and I know  
31 you added the memory care unit; we reduced the number... I just want to know  
32 what happened. Where were those absorbed from? We lost five beds and one  
33 unit...  
34

35 **APPLICANT KUSHNER** – Yes, we did some... after our Planning Commission  
36 meeting in December of 2011, there were some prudent comments made  
37 actually by the Commissioners regarding memory care and we went back to our  
38 marketing and feasibility consultants and took a hard look at that and Al Rattan,  
39 the President of Continental East Development will give you more information on  
40 that in a moment, so in doing so we realigned and went back to having a  
41 consultant actually look at the functionality of what was approved and we made  
42 some revisions for flow and for operations and one of the units was absorbed  
43 inside one of the main buildings adjacent to the administrative building. So I'd  
44 like to introduce Al Rattan because I'd like to give you some information about  
45 memory care and the studies that we performed and what the conclusions are for  
46 that.



1 **COMMISSIONER BAKER** – That would be great

2  
3 **SPEAKER RATTAN** – Good evening Commissioners. My name is Al Rattan.  
4 Thank you for allowing us to come back and visit with you again. We did listen a  
5 lot at the last Planning Commission as far as memory care and we went back  
6 after the approvals; we went back with Staff and said do we have approvals to  
7 proceed with memory care and they said we need to think about that because it  
8 is a little different in the type of care and we very much want to compliment how  
9 Staff has worked with us, but it came back that they felt we should come again in  
10 front of the Planning Commission. So, what we did is we brought in the team to  
11 evaluate is there a need from a development point of view and what we found is  
12 that not only is there a strong need but in the statistics if we have an average age  
13 of 85, probably 40 percent of people at this age have some form of dementia and  
14 it is kind of shocking in the statistics and so we started reaching out and saying  
15 can we do something better. For example in the second phase; the 40 units for  
16 the assisted care was really something we thought in the future based on the  
17 new market report at the first part of the year if the demand is there well we really  
18 need to look at that and as such we went to a premier firm in San Francisco that  
19 specializes in senior housing; specializes in medical and skilled nursing as well  
20 as acute and we came up with some very interesting programs that are  
21 considered pods that are basically two different sections that will allow us to  
22 contain, but at the same time with the plan that you have in front of you we  
23 believe that we have the ability to have a more friendly residential component  
24 than the prior institutional and that is really what is in front of you today and with  
25 that if you have any questions, I'm available.

26  
27 **COMMISSIONER BAKER** – Commissioners, any questions of AI?

28  
29 **COMMISSIONER OWINGS** – I'd just like to say thank you for coming and  
30 applaud your new effort.

31  
32 **SPEAKER RATTAN** – Thank you.

33  
34 **COMMISSIONER GIBA** – I'd like to do the same. Thank you so much for  
35 coming back to table. You were approved without the memory care but you  
36 listened to us and the City is probably really going to appreciate that too.

37  
38 **SPEAKER RATTAN** – What I think you are going to get excited about is we are  
39 going to move forward immediately, subject of course to your approvals and our  
40 goal would be now in going through the working drawings in the fall of this year  
41 and sometime in the first part of next year is actually to break ground and we are  
42 ready to go. Thank you.

43  
44 **COMMISSIONER BAKER** – Very good and thank you. Okay, I'm going open  
45 this up to Public Testimony. I don't think we have any Speaker Slips. Then we

1 will close Public Testimony and we'll go into Commissioner's Debate on this  
2 project. Are there any comments?

3  
4 **COMMISSIONER OWINGS** – I think it is appropriate to make a motion now.

5  
6 **COMMISSIONER BAKER** – Okay

7  
8 **COMMISSIONER OWINGS** – I would make a motion that we **APPROVE**  
9 Resolution No. 2012-21 and thereby:

- 10  
11 1. **ADOPT** an addendum to the original Negative Declaration pursuant to  
12 Section 15164 of the California Environmental Quality Act; and,  
13  
14 2. **APPROVE** P12-077 Amended Conditional Use Permit for a 98,700 square  
15 foot two phase 138 unit, 150 bed Senior Assisted Living and Memory Care  
16 Complex on an approximate 7.33 acre site in the R15 (Residential 15) Land  
17 Use District based on the findings included in the resolution, subject to the  
18 the attached conditions of approval included as Exhibit A to the  
19 Resolution (Attachment 2)

20  
21 **COMMISSIONER BAKER** – Thank you; do I have a second?

22  
23 **COMMISSIONER GIBA** – I'll second that

24  
25 **COMMISSIONER BAKER** – Okay, we got a motion and a second to that; all in  
26 favor?

27  
28 Opposed – 0

29  
30 **Motion carries 5 – 1 – 1, with one abstention (Chair Van Natta and one**  
31 **absent (Vice Chair Salas)**

32  
33 **COMMISSIONER BAKER** – Staff wrap on this project.

34  
35 **PLANNING OFFICIAL TERELL** – Sure, this action shall become final unless  
36 appealed to the City Council within 15 days.

37  
38 **COMMISSIONER BAKER** – Thank you and our leader is back.

1 **2. Case Number: PA12-0026**  
2 **General Plan Amendment to the Circulation Plan**

3  
4 **Case Planner: Chris Ormsby**

5  
6 **CHAIR VAN NATTA** – Okay, we’re going to move on to Case Number PA12-  
7 0026 and our Case Planner is Chris Ormsby.

8  
9 **PLANNING OFFICIAL TERELL** – Yes Chris is not here actually. Larry Gonzales  
10 who is the Staff Engineer working on this project will be giving the report.

11  
12 **CHAIR VAN NATTA** – Okay, Mr. Gonzales

13  
14 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – Yes good evening Chair  
15 Van Natta and Planning Commission members. My name is Larry Gonzales. I’m  
16 a Senior Engineer for the Public Works Department. The City of Moreno Valley  
17 Public Works Department is requesting a General Plan Amendment, which will  
18 modify the City’s Circulation Plan PA12-0026. The existing cross section  
19 identifies a segment of Nason Street as a four lane arterial with a 100 foot right-  
20 of-way and 76 foot roadway width between Alessandro Boulevard and Dracaea  
21 Avenue and a four lane divided arterial with 110 foot right-of-way and 86 foot  
22 roadway width between Dracaea Avenue and Fir Avenue.

23  
24 The proposed modification is for a four lane divided arterial with 120 foot right-of-  
25 way and 86 foot roadway width. The City Council authorized the addition of this  
26 capital project and fiscal year 11/12 CIP. The project consists of approximately  
27 9,200 feet of ultimate width street improvements along Nason from Cactus to Fir.  
28 These improvements are integral elements of the Economic Development Action  
29 Plan and focused on building a medical corridor to facilitate an attractive element  
30 and create jobs for Moreno Valley residents. City Staff and the Design  
31 Consultant thoroughly examined the City’s Circulation Plan within the project  
32 area by conducting traffic analysis, projections and alignment studies. City Staff  
33 and the Design Consultant concurred through the analysis that a revision to the  
34 City’s Circulation Plan is necessary. The traffic analysis determined that the  
35 improvements are necessary to achieve acceptable levels of service for General  
36 Plan build out conditions and provide design year recommendations for the study  
37 area.

38  
39 The City is currently constructing improvements that extend Nason Street from  
40 Cactus and connect to Iris Avenue within the next year. This will increase daily  
41 traffic volumes in the project area to an excess of 20,000 vehicles per day.  
42 Based on the findings of the analysis, it was recommended that the overall  
43 Nason Street corridor within the project limits be constructed as a four lane  
44 divided roadway as reflected in the requested Circulation Plan modification. The  
45 proposed alignment was presented to City Departments, affected residents and

1 business owners at a public information meeting and Valley View High School  
2 staff in order to receive any comments or concerns that they may have.  
3 Overall, thus far responses have been positive. An Initial Study has been  
4 completed for the project. This project will not result in the potential for a  
5 significant impact on the environment. The Public Hearing Notice for the  
6 proposed General Plan Amendment was posted at City Hall and published in the  
7 local newspaper on August 1<sup>st</sup> of this year. With that I am available for any  
8 questions.

9  
10 **CHAIR VAN NATTA** – Okay, do any Commissioners have any questions of  
11 Staff?

12  
13 **COMMISSIONER GIBA** – Just some clarification questions...Larry, right?

14  
15 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – Yes

16  
17 **COMMISSIONER GIBA** – I took a drive down that to see where it went because I  
18 don't live in that area, so I don't get down there very often and I noticed that it  
19 does have sections from Alessandro all the way to Nason Street where some of it  
20 is single; then some of it is double. For clarity for me, you were approving to  
21 make the four lanes in those areas that are not four lanes; are we intending to  
22 take that entire stretch and convert it to an entirely new four lane system?

23  
24 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – In general from  
25 Alessandro up to Fir, what we are proposing to construct with this General Plan  
26 Amendment approval, would be a four lane roadway with a divided raised  
27 median and then for both northbound and southbound you would have a bike  
28 lane; a class 2 bike lane with a buffer zone between the vehicles and the bike  
29 lane, so it's a little bit of a new concept at least I think here in the City, but it has  
30 been very successful in other cities, so it makes it very friendly toward bicyclists  
31 and with the curb separated sidewalks, it also makes it more pedestrian friendly  
32 because it removes pedestrians a little bit further away from the traffic. So,  
33 typically it is going to be four lanes from Alessandro all the way up to Fir.

34  
35 **PLANNING OFFICIAL TERELL** – Just to add on a little bit, it is changing the  
36 General Plan from one type of four lane road to another type of four lane road, so  
37 the number of lanes in the General Plan is not changing, it is just the cross  
38 section of construction and through the discussions on the capital project, Nason  
39 is one of the few streets in town that has what we call a class one bikeway, which  
40 is a separated bikeway; it is not on the street, it is near the sidewalk and it was  
41 determined it was preferable to have the bikeway inside the public right-of-way  
42 rather than an easement on private property. So, I don't want to call it a paper  
43 exercise but to some extent it is just to make sure that that cross section is  
44 consistent all the way. There are two different designations right now and it is  
45 going to be constructed with one cross section all the way down, so it made  
46 sense to be uniform in the General Plan, but yes the number of lanes will be four

1 lanes. If it was built today, it would be four lanes. It is going to be four lanes in  
2 the future, but it is the same but different.

3  
4 **COMMISSIONER GIBA** – And that was my question. When they... you've got  
5 some of those that are already four lanes like at Eucalyptus up toward the  
6 freeway area and so that is pretty much going to stay the same. You are just  
7 going to modify that area for the bike lanes etc, so now you are going to do the  
8 major construction because it already has a center divider and all that. Am I  
9 correct?

10  
11 **PLANNING OFFICIAL TERELL** – Yes there is not going to be any change  
12 where there is any curb and gutter and four lanes.

13  
14 **COMMISSIONER GIBA** – One other question; kind of curiosity on my part...  
15 when you did that complete Nason over crossing; you get off of that freeway; that  
16 is not four lanes and yet now we are going into four lanes. How come when it  
17 was constructed you didn't construct it such a way that off of that freeway off-  
18 ramping we went into four lane type highway system?

19  
20 **PLANNING OFFICIAL TERELL** – The reason for that is that that part of the  
21 construction requires interaction with Cal Trans and that was established as a  
22 City project from Fir up to not quite to Ironwood; Hemlock... no Elder. From  
23 Elder to Fir is a City project and obviously the first phase is completed which is  
24 the off ramp. The next phase which is the construction of the bridge which will be  
25 four lanes is in design right now and should be going out to bid as soon as this  
26 fall and would be constructed sometime next year or so. Eventually it will be four  
27 lanes.

28  
29 **COMMISSIONER GIBA** – It will continue on to four lanes and I wanted that  
30 clarity because it looks very nice; very lovely but two lanes and yet we are going  
31 four lanes down, so I just wanted to make sure of that. Thank you.

32  
33 **COMMISSIONER OWINGS** – I would if I might like to ask a few questions of  
34 Staff. John just following up on your discussion, when you say the cross  
35 sections is changing, could you describe what the difference or maybe a mod  
36 would be the best person to do that. What is the difference between the cross  
37 sections and what is the proximity of these changes to the High School?

38  
39 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – Right now from Fir down  
40 to Dracaea, the existing cross section is a four lane divided arterial and so that is  
41 a 110 foot right-of-way and 86 foot wide curb to curb and what is interesting is  
42 that if you are driving southbound from Fir and you are heading toward Dracaea,  
43 that is an 86 foot wide curb to curb right now, but then at Dracaea it turns into for  
44 the Circulation Plan, it turns narrower, so it becomes constricted; it then becomes  
45 a 76 foot wide curb to curb and then when you get down to Alessandro and head  
46 south toward Cactus, it widens back out to I think 102 feet, so you've got it going

1 from wider to narrow to even wider and so what this does is it brings continuity to  
2 that whole section and it made sense. In terms of the High School, I think that is  
3 in the Fir to Dracaea section, so in that section currently right now it is planned to  
4 be an 86 foot wide under the current Circulation Plan street and that is what we  
5 are being consistent with that. We are keeping that at an 86 foot wide street.

6  
7 **COMMISSIONER OWINGS** – The reason I’m asking is for various incendiary  
8 reasons of which you are probably all aware. I have spent a lot of time in that  
9 area and have spoken to maybe 500 homes; household residents in that area  
10 and there seems to be a general consensus in that area that traffic is getting out  
11 to work and in the morning is almost made it impossible through the traffic  
12 generated by the school, so you know when you talk about traffic separators, you  
13 kind of perk my interest because in your opinion will this... I agree with what you  
14 are talking about making it uniform; nobody would be against that, but how will  
15 this affect... will it ease the situation; the congestion and the queuing that is  
16 going on in front of the High School for the residents in that area. I mean literally,  
17 I probably heard this complaint from 50 people in that neighborhood. It is just  
18 almost impossible to get out onto Nason during school; during those hours in  
19 which people are dropping off and picking up, so could you give us a general  
20 idea if this will have any affect to that.

21  
22 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – Yes we’ve had several  
23 meetings with the school; Principal and Administrators and they’ve brought forth  
24 that same concern and so we’re working with them to try to come up with some  
25 ideas to help alleviate some of that. I think we’re looking at and it is in the early  
26 stages of design on some of these side sheets, but we’re looking at perhaps  
27 Eucalyptus as a street where they can focus a little bit more as a drop off...

28  
29 **COMMISSIONER OWINGS** – It is my understanding there is only one entrance  
30 and exit and it is off of Nason?

31  
32 **PLANNING OFFICIAL TERELL** – Correct

33  
34 **COMMISSIONER OWINGS** – So this plan in itself will not in any way alleviate  
35 that problem or impact it in any way or make it worse?

36  
37 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – We are also talking to the  
38 High School potentially and it hasn’t been written in stone yet, but we are looking  
39 at the idea of perhaps a right turn lane into the High School.

40  
41 **COMMISSIONER OWINGS** – That makes a lot of sense

42  
43 **PUBLIC WORKS SENIOR ENGINEER GONZALES** –Yes and also I think to the  
44 south of the school we are looking at perhaps different ways where we might  
45 alleviate some of the traffic down there by providing the proper turn lanes to help  
46 keep traffic flowing a little bit more smoothly.

1 **COMMISSIONER OWINGS** – Is there any way that we could incorporate those  
2 types of changes into this plan we have before us tonight?

3  
4 **PLANNING OFFICIAL TERELL** – Well I guess the simple question is it is not  
5 something that is in the General Plan. The General Plan doesn't look at that, but  
6 I think certainly you can express your concern in whatever motion is taken and  
7 that would be kind of information to the City Council because this item needs to  
8 go to the City Council as well as the Planning Commission.

9  
10 **COMMISSIONER OWINGS** – I mean this is a really major issue when you are  
11 there and I think it does well if we were to do what you say John because the  
12 residents of that area need to know that we are paying attention and that the City  
13 isn't turning a deaf ear to their concerns, so I would hope that we could do that.  
14 Thank you very much, I appreciate your input.

15  
16 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – You're welcome

17  
18 **PLANNING OFFICIAL TERELL** – Yes Larry is the City Staff person, so he is the  
19 lead.

20  
21 **CHAIR VAN NATTA** – Okay we are open for Public Comments. I see nobody at  
22 the podium and I have no Speaker Slips, so we're going to close the Public  
23 Comments and from here would someone like to make a motion?

24  
25 **COMMISSIONER OWINGS** – Well Chairman, if we could go to debate a little bit  
26 or discussion. I would like to make the point that we should approve this but it  
27 should be with the caveat that John Terrell suggested that the City expedite and  
28 do whatever it can to expedite a solution to the traffic problem directly across on  
29 Nason from the High School in the Dracaea/Fir area, because it is essential that  
30 the people who live in that area have a resolution to this problem. So I would  
31 hope that we could do that or whatever motion is offered that it would include that  
32 and there would be consensus of the Commission to do so.

33  
34 **COMMISSIONER CROTHERS** – I think it's a great thing to make that motion and  
35 have the Council look at that, however, I think the Council you know; this being  
36 brought up because Nason is being worked on, but this problem is not exclusive  
37 to Valley View High School. This problem of traffic is all over the City. I have  
38 been caught up in Rancho Verde High School's traffic more than one time trying  
39 to get to work or trying to get home from work, so I think that overall the City  
40 should take account of the traffic that goes on with the schools and try to alleviate  
41 some of the traffic all over the City and not just for Valley View High School, even  
42 though it has been brought to our attention because Nason it is being worked on.

43  
44 **COMMISSIONER OWINGS** – So your point would be that we could make the  
45 recommendation to City Council to look at Nason but they should also be aware

1 of other areas in the City, but let's not leave Nason out just because of other  
2 problems.

3  
4 **COMMISSIONER CROTHERS** – No, by no means do I want to leave Nason out,  
5 but I want to include the other areas in the City that are suffering from the same  
6 traffic consequences that Valley View High School has.

7  
8 **COMMISSIONER OWINGS** – Is there a consensus?

9  
10 **CHAIR VAN NATTA** – I want to hear if there are other comments from the  
11 Commissioners.

12  
13 **COMMISSIONER GIBA** – This and if I'm correct; this is just a resolution to the  
14 General Plan Amendment to revise the City Circulation Plan, so under no  
15 condition is this a plan for changing the streets or roadways or anything like that.  
16 That comes down the road as you design it. Am I correct? The only thing you  
17 are saying here is that we are going to revise the plan so that these are four  
18 lanes throughout this entire stretch. It is going to be in the design of those  
19 roadways that you will come up; right Larry, the crew will come up and make  
20 those adjustments and corrections, so along with what Commissioner Owings  
21 suggested and maybe just not necessarily in our approval, putting some kind of a  
22 separate resolution, but maybe just an advisement to the Council to go forward  
23 for each one of these things begin to take that as a serious note, the City needs  
24 to begin to look at these streets and all of these traffic patterns, so that when it  
25 does come back to us...is this coming back to us when you guys get the designs  
26 done?

27  
28 **PLANNING OFFICIAL TERELL** – No the actual design of the street is something  
29 that is approved by City Council as part of when they are ready to go out to  
30 contract, but by point of information and hopefully to allay your concerns, when  
31 streets are designed it is a collaborative effort including Capital Projects,  
32 Transportation Engineering and Land Development and the Utility and other  
33 people that have an interest in the streets, so as Larry already mentioned, and  
34 they are already talking to the school because they are aware, based on talking  
35 to people out there that have the same concerns, so it won't be a separate  
36 resolution it would just be part of your motion that would kind of say we are  
37 approving and I assume that is going to be your motion; we are recommending  
38 approval of this action and in reviewing this action, we want to advise you of this  
39 concern about school traffic next Valley View as well as other parts of the  
40 community and it is just additional information to the Council.

41  
42 **COMMISSIONER GIBA** – Good. Is that okay with Commission Owings?

43  
44 **COMMISSIONER OWINGS** – Right, because this will be our last chance to  
45 advise the City Council of anything concerning this and we should avail ourselves  
46 of it and I would be willing to make the motion.



1 **CHAIR VAN NATTA** – Okay, Commissioner Ramirez did you have anything to  
2 say?

3  
4 **COMMISSIONER RAMIREZ** – Yes I do. I think that is very important that... as  
5 we are looking towards the future we are looking to make a medical corridor here  
6 and when there are emergency vehicles, they are going to try to get to those  
7 facilities through school hours and it will create a big problem, so if there is any  
8 way we can look at right hand turns, lanes into the school right now, it is better to  
9 do it now and then have to go back and fix it once the medical corridor is  
10 established. It will be too much chaos, so that would be my recommendation.

11  
12 **COMMISSIONER BAKER** – The question that I've got on this school access  
13 deal is who has the responsibility to give up the land? Is that the School District  
14 or who builds that? I mean we just can't carve out a right hand turn lane out of  
15 their parking lot or whatever their landscape is there; right?

16  
17 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – Yes, we would have to  
18 coordinate that with the school and we have had several meetings with them.  
19 Actually in our public meeting and we sent notices to hundreds and hundreds of  
20 homes within that area and we had a nice turn out, but our meeting was actually  
21 at the High School, so we definitely are working with them. We are emailing  
22 them. We are calling them and we are keeping in constant contact, so we would  
23 coordinate that with them.

24  
25 **COMMISSIONER BAKER** – Okay the question I've got who bears the expense  
26 of building that right hand turn lane. Is it the City or the School District?

27  
28 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – It would probably be part  
29 of the project because it would be...

30  
31 **COMMISSIONER BAKER** – It would be a change order that would add to the  
32 cost; right?

33  
34 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – Well, it wouldn't be a  
35 change order if we work it into current design or the designer works it into the  
36 current design, it would just...

37  
38 **COMMISSIONER BAKER** – It would have to go out to bid; right?

39  
40 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – Right, so that when we  
41 went out to bid, it would already be part of the construction plans.

42  
43 **COMMISSIONER BAKER** – Okay, the other question that I've got is you go  
44 down through there and some of those houses are really close to that right-of-  
45 way. Have we secured right-of-way or are we going to have to eminent domain  
46 to go down through there to Cactus?

1 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – We haven't got to the  
2 point of deciding whether we are going to need eminent domain or not. What we  
3 are getting close to the point of doing is once we get the design solidified a little  
4 bit more, we will be able to start contacting the property owners and trying to  
5 acquire the right-of-way through dialogue...

6  
7 **COMMISSIONER BAKER** – We've got three or four parcels there that are going  
8 to be kind of dicey there I imagine, the way it looks to me.

9  
10 **PUBLIC WORKS SENIOR ENGINEER GONZALES** – We've got a couple on the  
11 west side and then on the east side there is a small shed and we've already  
12 actually spoken with that property owner about that and so far again in general,  
13 the responses have been positive. We'll see once we start getting to that phase.

14  
15 **COMMISSIONER BAKER** – Good

16  
17 **PLANNING OFFICIAL TERELL** – Yes but also part of the design is to minimize  
18 the impact on the east side of the street where it is mainly developed with homes  
19 and churches and the City owns most of the land on the west side, so the idea is  
20 to shift to minimize the impact on the east side because that is mostly settled, but  
21 there definitely will be some impacts and as Larry said, they are already in  
22 conversations, so people already know it will change, but the intent is not to say  
23 bye to any houses on the east side.

24  
25 **COMMISSIONER BAKER** – Okay, good, thank you

26  
27 **CHAIR VAN NATTA** – Okay so what we are going to be looking for is our  
28 recommendation to include a statement at the end that says that we recommend  
29 that special attention be given to the traffic patterns around the school for safety  
30 and traffic flow.

31  
32 **COMMISSIONER OWINGS** – If is appropriate, I would offer the motion right now.

33  
34 **CHAIR VAN NATTA** – Go ahead

35  
36 **COMMISSIONER OWINGS** – I make a motion that the Planning Commission  
37 **APPROVE** Resolution No. 2012-12 and thereby:

38  
39 **1. ADOPT** A Negative Declaration for P08-053 Tentative Tract

40  
41 **CHAIR VAN NATTA** – You are reading the wrong one here

42  
43 **COMMISSIONER OWINGS**- Am I reading the wrong one? Yes, give me the  
44 right one will you? I am going for the one that I'm not going to be here for.  
45 Alright let's try this again... that the Planning Commission **APPROVE** No... that's  
46 the same one. Page 6...

1 **CHAIR VAN NATTA** – It's Item No. 2

2  
3 **COMMISSIONER OWINGS** – Well that's what I was on. What is the page  
4 number of the appropriate...? Okay, we went way to far... got it; okay. I got it;  
5 alright. Let's try it again... I would move that the Planning Commission  
6 **APPROVE** Resolution No. 2012-22 **RECOMMENDING** to the City Council:

7  
8 **1. ADOPT** a Negative Declaration and **APPROVE** PA12-0026, a General  
9 Plan Amendment to the revise the City Circulation Plan and that the City  
10 Council be advised that the Planning Commission hopes that they would take  
11 all action necessary to expedite a solution to the traffic congestion problem in  
12 front of the High School on Nason between Dracaea and Fir

13  
14 **COMMISSIONER CROTHERS** – And the other High Schools in the City

15  
16 **COMMISSIONER OWINGS** – And also to pay attention to all other High Schools  
17 with similar congestion problems.

18  
19 **COMMISSIONER BAKER** – I'll second that motion

20  
21 **CHAIR VAN NATTA** – Okay, we have a motion and a second; all those in favor?

22  
23 Opposed – 0

24  
25 **Motion carries 6 – 0, with one absent (Vice Chair Salas)**

26  
27 **COMMISSIONER OWINGS** – Madam Chairman on the next Agenda item I have  
28 a pending property transaction with Mr. Stevens. I will have to recuse myself.

29  
30 **CHAIR VAN NATTA** – Okay

31  
32 **PLANNING OFFICIAL TERELL** – And before you move on, I just wanted to note  
33 that your action will be forwarded to the City Council for final review and action.

34  
35 **CHAIR VAN NATTA** – Okay thank you.

1 **3. Case Number: P08-053 Tentative Tract Map No. 35931 for**  
2 **PA08-0054 Condominium Purposes and Plot Plan**

3  
4 **Case Planner: Julia Descoteaux**

5  
6 **CHAIR VAN NATTA** – Okay we are going to move on to our third Agenda item;  
7 Case Number P08-053 and PA08-0054 and our Case Planner on this one is Julia  
8 Descoteaux.

9  
10 **ASSOCIATE PLANNER DESCOTEAUX** – Good evening Planning  
11 Commissioners, I'm Julia Descoteaux, Associate Planner and before you this  
12 evening is a proposed Tentative Condominium Map 35931 and a Plot Plan for  
13 135 unit condominium project on 10.41 acres. The project is located within the  
14 Specific Plan 193, which is the Moreno Valley Ranch Specific Plan and is zoned  
15 medium residential, which allows for multi-residential units at a density of 8 to 13  
16 units per acre. The proposed project's density is 13 units per acre. The project  
17 meets the development standards in the Specific Plan 193 Land Use District,  
18 which defaults to the City's Municipal Code R15 zoning for development  
19 requirements.

20  
21 The project proposes 39 one bedroom units, 84 two bedroom and 12 three  
22 bedroom units with two building footprints. The project site currently has a  
23 Tentative Tract Map and a Plot Plan entitlement for a 90 unit condominium  
24 project which was approved in 2007 and is still valid. The proposed project has  
25 similar architecture and site layout; however there is an increase in units from 90  
26 to 135 and is accomplished primarily by the inclusion of smaller one bedroom  
27 units and stacked units rather than townhouse units. The site of 10.41 acres is a  
28 rectangular lot on the southwest corner of Iris and Via Del Lago. The site has  
29 been graded in the past for the Specific Plan Development and for yearly weed  
30 abatement and the site slopes down from south to north, with existing sidewalks  
31 and landscaping on the both of the street frontages.

32  
33 The surrounding area is predominantly residential, with existing residential to the  
34 south as well as to the north and the golf course to the west. The project will  
35 access the complex from Iris as well as Via Del Lago and both of the entrances  
36 are gated and will be for right in and right out access only due to existing street  
37 medians. The project will propose 257 parking spaces which meets the  
38 development code requirements for off street parking. There is an error in the  
39 Staff Report; the project proposes instead of 13 two-story units, it is 14 two-story  
40 condominium buildings designed with 11 instead of 9 unit buildings and 3 twelve  
41 unit buildings, in Spanish style and Spanish Monterey. Each architectural style  
42 will include three paint palettes, clay roofs and stone details providing high quality  
43 design consistent with the Moreno Valley Ranch architecture style as identified in  
44 the Specific Plan.

45

1 The two-story condominium project is adjacent to the single family homes to the  
2 south. The project is set back along the south property line to the building and  
3 will be a minimum of 50 feet per the City's Municipal Code. The proposed project  
4 is lower than the existing residences with a grade difference between 16 and 29  
5 feet at various points on the south property line. The smaller of the two building  
6 types will be along the southern portion of the site with a driveway between the  
7 two buildings to reduce the massing of a continuous building. The building front  
8 elevation will be facing the south and the height of building B is approximately 30  
9 feet high. The height and scale of the buildings is consistent with the existing  
10 approval. The site will be gated and will have tubular steel fencing around the  
11 project and be conditioned to include decorative pilasters with the tubular steel  
12 fencing. The proposed number of residential units is below the maximum  
13 number used as a guideline to require a traffic study for multi-family residential.  
14 There will be an increase in traffic as the site is currently vacant and the new  
15 proposes 135 units, however the effect on the traffic will not be significant as the  
16 project density is consistent with the existing site zoning and the increase in  
17 traffic is readily accommodated by the capacity of the existing street system.

18  
19 A Burrowing Owl Assessment was completed for the project and no owls or  
20 occupiable burrows were located on the site. A preliminary water quality plan  
21 was reviewed and approved by the Land Development Division. The plan  
22 reviewed onsite drainage and the proposed treatment control for best  
23 management practices for the site. The project must comply with the State-wide  
24 general permit for storm water discharge associated with the construction activity  
25 and shall prepare and implement a storm water pollution prevention plan. A final  
26 water quality plan will be required prior to any grading permits issued. With  
27 consideration to the information, an Initial Study has been completed for the  
28 project for the Plot Plan and the Tentative Map.

29  
30 Based on the Initial Study a determination has been made that the proposed  
31 project will not result in the potential for significant impacts on the environment,  
32 therefore the adoption of a negative declaration is recommended. Public notice  
33 was sent to all property owners within 300 feet, posted on the site and posted in  
34 the newspaper. To date I have received three phone calls regarding the project.  
35 They were requesting information and discussing traffic concerns as well as view  
36 concerns. I have received one written letter from the Department of Parks and  
37 Recreation requesting that we place a condition of approval to make the  
38 perspective owners aware of the high volume of traffic during heat usage times at  
39 Lake Perris and the Applicant has no objections to this additional condition. This  
40 concludes my Staff Report and the Applicant is here to answer any questions as  
41 well as myself. Thank you.

42  
43 **CHAIR VAN NATTA** – Okay Commissioners, does anybody have a question of  
44 Staff? Go ahead.

1 **COMMISSIONER GIBA** – I went up to the site and looked at the location and  
2 you have that median in between there coming up Via Del Lago when you come  
3 up and actually that is the entrance into Lake Perris is what it is, so when they  
4 come out of that site, they are going to have to do a right hand turn only. Am I  
5 correct?  
6

7 **ASSOCIATE PLANNER DESCOTEAUX** – That's correct  
8

9 **COMMISSIONER GIBA** – Which means they are going to have to go up to that  
10 loop and then make a left loop back down and I think that could be a problem  
11 when people are trying to come out. Just up it is the gated home community that  
12 comes out of that same looped area and I have a feeling that is going to end up  
13 being a little bit of a traffic problem in the future. Are there any feelings that that  
14 might be changed to put a light section in there or anything like that? That was  
15 my big concern when I saw that is that you've got a median then there's a right  
16 and then you have to loop through because that is how I had to get through there  
17 just to get around, so it doesn't look like it is really practical for coming in and out  
18 the way it is set up at this point.  
19

20 **ASSOCIATE PLANNER DESCOTEAUX** – We've looked at several options and  
21 the one that we proposed to you as well as us doing a left turn through the  
22 median, but that creates additional issues as well.  
23

24 **PLANNING OFFICIAL TEREEL** – If I could have Michael Lloyd because he is  
25 our traffic person who looked at this project the first time and this time and maybe  
26 he can provide you more information on that.  
27

28 **TRANSPORTATION ENGINEER LLOYD** – Good evening, I'm Michael Lloyd  
29 with Transportation Engineering. As Julia alluded to, during the project review,  
30 we did initially look at whether a driveway off of Via Del Lago could be a full  
31 access driveway which would allow for that left turn movement. Due to the  
32 vertical change as well as the landscaping within the median, we couldn't reach  
33 our site distance standards and so we felt in this case due to the traffic  
34 projections that we were looking at, that it would be most prudent to go ahead  
35 and restrict the driveway in to a right in and right out. We did acknowledge that  
36 for the people who decide to leave this complex utilizing Via Del Lago that they  
37 would have to go up and make the u-turn and then head back to I guess it would  
38 be the north up to Iris Avenue. We did take a look at that and again based upon  
39 the traffic projections for this project and what we were seeing in the field for a  
40 typical weekday; not weekends, but typical weekday, that some re-striping and  
41 appropriate signing could accommodate the two movements without any  
42 problems.  
43

44 **COMMISSIONER GIBA** – Thank you Michael, but I'm going to have to disagree  
45 with you on that one. That loop de loop is not very wide and you've got those  
46 houses on the right too and I'm just concerned about how that is set up to do

1 that. Is there any consideration maybe in making that wider or reducing that  
2 median down a little bit farther giving a clearer access rather than such a high  
3 loop over and around, even a light at that point to accommodate those going to  
4 the park as well as those coming out of the housing, as well as those people  
5 making a left hand turn, with a left hand turn light for all the flow, so I'm not the  
6 traffic guy. All I am is the guy who drove in the car and tried to figure out how to  
7 get around there and once you have 135 units of people, plus people in the  
8 houses, plus people going to the park, I think you are going to get your hands full  
9 up there.

10  
11 **TRANSPORTATION ENGINEER LLOYD** – I don't disagree and it was a concern  
12 during our review process. I do want to point out that we do have a driveway on  
13 Iris Avenue and that we felt that given those conditions that you just described, it  
14 would probably be a deterrent in itself for people to go out of the project site just  
15 simply because it would be easier to utilize the driveway off of Iris. The reason  
16 we wanted to provide... I guess the alternative would be no driveways on Via Del  
17 Lago. Let's put all the driveways on Iris Avenue; we also looked at that. We  
18 could not squeeze in two driveways on Iris Avenue giving our spacing  
19 requirements. We could only make one driveway work and for the site to  
20 circulate as we would hope it would, we did want to go ahead and provide the  
21 second driveway on Via Del Lago. Again the traffic analysis that was performed  
22 did not indicate a high; we would not expect a high volume of traffic during the  
23 peak hours coming out of this driveway utilizing Via Del Lago.

24  
25 **COMMISSIONER GIBA** – You are the experts; not me, but it is my position to let  
26 you know that. Those people living up in those houses; those condos at the far  
27 end; the southern section of it are not going to drive all the way out to that  
28 entrance. They are going to go out that right side because it is more convenient;  
29 that's how people think, so I don't believe they would go all way to Iris if they are  
30 living all the way up in that one southern area. They are going to out that right  
31 side and rightfully so; that is an entrance for it, so just my concern okay  
32 expressed.

33  
34 **COMMISSIONER BAKER** – I use that Lake a lot in the last 25 years and I don't  
35 want to disagree with you on the traffic pattern, but even when they added those  
36 additional houses there, I've seen no problem with traffic flow out there and I'm  
37 no expert on it. Actually that deal that you are talking about that we could put in  
38 there, that was when you had to line the boats up to turn them around to go that  
39 way; that hasn't happened for a while. That is why that was there originally, am I  
40 correct? And to not cut through on the median... It wasn't. You know if you have  
41 the officer there and say hey we are full on boats and you've got to turn around  
42 and go back, but I haven't even seen anybody even use that probably in the last  
43 10 years or so.

44  
45 **TRANSPORTATION ENGINEER LLOYD** – I'm not familiar with what you are  
46 describing, but what you are describing would work.

1 **COMMISSIONER BAKER** – Well in median, to cut through what Commissioner  
2 Giba was talking about is typically when they shut the lake down for additional  
3 boats to come; that's where you make the u-turn and go around. They built  
4 houses and even when they added... what is that, when they added another  
5 hundred houses over there right adjacent to it, I have not seen any impact on  
6 traffic there whatsoever, and granted the traffic is down on the lake due to the  
7 water level down, but I've never had a bit of problem there in the last four or five  
8 years for sure. It used to be when it was really steaming, you would have people  
9 lined up on that street to get in but not here of late and let me ask one other  
10 question. On the entrance to or where you into Iris, is there going to be a light  
11 there or are you going to do a cut through on the median? I didn't even look and  
12 see if that median has a cut through there at that entrance.

13  
14 **TRANSPORTATION ENGINEER LLOYD** – No, the intersection of Iris at Via Del  
15 Lago is currently signalized,

16  
17 **COMMISSIONER BAKER** – So you are not going to go out and make a u-turn  
18 that way

19  
20 **TRANSPORTATION ENGINEER LLOYD** – That's correct

21  
22 **COMMISSIONER BAKER** – You know really, we've got a lot of locations around  
23 town that you have to this loop de loop and I think the median is good to control  
24 the traffic; I really do. It is not real handy sometimes, but that is why you put  
25 them in there is so people aren't making u-turns or willy-dilly deals all over the  
26 place, so I'm not trying to disagree with what you are saying but I don't think it is  
27 a big deal to worry about at this point. Rightly so, I don't know when this project  
28 is going to happen, but I imagine it is going to be down the road for a while, but  
29 looking at the traffic pattern here and what I know about it, it looks pretty good.  
30 The circular deals; what is in the middle there? Is that a fountain... you know as  
31 you come in and not that it makes a lot of difference, but you've got a traffic flow  
32 around the entrance into each one of the entrances. Is that correct?

33  
34 **PLANNING OFFICIAL TERELL** – There is a median... the circle goes around a  
35 median because it is gated, so it kind of provides a circle for people turning  
36 around if they can't get into the gates or if they made a mistake and didn't want  
37 go that way, but that is why it is basically a turnaround in front of the gate and I  
38 think as Julia may have mentioned, these entrance and exits are the same as the  
39 originally approved project, so we've been looking at it for a while and there is  
40 grade differential on this property, so that's is why the driveway has to be there  
41 rather than further south closer to the intersection, but I did want to reiterate that  
42 Transportation will be looking at the way it is striped so it makes more sense as a  
43 turn lane as opposed to the way it is now and I would concur with Commissioner  
44 Baker that it was originally meant to be a turnaround for vehicles with boats and  
45 they don't have a really tight turning radius.

46



1 **CHAIR VAN NATTA** – An additional question for Mr. Lloyd. If it appears in the  
2 future that there is any kind of a traffic problem with people exiting there, the  
3 other tract that is gated that is to the north, traffic going in and out can just a  
4 simple stop sign perhaps be installed in front of the other gated area to provide  
5 access so they're not able to leave that gated area if there is traffic on the  
6 weekend.

7  
8 **TRANSPORTATION ENGINEER LLOYD** – Transportation Engineering Division  
9 which I'm a part of, routinely goes out and monitors existing traffic conditions and  
10 this would be an area that would we routinely look at. Once this project  
11 develops, if we did identify a problem, we would try to develop a solution and one  
12 possibility would be an additional signing. Additional signing could include stop  
13 signs. I can't sit here today and say that yes it would definitely it would be a stop  
14 sign addition that would be the solution. We would need to go out and watch  
15 what was happening to come up with the best solution at that time.

16  
17 **CHAIR VAN NATTA** – Well as Commissioner Giba said you guys are the  
18 experts in figuring out how to make those things work, so at this time if there are  
19 no other questions for Staff can we hear from the Applicant.

20  
21 **APPLICANT SLAWSON** – Good evening. Madam Chairwoman and Planning  
22 Commissioners, my name is David Slawson. I'm with Winchester Associates  
23 and we are Engineers and Surveyors and I'm representing the project  
24 proponents tonight. First I guess I should address the traffic as best as I can.  
25 These was a Traffic Study done about five years ago now for the original project  
26 and this project is approximately 40 percent larger using that same ratio,  
27 because there is a standard number of average daily trips generated from this  
28 type of development. I think it is 5.8 or so. This would have under 800; just  
29 under 800 average daily trips. Probably you would estimate the two accesses;  
30 Iris and the one on Via Del Lago.

31  
32 The original Traffic Study when they looked at it, they actually were considering  
33 and I looked at it more closely after that meeting with Staff, that there would be a  
34 turn lane there or a cut through and so they estimated it was almost a balance;  
35 half the residents would leave off of Via Del Lago and half would leave off of Iris,  
36 but won't be the case now. I'm certain of it because that's just not the way  
37 people react. Since they now have to go and back track; if they go out to Via Del  
38 Lago, they have to back track to get out and further if it becomes an issue; if it  
39 becomes congested or you know just too busy and the fact that it is back  
40 tracking, people will avoid that. They'll prefer to go the straight route; the less  
41 congested route; the more convenient route and if in fact it becomes an issue,  
42 more of the residents would naturally go out to Iris. I do that. I avoid Moreno  
43 Beach Drive at certain times of the day. I avoid Nason Street at certain times of  
44 the day as I heard you all talking earlier.

1 Looking at some of the other issues with regards to the park; Lake Perris, I read  
2 through the original Specific Plan; Moreno Valley Specific Plan and one of the  
3 comments they had was that it is really a State problem and they said the way  
4 that the State Park admits people and they way they queue and the way they  
5 alert them further down the road, that either one of those things are or any of  
6 those things could relieve the problem that occurs not very often now, but it used  
7 to frequently some years ago, but since the lake is down whatever it is down and  
8 the lake doesn't see not much traffic, it hasn't been much of an issue, which  
9 leads me to add in here, Julia Descoteaux brought me a proposal of a revised  
10 condition to advise the residents or the future residents of the potential for high  
11 traffic volumes from Via Del Lago and we consider it an asset with the park there.  
12 Overall it far outweighs any negative the traffic will bring. There is jogging, there  
13 is biking, there is swimming, there is boating, there is camping; it is a huge asset  
14 for this community overall.

15  
16 Additionally on the traffic, originally when this Specific Plan was approved and  
17 the roads were designed, they expected there would be over 12,000 single-family  
18 units or dwelling units overall in this Specific Plan. At build-out, it is not much  
19 over 8,000. The point being, the roads were all designed for much more traffic  
20 than ultimately was generated. Via Del Lago finally is a divided arterial highway  
21 which most Traffic Engineers would say should carry approximately 30,000 trips  
22 a day, so it is a pretty huge road and besides having two lanes in each direction  
23 and a huge bike lane on the right hand side. Maybe it is also used as a turning  
24 lane into the existing residences but it allows for a lot more traffic.

25  
26 As for the overall project, we agree with the recommendations and findings of  
27 Staff. We are really happy with the Spanish Colonial and Spanish Monterey  
28 designs. This has a clubhouse, a pool, a leasing house, a rec area. The  
29 additional conditions for added color; an additional color, for additional lighting,  
30 for pop-out metal railing within the structures which helps provide that relief which  
31 this sort of adds the spacial experience is a little more exciting. Some of the more  
32 common conditions that we've agreed to are diamond planters, additional trash  
33 for the ease of access to the residents, landscape fingers and enhanced  
34 decorative paving in the fronts. All of them enhance the project. We additionally  
35 agree with the findings leading to the proposed negative declaration and would  
36 ask for your approval tonight and I would be happy to answer any questions if I  
37 can.

38  
39 **CHAIR VAN NATTA** – Okay well just to clarify because you did mention a  
40 leasing house, these are not planned to be individually sold condominiums. It is  
41 a condominium project for leasing?  
42

43 **APPLICANT SLAWSON** – It is a condominium project; officially it is a  
44 condominium project. What actually ends up happening; you know I can't say for  
45 certain. When we met with the HOA a few weeks ago, we told them it could be  
46 an apartment; it could end up being a for rent project and it just really depends on

1 the market. I heard today at the Mayor's address that Kaiser was potentially  
2 going to add some additional medial suites at their existing under construction  
3 project, so it really depends on the market, but they are acceptable for either.  
4 The project would be acceptable for either.

5  
6 **CHAIR VAN NATTA** – So built to standards where they could be individually sold  
7 as separate condominium units or kept by the developer or sold as a group for  
8 rental.

9  
10 **APPLICANT SLAWSON** – Definitely yes and both or either are consistent with  
11 the zoning in the General Plan designation.

12  
13 **CHAIR VAN NATTA** – Yes, people who rent don't drive more cars than people  
14 who own so, it is the number of the people who live there that makes the  
15 difference.

16  
17 **APPLICANT SLAWSON** – Right, correct

18  
19 **CHAIR VAN NATTA** – Any more questions of the Applicant?

20  
21 **COMMISSIONER GIBA** – I just have a comment. I drove up... David. I did go  
22 up and take a look at the site as I mentioned and you represent the Applicant? Is  
23 the Applicant here?

24  
25 **APPLICANT SLAWSON** – Yes

26  
27 **COMMISSIONER GIBA** – It is a beautiful site for those condominiums. The way  
28 it is lower down and because of the walls and houses, there is no conflict of what  
29 I can see with the your designs of any kind in the surrounding and existing area,  
30 so I thought for a minute when I looked at it, well I said I couldn't think of a better  
31 place to nestle 135 units right by the park, so I just wanted to reassure you that I  
32 like what was being put there, I was just concerned about the way the traffic flow  
33 would be and then hearing there were three letters with questions about traffic  
34 flow as well, but I don't see a conflict with the designs and I don't see a conflict  
35 with the location and I think it is right by the golf course. It actually looks like it is  
36 nestled there, so I just wanted to make that comment.

37  
38 **APPLICANT SLAWSON** – Thank you

39  
40 **CHAIR VAN NATTA** – If there are no more questions for the Applicant, we'll  
41 open this for Public Hearing. I do have one Speaker Slip from Walt Detlefson.

42  
43 **SPEAKER DETLEFSON** – Thank you Commissioners. My name is Walt  
44 Detlefson I live at 27659 Via Del Arriva, Moreno Valley, California in the gated  
45 community right there above where this is going to be built and I have to say I  
46 don't know who is doing these traffic tests, but they don't live in our community

1 because it is going to cause some problems. We did meet with the developer.  
2 Now I'm a little confused because I'll guarantee you had the sign read 135  
3 apartments, you would have a lot more residents sitting here tonight. A lot of  
4 them got kind of comfortable when it said condominiums because normally on  
5 condominiums you have homeowners in there, which you don't have as all  
6 renters, whereas for apartments you have all renters okay. But again, our  
7 biggest concern is the traffic.

8  
9 The developer was saying these were going to be higher in. They were going to  
10 be geared towards the doctors and stuff like that. Well the doctors are going to  
11 have to head west on Moreno Beach or Iris to get to the facility, which means  
12 they are either going to have to come out on Iris and go across three lanes of  
13 traffic that goes 50, 70 miles an hour in a very short period to make that u-turn or  
14 they are going to have to come up and go around the loop. Now for the  
15 residents, we have a stop sign. We have to stop and yield to those people that  
16 are going through and we can't get in, so it is going to be a major problem with  
17 traffic as far as we're concerned. We are also concerned again with rentals,  
18 because again with rentals, you don't have the class of people that you do... you  
19 know if it is condominiums is are helpful, but again when it went from 90 to 135,  
20 the number of vehicles also increased and the number of traffic. Yes it is a two  
21 lane road, but it is not your typical two lane road that just continues on. It is two  
22 lanes that goes up to a small area and it has to spin around and only one lane  
23 can make that loop; not both lanes, so again I disagree with the Traffic Study and  
24 I think it will be a major, major issue. Thank you for your time.

25  
26 **CHAIR VAN NATTA** – Thank you. We have another Speaker Slip now; Gregory  
27 Williams. Please state your name address.

28  
29 **SPEAKER WILLIAMS** – Good evening. I'm Gregory A. Williams. I stay at  
30 15630 Oliver Street and it is actually an honor here just to meet you. I'm all for  
31 the development and keeping our City beautiful and making room for anybody  
32 that wants to come here, but in this particular case I've been on my street I  
33 imagine since '99 and from time to time I do see congestion on Oliver Street as  
34 opposed to Via Del Lago and Moreno Beach Drive, which is also Iris. The  
35 situation is and it is not being mentioned is we've had several deaths on Moreno  
36 Beach Drive which is Iris and one in particular coming out of Via Del Lago a  
37 number of years back and even one right at Oliver Street and what I'm looking at  
38 is there one complex that is housing and when there is an event, the people that  
39 enter Via Del Lago housing with the gated community, they use the back gate  
40 and the traffic is tremendous coming down Oliver Street.

41  
42 Now I can say this because all of my kids are grown and gone now, but we are  
43 such an up and coming community with so many and I'll use the word  
44 youngsters, we've got an overcrowded situation going on at two of our schools  
45 on Oliver Street. It is huge and we've got great law enforcement. I've even got a  
46 ticket to just show you the issue is not necessarily and I'm going to use the word

1 speed because we do have a very powerful street on Moreno Beach Drive, but  
2 Oliver in particular and then Via Del Lago going into the State Park, you've got to  
3 use... I mean you think about it, all the people that are working and coming in  
4 and out, they've got to be on their focus 24/7 coming in and out of the lake. I'm  
5 talking about people with trailers, horse trailers, people coming from around the  
6 country with RV's and then you've got your regular folks that live in Via Del Lago  
7 right now and being guarded and safety concerns. We've had incident after  
8 incident; not just on Moreno Beach Drive but on Oliver now because are trying to  
9 find another way to get around the loop which is on Via Del Lago which I heard  
10 the word used for the u-turn for heavy traffic when we have an event. When  
11 there are no events going on right now and I've been retired a year September  
12 with 40 years on the railroad.

13  
14 **CHAIR VAN NATTA** – You're short on time now, do you want to wrap it up.

15  
16 **SPEAKER WILLIAMS** – Okay, short on time, but I'm talking about a safety  
17 issue. We can never be short on safety. Like I've said we've had two deaths  
18 and that is a concern and I think some of the residents will take a hand with me;  
19 they put a slow down sign there for people; not on the Via Del Lago community  
20 but on our own street, Oliver Street and I do thank you for listening to me.

21  
22 **CHAIR VAN NATTA** – Thank you for your comments. Okay, we have one more  
23 Speaker Slip. It looks like it says Virgie Slade

24  
25 **SPEAKER SLADE** – Good evening; Virgie Slade, 15625 Oliver Street as well.  
26 I'm here tonight to oppose the condominiums coming in. I concur with my  
27 neighbor. You know we had this conversation many years ago and I am just  
28 surprised that we continue to have it. You know there was an opportunity years  
29 ago where a builder wanted to come in and build condominiums. We did the  
30 same traffic impact study and they were not built I think to the happiness of all of  
31 us, so I'm just really surprised that this Planning Commission continues to take  
32 on the same projects. We are saturated in Moreno Valley with condominiums  
33 and apartments. There are foreclosures all up and down Moreno Beach and Iris  
34 for condominiums. Why do we need more? Why do we need more? When you  
35 talk about schools and the traffic, have you thought about the impact of our  
36 schools in that neighborhood? My granddaughter just started school last week.  
37 She was taken out of her classroom last week because of overcrowding. Can  
38 you imagine, she is in a classroom for two days, and then told she has to leave  
39 and go to another classroom because there are not enough teachers? You have  
40 to think about this. You have to think about not only your financial gain to the  
41 City and I get that truly I do, but we as residents in this community also have a  
42 say and you need to respect and listen to what we have to say about this issue. I  
43 can promise you I will go door to door on my street and in my neighborhood to  
44 fight this. Thank you.

45

1 **CHAIR VAN NATTA** – Thank you for your comments. Is there any response  
2 from the Applicant to our Public Comments?  
3

4 **APPLICANT SLAWSON** – Yes, I guess just a couple of comments. First of all at  
5 the HOA meeting that I went to, this was presented as an apartment project. I  
6 don't even think we mentioned condo, so any comment to the contrary just is  
7 incorrect. It was only after I met with City Staff at one point and they said it is a  
8 condo project that I actually referred to it as a condo project, but I recognize that  
9 it could be either. That was my point earlier. There was never; I don't think  
10 anyone mentioned that these would be rented or sold to doctors. We talked  
11 about the medical. We said obviously doctors will probably... oh I think  
12 somebody did say maybe a second place to flop when they worked long hours,  
13 but by enlarge the discussion revolved around nurses, pharmacy technicians,  
14 respiratory therapists, therapeutic technicians and so on and not doctors. We  
15 weren't trying to sell this as a exclusive Palm Desert condominium project with  
16 only CEO's and doctors. As far as the impact to schools, certainly I think you all  
17 know that the City doesn't really have a lot of control over what the school does.  
18 They collect their fees based on State guidelines and they build schools. Is that  
19 correct?  
20

21 **PLANNING OFFICIAL TERELL** – Yes the School District collects fees under  
22 State Law and is one of those things rightly or wrongly where the State has  
23 determined that the lack of school facilities cannot be used as a reason to deny a  
24 residential project, so for whatever reason that was something that the State took  
25 jurisdiction many years ago.  
26

27 **APPLICANT SLAWSON** – Okay and I guess then finally as Mr. Lloyd said prior,  
28 and I have one other point after this, but Mr. Lloyd said prior that if it is an issue  
29 in the future the City will look at it and if there is a need for a, and he said for a  
30 traffic signal or traffic light or signal rather or I'm sorry a stop sign, that that would  
31 be something they might consider. He wasn't committing to anything along that  
32 line at all; along those lines at all but they would look at it if it became an issue.  
33 As far as the impact, I mean probably at the peak hour, you are probably going to  
34 have 30 or 40 cars come out of there for the whole hour at the peak hour; you  
35 know at 4 in the afternoon; 6 in the afternoon or in the morning at 7 and then one  
36 other thing. The design; the concept; the owner who has this now, owned the  
37 property where The Reserve is built at Moreno Beach Drive and JFK and I don't  
38 think anyone considers that a bad project. It is sort of an upscale apartment  
39 project. It is well situated and I think they are good neighbors. That's all I have.  
40 Thank you.  
41

42 **CHAIR VAN NATTA** – Okay, thank you... Commissioners, any debate? What  
43 would you like to say?  
44

45 **COMMISSIONER GIBA** – I like the design and I don't have any problem with that  
46 being there. Schools... we don't control what the schools do, ADA controls that

1 and so that is not something we address here as Commissioners, but traffic  
2 patterns, potential problems are the things that we have to look at and the only  
3 things we have control over and as Commissioners, the only things that we have  
4 control over is actually advising. We don't really make final decisions in some  
5 cases. I hear and I drove up there and I ran around there and I commented  
6 earlier my concerns as well about that traffic pattern and it has only been  
7 confirmed by a couple of other residents, so I stand fast on that, but I can't say  
8 that is the overriding reason to disapprove something like this because of traffic  
9 problems.

10  
11 What I can suggest and I'm going to say it again is that we go back and we revisit  
12 that and make sure we watch that and if the residents want to go door to door  
13 and make sure it gets done properly, I would be one of the first ones to assist  
14 them to do that if it does become a problem, so I'm saying that on the record is  
15 that is the problem right now with this that I can see in the future is the traffic  
16 pattern and flow. The gentleman made the same comment I did about the gated  
17 community up there and coming out because I did the same thing. I did my own  
18 traffic study for all intents and purposes. I ran up and down the streets trying to  
19 get in and out of there where that be and I can see it potentially being a problem.  
20 If that is the only real overriding problem for this project, then that is something  
21 that the City really needs to look at before it goes through and completes and  
22 finishes the project. Other than that, I haven't heard anything that is... yes it  
23 went from 90 to 135 units and that is the other thing that caught my attention and  
24 that is almost a 50 percent increase from the original amount of personnel that  
25 were living there. How it was presented at HOA meetings and stuff; well  
26 unfortunately we're not always invited to those things or else we could have been  
27 there and heard some of those comments nor do I have anything in writing about  
28 some of those meetings, so I couldn't read them, so what I have to say is my  
29 main concern and it will stay my main concern and I hope it goes on record as  
30 my concern, is that traffic pattern flow. That's all I have to say about it. If anyone  
31 wants to disagree with me, you are welcome to disagree

32  
33 **CHAIR VAN NATTA** – Anyone else?

34  
35 **COMMISSIONER RAMIRIEZ** – Well, I also agree that it could potentially cause a  
36 traffic problem but at this time I don't think it will. I think that Lake Perris with all  
37 the water being out of there practically doesn't create enough traffic. It is a great  
38 beautiful development. The only thing is if they do rent as apartment complexes,  
39 I would not like to see this turn into low income housing or Section 8. I don't think  
40 it would be inappropriate for the area.

41  
42 **COMMISSIONER CROTHERS** – I live right near here so I am at the lake all the  
43 time. I bike. I walk around; jog around the lake. I have never run into a traffic  
44 problem. I've been there in the morning; early morning. I've been there in the  
45 late afternoon and on weekends; during the week and sometimes I go when I get  
46 off of work, so you know there are random times and days that I actually have

1 gone up to the lake. As with the traffic concerns, you know when people are  
2 driving they should be on their "A" game 24 hours a day every time they are  
3 driving. It shouldn't just be because there is an increase in traffic that you are on  
4 your "A" game when you are driving. If you are driving you are taking into  
5 account that you are driving a very heavy vehicle and a possible weapon. You  
6 know if you are too tired to drive you shouldn't be driving. If you don't feel good  
7 and you can't focus then you shouldn't be driving because that is a potential  
8 weapon that could cause more harm than good in most cases.

9  
10 As for the accidents and deaths that have occurred, you know I have lived in this  
11 City for a long time. I have lived in that area for a long time now and I have yet to  
12 see any major traffic concerns on Iris or on Via Del Lago myself. You know as  
13 for what 135 units is going to do, whether they are apartments or condos, you  
14 know if they are as upscale as they are being proposed, then you know it is going  
15 to eliminate some of the ruffians that may have come in than if they were to a  
16 lower standard. Being of a higher standard, you know you attract a different  
17 group of people who will even look into the project and that will be based on price  
18 as well as the area as well as the look of the homes and I think one of the major  
19 concerns with that is that the management company is a good reputable  
20 company that will you know maintain those standards and require that the  
21 standards stay high so that that they don't have a fall in the area.

22  
23 You know like Commissioner Giba said, we can't do anything about the schools.  
24 All schools all over the State of California are in rough trouble. You know I have  
25 friends and colleagues who are teachers who are every day; every year you  
26 know, they don't want to look in their boxes because they are facing pink slips.  
27 That is just the trend right now and unfortunately it is affecting our children and  
28 our community and unfortunately it is affecting the profession of teachers and be  
29 able to effectively teach our children because they are so overcrowded in our  
30 schools. You know unfortunately that is just nothing that we can handle right  
31 now as the Planning Commission and my hope is that sooner or later the State of  
32 California will figure out how to fix that and go back to you know giving an actual  
33 learning environment to our kids rather than an crowded environment. So other  
34 than those minor concerns, I don't have any real big concerns with the project.  
35 Thank you.

36  
37 **COMMISSIONER BAKER** – Okay I think it's a great project and I don't totally  
38 understand this traffic deal. I understand what you people are saying but no  
39 matter where you live; a metropolis that is close to 200,000 which we are, you  
40 are going to have traffic on your street. My property backs right up to Perris  
41 Boulevard and you know you are going to have people that do crazy things. I  
42 mean a guy got killed there running across the street and a beamer hit him the  
43 end of July. Thank God we weren't home, but things happen. Like  
44 Commissioner Crothers said if you don't act responsible, things are going to  
45 happen; traffic accidents or whatever it be, but and I understand your situation;  
46 the gentleman that lives north of this project, but maybe I haven't been out there



1 when the traffic is a big problem. I'm not trying to discredit what you are saying,  
2 but I've been at that lake for 25 years. I have a boat on the lake. Our family  
3 goes there probably once or twice a month, so I don't see it myself, but and to my  
4 point I think when we hire traffic control people or engineers that handle that with  
5 the City and they say hey it is going to work and if it doesn't it is on them when it  
6 doesn't work and most of the time when I've had experiences with the City, they  
7 get it fixed one way or the other, so I think we need to move forward with this. I  
8 know there is a little reservation over the condominium over apartments. The  
9 whole deal there and I think Commissioner Meli would agree that whoever is at  
10 the top managing the project makes a lot of difference on the quality of people  
11 that come in there. I know and what was that one project you were talking about  
12 at JFK and is that the one just north of me?

13  
14 **CHAIR VAN NATTA** – The Reserves

15  
16 **COMMISSIONER BAKER** – Yes, okay, by the golf course and everybody said  
17 that was going to be a tough situation but it is not. I mean even the one at JFK  
18 and Perris just north of me. I know when that went in and there is some low  
19 income in there, but I've never experienced any problems or heard of any. There  
20 was a little theft over at JFK or I mean at CVS but you are going to have that  
21 anywhere. You know we've got to move this City forward unfortunately. I know  
22 we'd all like to stay in the... I came here when it was like 40,000 people and we  
23 had one traffic light. Things have changed a bunch believe me and I guess I'm  
24 the one Commissioner for pro growth. I get named with that all the time but I  
25 can't really sit here and consciously say hey I am going to vote against a project  
26 when the guys meet the criteria for the City, the Planning Department and the  
27 Building Department. Everything hits the note here. I don't know how we could  
28 vote against this to be honest with you, so enough said about that. You know  
29 how I feel about the situation, okay.

30  
31 **CHAIR VAN NATTA** – Okay, you have one more comment?

32  
33 **COMMISSIONER CROTHERS** – I did. I just have one more quick comment. If  
34 this project does pass along with the new Moreno Valley Assisted Living in that  
35 area, if the increase in people in cars should promote an increase in gas stations  
36 that are accommodating those neighborhoods; because like right now you have  
37 to drive from one spectrum to the other. So just my comment that maybe the  
38 City Council should be aware of that and look into that more for the new people  
39 who may be living there or visiting there or whatever because the lack of gas  
40 stations in that area is significant. That's all.

41  
42 **COMMISSIONER BAKER** – One other comment. You know one thing that is  
43 going to take the pressure off that whole neighborhood there when we get Nason  
44 all the way through to Iris, because now people have to run up around Moreno  
45 Beach all the way back up to LaSalle, so I think that may help somewhat and  
46 take the pressure off of Oliver, because I know I use that street a lot to get

1 from...isn't that straight from Iris over to where does that end up on... JFK or  
2 Alessandro maybe, so and you know that should help that somewhat. I know  
3 people use Oliver a lot and appreciate what you guys are saying there but I think  
4 when we get this medical corridor done out there, there is going to be a lot of  
5 change in the traffic pattern and maybe the Traffic Engineer can allude on that a  
6 little bit. I mean are you looking for some help in that area from the Nason  
7 extension or not?  
8

9 **TRAFFIC ENGINEER LLOYD** – In the reviews, I haven't been directly involved  
10 with the traffic studies with what was presented earlier. That is Larry's project on  
11 the Nason project. I have taken a quick look at the studies and what you just  
12 described is what I'm seeing in the traffic projections for about 10 to 20 years out  
13 in the future. The traffic models that the City utilizes through the consultants is  
14 showing that the traffic would essentially redirect itself if you will from streets  
15 such as Oliver as well as Moreno Beach to utilize Nason Street because it would  
16 be a quicker more efficient way to get to the freeway, so it would provide some  
17 relief from the traffic volumes that you are currently seeing out there. It would  
18 also provide additional capacity for some growth to occur in this area as well so  
19 that there is capacity in our network to accommodate any approved projects that  
20 do take place in this area, so as the Applicant had mentioned earlier, in terms of  
21 the number of homes that were planned in the area versus what is being  
22 constructed, this street was based upon I think the number he mentioned was  
23 12,000 which isn't going to take place. It is not going to take place just given  
24 whatever changes have occurred over time. The number of homes in this area is  
25 much less, so we actually have a great deal of capacity along Iris as well as  
26 Moreno Beach once it gets fully constructed. It is a six lane divided roadway, so  
27 there is a great deal of capacity either in place today or will be in the future and  
28 with Nason being extended to Iris, that provides an additional route to make it  
29 back to the freeway.  
30

31 **COMMISSIONER BAKER** – Thank you Mr. Lloyd.  
32

33 **COMMISSIONER VAN NATTA** – In kind of wrapping up the comments here, I  
34 want to say that I like the project. I think is appropriate for the area. I don't think  
35 that is a big enough piece of land to do a full blown single family residential. The  
36 zoning allows for the higher density and is a good location for it and having  
37 driven around that area a lot; being in real estate, you get all over town all times  
38 of the week and weekends and so forth, I've never found that area to be  
39 congested at all. It could easily handle double the amount of traffic that is out  
40 there. I've been up to the lake. I have been into the gated community there in  
41 and out. I think we get a little bit spoiled at how little traffic we have and if we  
42 have to wait five seconds to turn left onto a street we think you know, gosh that is  
43 such a big delay. We need to get off of that a little bit and realize that traffic is  
44 part of people owning cars and living in the area, so I like it.  
45

1 I know there is a little bit of a challenge with how to direct the traffic in there. I  
2 think the traffic plan is probably about as good as it going to get for that location  
3 and I think it will work and as far as whether it is apartments or it is condos, I  
4 came before the City Council years ago when apartments were first starting  
5 being built and the City Council was fighting against it and saying no we don't  
6 want apartments and I reminded them myself and it is something to keep in mind,  
7 apartment living is a viable alternative for an awful lot of people, sometimes in  
8 between houses or until you can save up enough to buy a house. In my business  
9 I'd love it if everybody bought a house. It would certainly increase my income but  
10 it is just not... I mean apartment living is important for a segment of our society  
11 and it doesn't make them any less of a person or any more likely to be a crime  
12 neighborhood because people are renting instead of buying and certainly as was  
13 mentioned before, the quality of the management is really going to determine the  
14 quality of the people who are renting there, so all in all I think it is a good project  
15 and I am in favor of it. Are there any other comments? Would somebody like  
16 to...

17  
18 **COMMISSIONER CROTHERS** – I'd like to make the motion. I motion that the  
19 Planning Commission **APPROVE** Resolution No. 2012-14 and thereby:

- 20  
21 1. **ADOPT** a Negative Declaration for P08-053 Tentative Tract Map 35931 and  
22 PA08-0054 Plot Plan, pursuant to the California Environmental Quality Act  
23 (CEQA) Guidelines; and,  
24  
25 2. **APPROVE** P08-053 Tentative Tract Map 35931 and PA08-0054 Plot Plan  
26 subject to the attached conditions of approval included in Exhibit A  
27

28 **COMMISSIONER GIBA** – And I'll second that  
29

30 **CHAIR VAN NATTA** – Okay we have a motion and a second... all those in  
31 favor?  
32

33 Opposed – 0  
34

35 **Motion carries 5 – 1 – 1, with one absent (Vice Chair Salas) and one**  
36 **abstention (Commissioner Owings)**  
37

38 **CHAIR VAN NATTA** – And now Staff wrap up and then we'll ask our missing  
39 Commissioner to come back in.  
40

41 **PLANNING OFFICIAL TERELL** – Yes this action shall become final unless  
42 appealed to the City Council within 10 days and I wanted to point out there is an  
43 existing Traffic Engineering condition. It is condition TE8 and that does require a  
44 striking plan for review by Transportation Engineering before the project is built,  
45 so they'll be looking at it again as part of the plan check. And also for  
46 Commissioner Crothers, there is an approved gas station at the corner of Moreno

1 Beach and Alessandro and they are trying to get under construction and certainly  
2 more rooftops will be more helpful to them.

3  
4 **CHAIR VAN NATTA** – Good. Okay, we are complete again... Moving on to  
5 Other Business.

6  
7  
8  
9 **OTHER BUSINESS**

- 10  
11 **1. Revised Resolution modifying the Reach Code effort to include only**  
12 **One 2011 California Green Building Code mandatory local measure for**  
13 **Carpool/vanpool parking**

14  
15 **CHAIR VAN NATTA** – Would you like to follow up on that?

16  
17 **PLANNING OFFICIAL TERELL** – This is a follow up to your action at your last  
18 ... when you heard this item and it just I guess, what do we call it, memorializes  
19 your action, so unless you have any questions it is meant to be consistent with  
20 what you did.

21  
22 **CHAIR VAN NATTA** – Okay.

23  
24 **COMMISSIONER CROTHERS**- I'll motion to approve if nobody has any  
25 comments?

26  
27 **CHAIR VAN NATTA** – Any discussion; any comments?

28  
29 **COMMISSIONER OWINGS** – I'll second

30  
31 **COMMISSIONER CROTHERS** – Okay, I motion to **APPROVE** Resolution No.  
32 2012-13 and thereby **RECOMMEND** that the City Council:

- 33  
34 **1. RECOGNIZE** that the proposed amendment is exempt from the California  
35 Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061  
36 of the CEQA Guidelines and amend Title 9, Section 9.11.040 “Off-street  
37 Parking Requirements” of the Municipal Code to include carpool and vanpool  
38 parking for all newly established non-residential projects Citywide to provide  
39 Consistency with the current 2011 California Green Building code standards.

40  
41 **CHAIR VAN NATTA** – Could we have one second?

42  
43 **COMMISSIONER BAKER** – Well I jumped in early, so I'll second it

44  
45 **CHAIR VAN NATTA** – Thank you. We have a motion and a second. All those in  
46 favor?

1 Opposed – 0

2  
3 **Motion carries 6 – 0, with one absent (Vice Chair Salas)**

4  
5 **PLANNING OFFICIAL TERELL** – Yes and this item is actually scheduled for  
6 City Council for review next Tuesday, so that will be the end of that.

7  
8 **CHAIR VAN NATTA** – Okay and shall we move on to Item 2.

9  
10  
11 **2. Draft Energy Efficiency and Climate Action Strategy**

12  
13 **PLANNING OFFICIAL TERELL** – Yes this is a follow up to the Study Session  
14 item we had with you a couple of meetings ago to give you another opportunity to  
15 provide comments to us. I wanted Gabriel to give a brief report of what has  
16 happened since you last met and just give you a venue that's open for you to  
17 provide us any additional comments you may have.

18  
19 **CHAIR VAN NATTA** – We are all ears.

20  
21 **ASSOCIATE PLANNER DIAZ** – Thank you Chairman and Commissioners. I'm  
22 Gabriel Diaz, Associate Planner for the City. This is just a continuation from our  
23 discussion we had on June 28<sup>th</sup>, our last Planning Commission meeting. After  
24 that meeting I emailed the updated version of the Strategy for you guys to review  
25 and for further discussion. From that meeting, Staff; John and I continued to  
26 work on the Strategy to reduce the repetitiveness of the document. We've cut  
27 about 20 pages out of it, so we are pretty proud of that. That document will be  
28 going to City Council on August 28<sup>th</sup>, next week for their review. We haven't  
29 provided that document to you. That will be provided to you after City Council  
30 review for a formal Planning Commission Hearing/Public Hearing sometime in  
31 September and then after that, they'll be another Public Hearing/City Council  
32 meeting in October and that would fulfill the grant requirements.  
33 At this point, that concludes Staff's presentation.

34  
35 **CHAIR VAN NATTA** – Are there any questions from Commissioners?

36  
37 **COMMISSIONER CROTHERS** – I just want to say that I'm pretty proud of you  
38 for those 20 pages too. Thank you. That is 20 pages less that I have to read  
39 and make sense of so we appreciate you guys doing that.

40  
41 **CHAIR VAN NATTA** – Any other comments? None; then on to Staff Comments.

1 **STAFF COMMENTS**

2  
3 **PLANNING OFFICIAL TERELL** – Well as Gabriel said, it will be going to the City  
4 Council in... it's not really a Study Session, the Study Session got shanghaied by  
5 another issue, therefore it will be report at the regular Council Meeting on  
6 Tuesday so should you choose too or maybe you always do, you can see that on  
7 TV and whatever discussion the Council has for final direction we'll be bringing it  
8 back to you. It will be on your regular meeting for next month is the 13<sup>th</sup>. We  
9 have another project that has expressed an interest in coming forward to you in  
10 September. Next week I'll be able to make a determination of whether or not that  
11 is possible and I appreciate the Commissioners flexibility on at least letting us  
12 know when you are available and what your preferences are, so next week I  
13 should be able to give you a final word on whether we have the meeting on the  
14 13<sup>th</sup> or if we wait until later in the month. It may end up that we'll push this other  
15 item into October if they are not far enough along next week. Other than that  
16 that's all I had.

17  
18  
19  
20 **PLANNING COMMISSIONER COMMENTS**

21  
22 **CHAIR VAN NATTA** – Okay any final general comments from our Planning  
23 Commissioners?

24  
25 **COMMISSIONER OWINGS** – Madam Chairman?

26  
27 **CHAIR VAN NATTA** – Yes

28  
29 **COMMISSIONER OWINGS** – If I may...John Terell and I have had an  
30 opportunity to discuss at length the proposal that I and other members of the  
31 Planning Commission have made about a planning overlay for District 3;  
32 basically the east end. It seems as though I think, John and I'm speaking for you  
33 that you are somewhat in favor of the overall concept, the Mayor and I have had  
34 similar discussions; he is somewhat supportive of it. I have had discussions with  
35 the City Manager and the City Manager seems to be supportive of it, however it  
36 doesn't seem as though as it is going to get done until maybe the end of or till the  
37 beginning of next year potentially. I would like to have this go on record as  
38 saying and I hope that the Commissioners here agree, no more large  
39 warehouses before the Commission or be considered by the City until this  
40 planning overlay is completed.

41  
42 This is a very important part of the planning of this City and we can no longer  
43 make these decisions in piecemeal fashion. We need to take an available  
44 inventory of what the land in the area is. We need to determine what the build  
45 out in 2020 will be in the General Plan. We need to compare what we will need  
46 then with what we have now so that we can accurately make the decisions about

1 land use in this end of the City and I would hope that we would take this  
2 opportunity; each and every one of you to encourage the City Council that if they  
3 are not going to go forward with this in a speedy fashion, that they not bring  
4 before this body or any other body any more large projects until it is done.  
5

6 **PLANNING OFFICIAL TERELL** – Yes on that as a Planner, I would always  
7 agree that more planning is better than less and certainly in an area where we  
8 have so much opportunity and so much vacant land, so certainly Commissioner  
9 Owings and I did have to confirm that what he said is correct on what I believe  
10 and we obviously do have one project in that area which is under review which is  
11 industrial and we actually have two. We have the Pro Logis Project which is east  
12 of the Auto Mall and obviously we have the World Logistics Center which is east  
13 of Redlands Boulevard, both of which are big box industrial type projects, so to  
14 the extent we can try to forward; if we have a consensus we can certainly forward  
15 that to the City Council. The only way we cannot bring something to you is that  
16 it's not ready which is one reason we'd never bring a project to you that is not  
17 ready and the other is for the Council to establish some kind of a moratorium,  
18 otherwise we are more or less required to bring it forward. Obviously the City  
19 Council has some discretion on when they will hear an item, but again we have  
20 under State Law we have what is called the Permit Streamlining Act and we have  
21 to get projects moving in an orderly fashion unless there is something such as a  
22 moratorium, which the Council could enact should they choose to do so.  
23

24 **CHAIR VAN NATTA** – Actually I think when we were talking about doing things  
25 in an orderly fashion, that is the order that it needs to be in, is we need to know  
26 what we want as a finished product for that area before we start just putting  
27 things out there, so I would concur with the need to move forward with an overlay  
28 that really outlines what the plan for that area is going to be before we continue  
29 to put more things out there. I was quite disappointed that the project that was  
30 west of Redlands Boulevard that we recommended against approval got  
31 approved by the City Council overriding after our concerns regarding traffic  
32 placement and everything were disregarded, so I would like to see some type of  
33 an overlay that really clarifies what the overall plan for that area is going to be  
34 before as Commissioner Owings said, more boxes are just thrown out there.  
35

36 **PLANNING OFFICIAL TERELL** – Right, the other thing that I did want to... the  
37 reason why we're not doing an overlay right now is because it is really a resource  
38 issue and certainly that is something that is in the purview of the City Council  
39 also, is what resources we have available.  
40

41 **COMMISSIONER OWINGS** – And to comment to that just so that the  
42 Commission understands, John and I spoke and this is not a large outlay to  
43 outsource this. This could be done between 50 and 100 thousand dollars and  
44 the whole future of our east end is at stake and if we can't afford to spend 50 to  
45 100 thousand dollars after we have spent 43 million dollars in the last four years  
46 of deficit spending, then I don't know what we can do, so I would just hope that

1 we can get behind this as a Commission and you know it is time for the City  
2 Council to put up or shut up. If you are for or against growth in this area, you  
3 need to do it in an orderly educated fashion and you can't just talk about, you  
4 have to move forward.

5  
6 **CHAIR VAN NATTA** – Okay are there any other comments from the  
7 Commissioners?  
8

9 **COMMISSIONER BAKER** – Well I've got a question. What would this overlay  
10 look like? What are you looking at an overlay? I don't want all the specifics but  
11 are you going to go out? The way it looks to me now is a guy has property out  
12 there and correct me if I'm wrong; but has six or eight parcels and we have to  
13 come in and combine them into one to put a big warehouse out there. Is that  
14 kind of what is going on or...?  
15

16 **COMMISSIONER OWINGS** – Well John if I could just kind of interject here. You  
17 know in general what we're talking about here is we have a General Plan here in  
18 this City that really hasn't been updated in so long and it is really understandable  
19 why this City is not eager to do that because it is costly; it is time consuming; it  
20 talks so long that by the time it is done it is probably not worth anything anyhow,  
21 but these planning overlays can be very helpful in taking a small area very  
22 quickly and with very little resources and determining... for example a project that  
23 has a zoning use that is permitted. Of course those properties are just there and  
24 they are permitted and someone owns them and wants to build on them, then we  
25 deal with them in a normal fashion, but what we're talking about here is exactly  
26 what you were talking about Commissioner Van Natta, when we take a property  
27 owner who buys a piece of property and it is zoned one thing and then he wants  
28 it zoned another thing. We have the discretion as a body to approve that or not  
29 to approve that and this zoning overlay would give the City Council and the  
30 Planning Commission guidance as to whether or not that was a prudent  
31 measure, not only just for the moment but for 20 years down the line or  
32 whenever. You know when I was listening to this discussion that you folks were  
33 having about this apartment, what we don't understand as a City is that there is a  
34 General Plan and it is has a population in 2020 of whatever. Do you know what  
35 that number is?  
36

37 **PLANNING OFFICIAL TERELL** – It is approximately 304 thousand and change.  
38

39 **COMMISSIONER OWINGS** – Right, so there is 200 thousand folks living here  
40 now. There are 104 thousand future residents of Moreno Valley that this  
41 Commission and our City Council has a responsibility to look out for their rights  
42 as much as the property owners that exist here now, so it is for those property  
43 owners that we look down the line 20 years and say what are we building for and  
44 we need to take... and that's the clash that comes right up between here. You  
45 have existing property owners arguing that their property should be protected  
46 from future residents of the City's property rights and that is always what we have



1 to talk about and that is what this planning overlay would do. It would allow this  
2 Commission and City Council to say the needs of the City in 20 years are this  
3 and what we have here is this and if we have latitude to decide or not to decide  
4 for a zoning change or a building project or not a building project, we should  
5 exercise it in accordance with the overlay plan that will benefit the City at large  
6 and for the future residents. We have to look out for the future residents of the  
7 City as much as we do the current residents and that is what the planning overlay  
8 does and it does it in a very efficient way, much more quickly and much less  
9 resources expended than a General Plan change. I think John would agree with  
10 me, by the time we got a General Plan approved here it would be obsolete.

11  
12 **PLANNING OFFICIAL TERELL** – Well hopefully it is not obsolete, but a General  
13 Plan is a very expensive and very big undertaking and what happens is priorities  
14 change over time so that is why overlays and smaller plans are often done in  
15 many cities just because it is easier to solve one bite of the elephant at a time is  
16 easier than trying to eat the whole elephant at one time. It is really and as I  
17 believe there has been since the adoption of the General Plan in 2006. There  
18 has been a change in policy, certainly at the City Council level and certainly at  
19 this Planning Commission level and to reflect that we don't need to redo the  
20 General Plan but we do need to look at those areas of concern.

21  
22 **CHAIR VAN NATTA** – There have been a lot of changes since 2006; changes in  
23 the economy; changes in the State; changes in funding that is available. You  
24 know you can't sit back and say what we decided on 20 years ago is carved in  
25 stone and that is what it is going to be and we do have to move with the times  
26 and I think Commissioner Crothers has something she wanted to say.

27  
28 **COMMISSIONER CROTHERS** – Thank you. In my interview for this position,  
29 one of my main concerns was the potential building of the east end since that is  
30 where most our vacant land is. I live in the east end. I grew up in the City. I  
31 know this City. I've seen it grow tremendously since the time that I've been here  
32 and you know having an overlay could not hurt the City it could only benefit the  
33 City and rather than the east end being a hodge podge of you know this over and  
34 then that over there and us thinking in 10 years oh man we should have done  
35 that differently if we'd only had the overlay. It's always better to plan ahead and  
36 to you know do something the right way to begin with than to have this mixed  
37 matched area that doesn't work for anybody and you know it's an eyesore or  
38 whatever the case may be, so I am in agreeance 100 percent. I think we should  
39 absolutely do as a City, as a City Council, as a Planning Commission whatever  
40 we can for the growth of the City and to make sure that it is cohesive and that it  
41 looks good; that is works good and that people want to come here rather than  
42 you know eyesores on the side of the freeway or you know whatever the case  
43 may be. I think for the money that it costs it is money worth putting into the City.  
44 I know I believe that wholeheartedly. I think I can speak for the rest of the  
45 Planning Commission that they agree that the money spent on an overlay would

1 be worth it and worth it to the City. I think the people who live here and the future  
2 residents deserve that. Thank you.

3  
4 **CHAIR VAN NATTA** – I think we could recoup some of the costs into the  
5 developer fees or certainly once we start getting buildings and businesses in we  
6 are going to recoup that cost in tax revenue and a lot of other ways. Okay any  
7 other comments before go home.

8  
9 **COMMISSIONER GIBA** – I'd like to piggyback on that. I'd like to put in the two  
10 cents and say yes I agree; we've discussed that; that's fine, but on top of that I  
11 really wish where probably all of us have jobs on the side as well; we volunteer in  
12 this position, so we are busy and I would really like to be able to be notified of  
13 things like this before I read it in the newspaper. Maybe I can plan to attend  
14 some of these things and see the concerns of the people, listen to what they  
15 have to say first and foremost. Overlays are great. Listening to the people is  
16 wonderful. Being advised of when we are having all these meetings. When I  
17 read in some of this it said we met at the high school; we met at this and I'm  
18 going I knew nothing about it. You could probably say well Jeff you can go see it  
19 in the paper. I depend upon you guys to keep us informed so that we can be  
20 good stewards of our position in this City and our responsibilities to the people  
21 here, because we are advisory and I want to represent those people properly and  
22 appropriately, but if I don't even know until I read it in the newspaper and if I  
23 didn't check my paper I wouldn't have known it and I just put it in my calendar to  
24 come to some meeting about the City we'll discuss warehouses; gosh that is  
25 important to me and it is probably going to end up on my plate at some point, so  
26 can you please put us on some mailing list or some email list when these things  
27 are going out to the public so that we can make ourselves available to the public  
28 or least be an ear to them as well because many times they don't come here, but  
29 they will come to the City Council and sometimes they could resolve those issues  
30 if they came here first.

31  
32 **PLANNING OFFICIAL TERELL** – Yes, that is very fair. We have in the past it is  
33 not the practice not to clutter your... because you are very busy, but certainly we  
34 can advise you. That is basically a notice we send to the responsible agencies  
35 and interested parties and certainly if you want to be an interested party it is easy  
36 to add you on and send you our standard notice that tells you where the  
37 information is available and when the meeting is going to occur, so I'll take care  
38 of that. That is not a problem. I appreciate you for having that interest.

39  
40 **CHAIR VAN NATTA** – I think we're all interested parties, yes

41  
42 **PLANNING OFFICIAL TERELL** – I appreciate you letting me know that you  
43 have that interest. Just wanted to point out the other meetings that were  
44 mentioned tonight; the Homeowners Association meeting and the meeting at the  
45 High School, that was not a meeting... they weren't public meetings. We weren't  
46 invited; Planning and Staff wasn't invited to those meetings, so...

1 **COMMISSIONER GIBA** – Is there any reason why we couldn't be invited to  
2 those meetings. If you are planning that; if the traffic persons are planning that  
3 discussion, is there any reason why we could not be involved in that from a legal  
4 standpoint or for that matter.

5  
6 **PLANNING OFFICIAL TERELL** – Well I think there is one thing...A private  
7 Homeowners Association meeting where they've invited the developer to talk to  
8 them; that is not our meeting so we are not in a position to invite you to that. We  
9 weren't aware of the meeting until after it happened. A Staff meeting where our  
10 Staff is talking to the staff at the High School, that is a business meeting which is  
11 not a public meeting and it is meant to be a technical meeting and I would not  
12 want to place Capital Projects in the position of having to advise non-Staff people  
13 or even me as somebody in Planning of those meetings because they are really  
14 technical meetings to talk about issues and come up with solutions in kind of a  
15 very... outside the public lime light and those are the result and those are  
16 provided to you as part of a public meeting later one, so those are not meetings  
17 that would not be appropriate to invite a Planning Commissioner to.

18  
19 **CHAIR VAN NATTA** – John I think what he's talking about Public Meetings that  
20 we not otherwise get notice of; like when you send out a notice to all residents...

21  
22 **PLANNING OFFICIAL TERELL** – The meetings that go out to residents; yes... I  
23 don't think that is a bad idea and you are talking about the other meeting where  
24 they invite the affected property owners.

25  
26 **COMMISSIONER GIBA** – The ones that might be appropriate for us if you could  
27 just let us know or how about this; if you do have one of those meetings that are  
28 technical meetings, is there anything wrong with maybe sending a summary of  
29 what went down at those meetings to us in advance so that we could review what  
30 that was about; keeping the technicality out of it or at least having an  
31 understanding what was going on prior to me having to sit here and then hear  
32 about it.

33  
34 **PLANNING OFFICIAL TERELL** – The easy answer is that I'm not the boss of  
35 them. I can't promise of anything of any meeting other than the ones that we  
36 control, so we can send you the notice of the meetings that we have.

37  
38 **COMMISSIONER GIBA** – I understand

39  
40 **PLANNING OFFICIAL TERELL**- We can't be sending you notice of meetings  
41 that other people have because it is not our meeting.

42  
43 **COMMISSIONER GIBA** - I understand that  
44

1 **PLANNING OFFICIAL TERELL** - But certainly I appreciate your interest in being  
2 notified of the environmental documentation as it is going through the process  
3 prior to it coming to you and we can certainly include you on those notices.  
4

5 **COMMISSIONER GIBA** – I appreciate that  
6

7 **CHAIR VAN NATTA** – Okay I think we need to start...  
8

9 **COMMISSIONER OWINGS** – Chair, Chair Van Natta  
10

11 **CHAIR VAN NATTA** - Yes was there something...  
12

13 **COMMISSIONER OWINGS** – Chair Van Natta I was wondering about if we could  
14 just hear from Commissioner Ramirez.  
15

16 **CHAIR VAN NATTA** – That is what I was going to do, he is the only person that  
17 hasn't chimed in  
18

19 **COMMISSIONER OWINGS** – And then I was wondering if we could bring to  
20 some conclusion of the six of us so that John could report to the Council that  
21 there is a consensus to do this Planning overlay.  
22

23 **COMMISSIONER RAMIREZ** – Well you know what I think; if you fail to plan, you  
24 plan to fail, so I am all in with these overlay zones. I think they are a great idea.  
25 We need them and it gives us the most leverage to be able to move the City  
26 forward.  
27

28 **CHAIR VAN NATTA** – Okay I think you can tell the City Council and everybody  
29 else that we would like to see an very strong move towards doing an overlay of  
30 the east side of the City so that we can plan for the future.  
31

32 **COMMISSIONER OWINGS** – Before any, I think we need to have the caveat  
33 before these projects are done, which puts the onus on them to allocate the  
34 funds and allow John to go forward with it. You could get it done quickly.  
35

36 **CHAIR VAN NATTA** – Well as John said though, the only way we can that do  
37 this before we look at another one would be to put a moratorium on and I don't  
38 think that any of us are wanting to do that.  
39

40 **COMMISSIONER OWINGS** – Well no that's not what I'm saying. I'm suggesting  
41 this; if they were to allocate the funds now. John and I talked and it could be  
42 done by the beginning of the year which is before any of these projects would  
43 probably come to fruition, so if they get off of their rear ends and allocate the  
44 money we could get this done in time to not put the developers at any more  
45 delay, to not put any more burden on the Staff and actually maybe help the Staff,  
46 so I think that should be part of the message. Do we agree with that?

1 **CHAIR VAN NATTA** - Yes

2

3 **COMMISSIONER GIBA** – I make a motion to adjourn.

4

5 **CHAIR VAN NATTA** – I’m going to in a minute, but I haven’t said what I wanted  
6 to say yet.

7

8 **COMMISSIONER GIBA** – Sorry

9

10 **CHAIR VAN NATTA** – I just wanted to express something that I am really  
11 enjoying at this point. I have not been on this Commission for a great period of  
12 time but I’m now beginning to see some of the businesses that came and  
13 proposed putting a business here or an activity there and so forth and I’m seeing  
14 them open now; seeing that come to fruition and it is really fun to Universal  
15 Stripe; the place in the mall that is going to have their grand opening of Ground  
16 One in the Mall.

17

18 **COMMISSIONER OWINGS** – The Kaiser building is incredible.

19

20 **CHAIR VAN NATTA** – Yes and things being built and so forth. It really feels  
21 good to say hey I’ve been a part of that, so thank you.

22

23 **COMMISSIONER OWINGS** – I second that

24

25

26

27 **ADJOURNMENT**

28

29 **CHAIR VAN NATTA** – And does anybody want to move to adjourn.

30

31 **COMMISSIONER OWINGS** – Move to adjourn

32

33 **COMMISSIONER GIBA** – Second

34

35 **CHAIR VAN NATTA** – Okay all in favor leave.

36

37

38

39 \_\_\_\_\_  
John C. Terrell  
40 Planning Official  
41 Approved

\_\_\_\_\_ Date

42

43

44

45 \_\_\_\_\_  
Meli Van Natta  
46 Chair

\_\_\_\_\_ Date

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1 CITY OF MORENO VALLEY  
2 PLANNING COMMISSION  
3 REGULAR MEETING  
4 SEPTEMBER 13<sup>TH</sup>, 2012

5  
6  
7 **CALL TO ORDER**

8  
9 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley  
10 Planning Commission on the above date in the City Council Chambers located at  
11 14177 Frederick Street.

12  
13  
14 **ROLL CALL**

15  
16 Commissioners Present:

17 Chair Van Natta  
18 Vice Chair Salas  
19 Commissioner Baker  
20 Commissioner Crothers  
21 Commissioner Giba  
22 Commissioner Owings

23  
24 Excused:

25 Commissioner Ramirez

26  
27 Staff Present:

28 John Terell, Planning Official  
29 Gabriel Diaz, Associate Planner  
30 Suzanne Bryant, Deputy City Attorney

31  
32  
33 **PLEDGE OF ALLEGIANCE**

34  
35  
36 **APPROVAL OF AGENDA**

37  
38 **CHAIR VAN NATTA** – Okay, you've received copies of the Agenda. Would  
39 someone like to move to approve it?

40  
41 **COMMISSIONER GIBA** – I move to approve the Agenda

42  
43 **COMMISSIONER OWINGS** - Second

44  
45 **CHAIR VAN NATTA** – And all in favor?

1 Opposed – 0

2  
3 **Motion carries 6 – 0, with one absent (Commissioner Ramirez)**

4  
5 **CHAIR VAN NATTA** – The public of which it doesn't appear there are any here,  
6 nevertheless, are advised of the procedures to be followed in the meeting which  
7 are posted in the rear of the room.

8  
9  
10 **PUBLIC COMMENTS**

11  
12 **CHAIR VAN NATTA** – And we will open for comments from any member of the  
13 public on any matter which is not listed on the Agenda but which is within the  
14 subject matter jurisdiction of the Commission and they are opened. I have no  
15 Speaker Slips and I see no speakers here so Public Comments are closed.

16  
17  
18 **NON-PUBLIC HEARING ITEMS**

19  
20  
21 **APPROVAL OF THE MINUTES**

22  
23 March 8<sup>th</sup>, 2012  
24 May 10<sup>th</sup>, 2012  
25 June 28<sup>th</sup>, 2012  
26 July 12<sup>th</sup>, 2012

27  
28 **CHAIR VAN NATTA** – We have copies of our minutes from March 8<sup>th</sup>, May 10<sup>th</sup>,  
29 June 28<sup>th</sup> and July 12<sup>th</sup>, of 2012. Has everyone had an opportunity to review  
30 those minutes. Okay may I have a motion to approve all of the minutes?

31  
32 **VICE CHAIR SALAS** – I move to approve

33  
34 **COMMISSIONER OWINGS** – Second

35  
36 **CHAIR VAN NATTA** – Okay, moved and second... all in favor?

37  
38 Opposed – 0

39  
40 **Motion carries 6 – 0, with one absent (Commissioner Ramirez)**

41  
42 **CHAIR VAN NATTA** – Okay, the minutes has been approved as presented.



1 **PUBLIC HEARING ITEMS**

2  
3 **1. Case Number: PA12-0027 Draft Energy Efficiency and Climate**  
4 **Action Strategy**

5  
6 **Case Planner: Gabriel Diaz**

7  
8 **CHAIR VAN NATTA** – Would you like to present the item please?

9  
10 **ASSOCIATE PLANNER DIAZ** – Thank you Chairman and Commissioners. I'm  
11 Gabriel Diaz, Associate Planner here for the City. We last discussed this item on  
12 August 23<sup>rd</sup> at the Planning Commission meeting here and since then we had  
13 another discussion item with the City Council and there was only a discussion  
14 item.

15  
16 Today we bring Case PA12-0027 the Energy Efficiency and Climate Action  
17 Strategy as a formal Public Hearing. From past Planning Commission and City  
18 Council meetings, Staff has been given direction. We have done public  
19 outreach, taken it to the City's Environmental Historical Preservation Board and  
20 had an additional Public Hearing Meeting for the public and advertised this  
21 document on the City's web page and advertised it in the newspaper as a Public  
22 Hearing.

23  
24 Some of the key items from both of the meetings; the Environmental Historical  
25 Board Meeting and the Public Outreach Meeting that were discussed was having  
26 harvestable landscape and street signage directing to alternative fueling stations  
27 and promoting businesses that are more energy efficient within our City.

28  
29 I do have some changes that I did not provide in the document with regard to the  
30 comments brought up by the Public which would be under page 246 and 247 in  
31 our packet. I had added C62 which you guys do not see and we put it down as  
32 encouraging harvestable landscaping and we put it under cost effectiveness  
33 medium and planning as the lead division. We have other landscaping policies in  
34 there but none of them stating are harvestable, so that is a correction on my part  
35 and the other one would be on page 247 and this is your C67, develop  
36 renewable fuel locations and electrical plug-in stations including the amount for  
37 drivers to find refueling locations. I had added street signage for these  
38 alternative fueling stations at the end and that should cover the public comments.  
39 We had done some deleting of the document, which kind of... the repetitiveness  
40 and I think some of the public hearing items that were brought up were in our  
41 previous revisions and just through the editing and editing that out, I just wanted  
42 to make sure this was in there and last minute editing to make things right.  
43 Alright, so about 20 pages were taken out of the repetitiveness and this  
44 document should fulfill our grant requirements that were are bound to.

1 There was a public notification; a one eighth page public notice in our local  
2 newspaper, therefore Staff recommendation would be to recognize that PA12-  
3 0027, the Energy Efficiency and Climate Action Strategy qualifies as an  
4 exemption in accordance with the CEQA Guidelines and approve Planning  
5 Commission Resolution No. 2012-23 recommending that the City Council  
6 approve PA12-0027.

7  
8 **PLANNING OFFICIAL TERELL** – Yes to tag onto Gabriel’s report, this was an  
9 activity that was funded by a grant from the Federal Government and it is a  
10 limited term grant and just actually today I found it was determined that the City  
11 Council will only have one meeting in October, so it is very important for us to  
12 bring this forward to them on their meeting October 9<sup>th</sup> and one of the items that  
13 came out of our last discussion with City Council a few weeks ago was that they  
14 want this to be a document that we bring back annually for review and so I  
15 wanted to assure you to the extent that you have any particular concerns or you  
16 know want additions or deletions or such from the strategy, we can do some of  
17 that now but this is meant to be a living document that we’ll refer to and it’s  
18 meant to be a policy document.

19  
20 It is a policy document. There are no requirements that come from this  
21 document, just policies of where we want to head, so we will be bringing pieces  
22 of this incrementally as we have time outside of the annual review. As you can  
23 tell, people from the public utility; the public works; the yard staff; there are a lot  
24 of people that will be implementing this document, but we agreed and obviously  
25 with the City Council’s request to have this as a document that we review on an  
26 annual basis to make sure that we are making progress and that we have the  
27 ability to tweak or modify as conditions change, so I just wanted to let you know  
28 that as well.

29  
30 **CHAIR VAN NATTA** – Okay I have a quick question on the change that you  
31 made on C62. Is that replacing the existing C62 or is that like C62a?

32  
33 **ASSOCIATE PLANNER DIAZ** – Yes, this would be a new 62. That is where I  
34 placed it; the new one...it would be C62a.

35  
36 **CHAIR VAN NATTA** – Okay and can you give me a little more information as to  
37 what is meant by harvestable landscaping?

38  
39 **ASSOCIATE PLANNER DIAZ** – Like for instance instead of a shade tree you  
40 can maybe plant like an apple tree or something that you can eat. Tomato plants  
41 instead of shrubs. I know that may cause problems in some areas but it may  
42 work in others.

43  
44 **CHAIR VAN NATTA** – Okay, so basically what we’re looking at here is a  
45 document that says this is the dream; this is what we’d like to do, but unless or  
46 until there is money to fund these things they don’t get done anyway. This is

1 something we are working towards and some of the things that aren't going to  
2 cost money might be done sooner than the things that are going to cost money.

3  
4 **PLANNING OFFICIAL TERELL** – Yes and the things that do cost money; one of  
5 the things that we'll try is to find the money to pay for them.

6  
7 **VICE CHAIR SALAS** – Just budget for them.

8  
9 **PLANNING OFFICIAL TERELL** – Yes it won't likely be budgeting, it will probably  
10 be looking for grants or State and Federal non-profit programs that would assist  
11 us.

12  
13 **VICE CHAIR SALAS** – Yes we do the same thing with Metro... we're going to  
14 get the low hanging fruit or whatever the low hanging fruit is, we're going to try to  
15 accomplish that.

16  
17 **PLANNING OFFICIAL TERELL** – Right, from the harvestable landscaping; yes

18  
19 **CHAIR VAN NATTA** – Yes, okay, is there any discussion from any  
20 Commissioners or any comments other than the fact that we appreciate the fact  
21 that you guys did go back and make some of these revisions, especially putting  
22 things together that made more sense to be together and taking out the  
23 duplications that were redundancies. Okay then are we ready for a motion to  
24 approve?

25  
26 **DEPUTY CITY ATTORNEY BRYANT** – This is a Public Hearing, so you'll want  
27 to open it up.

28  
29 **CHAIR VAN NATTA** – Oh Yes, that's right; sorry, I missed that part and we do  
30 have a member of the public here now, okay so we will open this for Public  
31 Hearing. I have no Speaker Slips and I have nobody at the podium and nobody  
32 that wants to speak so okay we'll close the Public Hearing. Thank you and  
33 Commissioner Debate... a motion?

34  
35 **VICE CHAIR SALAS** - I'll motion. I'll motion...I guess we motion to approve,  
36 John?

37  
38 **PLANNING OFFICIAL TERELL** – Yes, just as it is stated there... Recognize the  
39 environment...

40  
41 **VICE CHAIR SALAS** – Okay, we **APPROVE** Resolution No. 2012-23 and  
42 hereby:

- 43  
44 1. **RECOMMEND** that the City Council **RECOGNIZE** that PA12-0027 the Energy  
45 Efficiency and Climate Action Strategy qualifies as an exemption in  
46 accordance with CEQA Guidelines, Section 15061 as defined by Section

1 15378; and,

2  
3 2. **APPROVE** PA12-0027 the Energy Efficiency and Climate Action Strategy

4  
5 **CHAIR VAN NATTA** – Do I have a second?

6  
7 **COMMISSIONER BAKER** – I’ll second

8  
9 **CHAIR VAN NATTA** – Okay we have a motion and a second. All those favor?

10  
11 Opposed – 1, Commissioner Owings

12  
13 **Motion carries 5 – 1 – 1, with one absent (Commissioner Ramirez)**

14  
15 **PLANNING OFFICIAL TERELL** – Yes, and this action will be forwarded to the  
16 City Council for their review on October 9<sup>th</sup>.

17  
18 **CHAIR VAN NATTA** – Okay, moving on to Other Business.

19  
20  
21  
22 **OTHER BUSINESS**

23  
24 **For Review and Discussion: Planning Commission Rules of Procedure**

25  
26 **CHAIR VAN NATTA** – Is somebody going to tell us what we’ve been doing  
27 wrong?

28  
29 **PLANNING OFFICIAL TERELL** – No, sometime ago you had a discussion and  
30 you had expressed an interest in looking at your rules to see if you wanted to  
31 make any changes or suggest any changes or discuss any changes, so it is  
32 really a forum for you to discuss any issues you have about the rules and how  
33 you might want to change them. I don’t believe you are doing anything wrong, so  
34 it is certainly not a reminder that you are.

35  
36 **CHAIR VAN NATTA** – And I don’t remember that coming up at some point but  
37 I’ve slept since then, so I might have forgot.

38  
39 **PLANNING OFFICIAL TERELL** – It’s been a while

40  
41 **COMMISSIONER OWINGS** – We did discuss that and two or three things that I  
42 believe that were of concern were how the Commission would handle ex-party  
43 communications between applicants and the Commission members and it also  
44 was in direct to response to questions about whether or not this body should  
45 have some sort or a rule or regulation about doing that and the work study  
46 sessions that the City of Riverside does versus the ex-party communication. At

1 one point when I first got on this Planning Commission, I had done an informal  
2 poll at a meeting of Planning Commissioners; I think it was the meeting that we  
3 went to as new Commissioners and it seems as though most cities either... a lot  
4 of cities have no rules about ex-party communications; some ban it and others  
5 have other vehicles and ban it and have vehicles for such as these workshops;  
6 planning workshops for large projects so that the Planning Staff, the developer  
7 and the Planning Commission are all together prior to developers spending  
8 millions of dollars in plans and he can therefore address or do the plans to  
9 address some of the concerns of the public early on in the planning stage. So I  
10 think that was context in which you did this.

11  
12 **CHAIR VAN NATTA** – I think there is already a provision in the rules in what I  
13 had read; it says page 349, that the Commission may be convened as a whole or  
14 as a Committee or the whole for special study sessions or workshops. Wouldn't  
15 that kind of what you were referring to?

16  
17 **COMMISSIONER OWINGS** – I think it is Meli and I really believe we went to the  
18 Planning Commission or the City Council in Study Session with this idea and  
19 they basically thought or kind of told us no, but the bottom line was that we really  
20 can do it on our own authority and it does present and I've been going to my first  
21 meeting on a project that I am involved in Riverside tomorrow morning and you  
22 know Riverside has been doing these for quite some time. They are very popular  
23 with both the developers and with the Staff and with the public, because many  
24 times problems can be resolved before they become obstacles in the planning  
25 process, so I think that would be one good thing for us to know that we can do  
26 that in the future. For example, on the World Logistics Center, we could have a  
27 planning seminar or planning workshops. We should have already been having  
28 them with the developer before he gets... but definitely before he has all his  
29 plans in place and then has to spend millions to defend them; the public; the Staff  
30 and this Commission should be talking about what those plans are. I would hope  
31 that we would schedule some workshops with the developer and the Staff. Is  
32 that possible John?

33  
34 **PLANNING OFFICIALTERELL** – I could look into that and see if there is an  
35 interest in doing that and the way I would understand these study sessions is  
36 they would somehow be appended to a regular meeting.

37  
38 **COMMISSIONER OWINGS** – They could be; yes. You know the one that I'm  
39 going to tomorrow is 9 o'clock in the morning, so it is just an open to the public  
40 meeting. The Planning Staff will be there. There will be Department Heads from  
41 each of the major departments for the City of Riverside, the developer, myself  
42 representing the property owner and it does appear that they do them on a kind  
43 of informal basis. It is on the fifth floor of the City Hall in a conference room.

44  
45 **PLANNING OFFICIALTERELL** – Right and it is just an administrative detail that  
46 we're required to pay you for meetings and I know that is not why you are here,

1 but we have a budgetary issue that we could probably work out. I am assuming  
2 that you're not interested in having extra meetings to make more money and I am  
3 not suggesting that.

4  
5 **COMMISSIONER OWINGS** – No

6  
7 **PLANNING OFFICIAL TERELL** – So we'd have to work around that if it was at a  
8 different time and obviously you may not all be available during the day, so I think  
9 that be a...

10  
11 **COMMISSIONER OWINGS** – I think if we could append them to a meeting that  
12 would be great.

13  
14 **PLANNING OFFICIAL TERELL** – I think the easiest way would be append them  
15 to a meeting that would just be another item on your Agenda.

16  
17 **CHAIR VAN NATTA** – That could be, but then as far as procedural goes, it might  
18 be easier to have them at a different time so that people are not expecting the  
19 same procedures to be followed as a regular meeting but our scheduled  
20 meetings are twice a month; the 2<sup>nd</sup> and 4<sup>th</sup> Thursday and we have only been  
21 having meetings once a month.

22  
23 **PLANNING OFFICIAL TERELL** – I understand that but the reality is that you are  
24 only budgeted to have one; you're not even budgeted to have one meeting a  
25 month. That is just our fiscal reality and I don't want to point that out as an  
26 impediment to it, but I'm just saying... What I know a lot of cities do is they often  
27 have what they call a workshop and then they break and then they have a  
28 regular session. I know that is done quite often as well.

29  
30 **CHAIR VAN NATTA** – Kind of like the City Council has their public things at the  
31 beginning of their Council Meetings and then the Council Meeting comes in...  
32 that might be a time when if we wanted to have additional consultants; maybe  
33 somebody come in who has worked with this type of project in another area or an  
34 economist or someone else that we want to ask questions of separate from the  
35 developer.

36  
37 **PLANNING OFFICIAL TERELL** – Well there is definitely a consulting team that  
38 works on major projects so that is certainly possible to do and the other thing is,  
39 which you may be referring to is, if you have these and you break them apart  
40 from the regular meeting, then it is not a situation where it is necessarily you  
41 have to have a very formal setting, just like the City Council has a Study  
42 Sessions. You don't have to televise it necessarily, which there is a cost  
43 associated with that as well.

44  
45 **CHAIR VAN NATTA** – And we could have a meeting... We could have a more  
46 informal meeting like say at 6 o'clock and then come to the Planning Commission

1 at 7 o'clock or do it sometime when we know we don't have a lot of stuff on the  
2 Agenda like tonight and do it at the end of that.

3  
4 **COMMISSIONER OWINGS** – Or we could forego pay; right?

5  
6 **PLANNING OFFICIAL TERELL** – Well I could ask and see if that is your right,  
7 but those are the kind of administrative things, but I'd certainly be interested in  
8 hearing your experience after you go through it.

9  
10 **COMMISSIONER OWINGS** – Yes, well I'm kind of anxious to see it myself

11  
12 **PLANNING OFFICIAL TERELL** – Yes how it actually works you know.

13  
14 **VICE CHAIR SALAS** – I've got a question. On that same note, okay I agree with  
15 what Tom is saying and maybe we should have those, but we did bring that up to  
16 City Council and they were kind of negative on that, so now on an individual  
17 Study Session for the Planning Commission, so now would we have to get their  
18 okay on that or would they be involved in it or I mean...

19  
20 **PLANNING OFFICIAL TERELL** – Well I think the idea is that you can call a  
21 Study Session. Obviously I guess you know you would have to be sensitive to  
22 their opinion, but the rules have always allowed and even though we've never  
23 had them here going way, way back, do allow for Study Sessions, so I think it  
24 something that you can have. On specific issues there might be some concern,  
25 but certainly if you say you want to have a Study Session on "X", I'll go up the  
26 ladder and say this is what you want to do and I'm assuming that there won't be  
27 any particular concerns.

28  
29 **VICE CHAIR SALAS** – Because I know Richard, or the Mayor was pretty  
30 negative.

31  
32 **COMMISSIONER GIBA** – Paragraph "D" pretty much outlines your authority; the  
33 Chairperson's authority to make that decision. It doesn't say that it has to have  
34 the Council's approval, it just says or the Council's approval.

35  
36 **CHAIR VAN NATTA** – Or upon request of the Council

37  
38 **VICE CHAIR SALAS** - My concern is that Council was not that responsive

39  
40 **COMMISSIONER OWINGS** – Well you know I appreciate your concern about  
41 that George. We serve at their will, but the bottom line was I thought that their  
42 criticism was totally unfounded. In fact, I thought it was absolutely...

43  
44 **VICE CHAIR SALAS** – Insulting

45

1 **COMMISSIONER OWINGS** – Well to be somewhat... and not only that I find it  
2 interesting you know that Councilman Beatty tells us that we should have ex-  
3 party meetings with the applicants as opposed to these types of meetings and  
4 then he tells us about how he got in so much trouble for having an ex-party  
5 meeting with an applicant, so my opinion of these are is that when everyone is in  
6 the room and we have the benefit of a great staff and a great legal staff, there is  
7 not going to be very much chance of getting into legal issues and the fact is the  
8 chances will be much less than if we are out by ourselves over a cup of coffee in  
9 a restaurant.

10  
11 **VICE CHAIR SALAS** – I'm sorry I brought it up; I mean it was you know...

12  
13 **COMMISSIONER OWINGS** – I mean that was just my take on their criticism.

14  
15 **CHAIR VAN NATTA** – That was valid input there and it's kind of a balance. We  
16 don't need their permission to do it, but if we start going crazy and doing a bunch  
17 of things without their knowledge and kind of, I wouldn't want to say their blessing  
18 on it, but their knowledge of what is going on and their acceptance of it then we  
19 are working at cross purposes. I think when we did try to do a Special Study  
20 Session between the Council or a Joint Study Session with the Council with the  
21 Planning Commission, the way it turned out was not what we had envisioned  
22 because it ended up being a City Council Study Session that we were attending  
23 and we really did not have that much input on.

24  
25 **COMMISSIONER OWINGS** – Yes I think this is a very... this has a lot of positive  
26 aspects for us as a Commission; for us as a City because the more we bring the  
27 public into these processes, the less vitriol there will be when these big decisions  
28 are made because people will have input; developers will understand what the  
29 problems are and may very well address those problems before they get to the  
30 Planning Department in the form of a formal plan. So I really do believe the more  
31 open and more sunshine we place on these decisions, it is best for the City and it  
32 is best for the community and it is best for the City Council, so I would say  
33 George to answer your question, I think this time the Planning Commission  
34 knows best.

35  
36 **VICE CHAIR SALAS** – And I have no problem with that. I just remember from  
37 the meeting they weren't very...

38  
39 **COMMISSIONER OWINGS** – They were not receptive

40  
41 **VICE CHAIR SALAS** – Exactly, exactly, which is fine and I agree and I think it  
42 also helps the applicant you know. So anyway, John, I guess you'll take from  
43 here? So what would our next step be?

44  
45 **CHAIR VAN NATTA** - If we had something... I think our next step would be if  
46 there was an item that we felt we needed to have a Special Study Session on,



1 meet with the developer; have input from Staff and from other consultants and so  
2 forth, then we would let Mr. Terrell know who can let the City Council know what it  
3 is that we would like to do; make sure that we are not stepping on toes or getting  
4 out of line and going ahead and set the time...

5  
6 **COMMISSIONER OWINGS** – Respectfully I think we should just do it.

7  
8 **PLANNING OFFICIAL TEREILL** – Yes I wasn't saying that I was...

9  
10 **CHAIR VAN NATTA** – Not their approval, but to let them know what we are  
11 doing and making sure that we are not in conflict with something that they're  
12 planning at around the same time that might...

13  
14 **COMMISSIONER OWINGS** – Well they wouldn't be invited to this meeting.

15  
16 **PLANNING OFFICIAL TEREILL** – Yes that would mean...

17  
18 **CHAIR VAN NATTA** – It's open to the public, they could certainly come

19  
20 **VICE CHAIR SALAS** – The thing with that John, do we have do that before it  
21 came here because we don't want to delay them any further... we don't want  
22 them to come us and go now you want to have a Study Session, we want to do  
23 that before they even got here, so how do we that, because we'd have to it  
24 before it came to us, because if not it is a delay to them.

25  
26 **COMMISSIONER OWINGS** – But when they come to have their development  
27 meeting with the Staff that would be when the Staff would ask them would you be  
28 interested in having a... this is something that we would... most developers want  
29 to have these types of meetings early in the process.

30  
31 **VICE CHAIR SALAS** – So we are asking you...

32  
33 **CHAIR VAN NATTA** – Yes I agree, that probably would be the best time to do it  
34 is when they bring the project in for review.

35  
36 **VICE CHAIR SALAS** – So how do we determine what projects we want to do  
37 this to? That would come from you; right?

38  
39 **PLANNING OFFICIAL TEREILL** – Well the impression that I got is that you were  
40 interested in larger projects. I think and I don't mean to harp on this, but the  
41 reality is our resources are very limited and it is probably a service because even  
42 pre-applications, which is where somebody brings in a plan and says I want you  
43 to review this plan before I spend the money to do a more detailed plan and pay  
44 for a real application. We charge for that and the reality is the reason we charge  
45 for that is that we have to pay to maintain our operation and there is some  
46 flexibility on that, so it is not a hard fast rule but we wouldn't want to spin out and

1 everybody that comes into us has an opportunity to talk to the Planning  
2 Commission before they go because the resources would be taxed to say the  
3 least, but I think you talked about that you would want to look at major projects  
4 early and you know and that is why I am interested in seeing what your  
5 experience and actually doing it is and then I can follow-up with the City of  
6 Riverside and get more of the details of how they do that.

7  
8 **COMMISSIONER OWINGS** – Right and I’ve been talking with Steve Hayes who  
9 is the Planning Director and basically I asked him that question. I mean he  
10 asked me up front would you like to have a workshop on your project and I said  
11 absolutely. Now exactly what is a workshop and then he explained it to me.

12  
13 **CHAIR VAN NATTA** – What is it going to cost me?

14  
15 **COMMISSIONER OWINGS** – No it really is I think somewhat of the discretion of  
16 the Planning Director or in this case John would be the one because they know  
17 when the project is going to be complicated. It may necessarily not be the size of  
18 but the complexity of it and so I think that is one criterion where John would  
19 screen that. The other is that Steve Hayes told me that developers can ask for  
20 this and which case the Planning Director would then confer with the  
21 Commission and determine whether or not they had an interest in doing it, so it is  
22 not a mandatory thing. It does not happen on every project. Our project involved  
23 a zone change and it involved potential entitlement issues about street widening  
24 and things of that nature, so therefore he felt it was complex enough that we  
25 would want to have this workshop.

26  
27 **CHAIR VAN NATTA** – But now Commissioner Owings that brings us right back  
28 down to the point of what point is it determined which projects we are going to  
29 want to have a Study Session on and which ones we aren’t.

30  
31 **COMMISSIONER OWINGS** – Well I think we give the direction to John Terrell  
32 and then acts as our screening...

33  
34 **CHAIR VAN NATTA** – And then how does he know which ones to offer that to?

35  
36 **COMMISSIONER OWINGS** – Well he knows

37  
38 **CHAIR VAN NATTA** – He would have to let us know when something is coming  
39 up so we could tell him oh this is one that we would like to have a Study Session  
40 on.

41  
42 **PLANNING OFFICIAL TERELL** – Well I think the first part of what you talked  
43 about is very important. It is the developer’s option to do it because if they don’t  
44 want to do it they shouldn’t be forced to do it, so first of all it is offering it and I  
45 think I have pretty good idea of what a large complex project is and then you  
46 might have suggestions which you could talk about publicly or you could call me

1 up and say hey I hear this project is out there or this developer has called me;  
2 can we do a Study Session instead of having individual meetings as an example.  
3 I need input from you but I think if we are going to do this it is going to be new  
4 and it is going to be kind of a process of figuring it out and that's why I contact  
5 people that already do it as well.  
6

7 **COMMISSIONER OWINGS** – I can only think of two projects that I've been  
8 involved in since being on this Commission that would probably fit into that or  
9 three maybe... you know Kaiser project might be one, the one that we just ruled  
10 on again that would be Memory Care and then the Ridge Development, but I  
11 don't think we've had any large... those are three that come to my mind. These  
12 are not things that are going to occur often.  
13

14 **COMMISSIONER GIBA** – John, if I may... since we are discussing this and the  
15 topic of the document that we're looking at, I think paragraph D pretty much  
16 outlines that for us. If you read that it would just say very simply a Special  
17 Meeting of the Planning Commission may be held at any time upon the call of the  
18 Chairperson who is Meli or by a majority of the voting members of the  
19 Commission or upon request by the City Council. So under those conditions as  
20 any information that might come across during our discussions... for instance  
21 you might bring out that I have spoken with them, they may be and then we can  
22 have this Planning Commission discussion; Ms. Meli can make the call or call for  
23 a vote with our own discussion and then make the decision, so I don't think there  
24 is any fear of everything in the world, but we maybe wisely amongst the seven of  
25 us deciding yes that is something that we could do; that is something that we  
26 don't have to do; let's not waste our time on it and I think that is very clear right  
27 now, I think we can utilize that protocol that is already written in here and I think  
28 that is because I saw it.  
29

30 **DEPUTY CITY ATTORNEY BRYANT** – I have to interrupt on that one though  
31 because what you are referring to is a Special Meeting and Commissioner  
32 Owings is referring to a Study Session or a workshop.  
33

34 **COMMISSIONER GIBA** – And that can be convened as a whole or as a  
35 committee of the whole in the same matter as prescribed for the calling of a  
36 Special Meeting.  
37

38 **DEPUTY CITY ATTORNEY BRYANT** – Right, so we are talking about a Study  
39 Session.  
40

41 **COMMISSIONER GIBA** – Yes and both of those can be done in the same  
42 fashion because it says so. Now if we are following that protocol then we'll follow  
43 protocol or we don't have these documents of no value to us.  
44

45 **VICE CHAIR SALAS** – The only thing with that Jeff is that what we don't want to  
46 do is we don't want to delay the applicant any further, so we cannot... what we're

1 talking about here is that it is coming to us and then all of a sudden we're going  
2 oh we want to do a Study Session and so now we're going to delay him. That is  
3 what we don't want to do, so we've got to catch it or do the Study Session in the  
4 preliminary time when John gets it and way before it comes to us.

5  
6 **COMMISSIONER OWNINGS** – But I think the one thing you have to understand,  
7 John said very clearly and I agree, we were asked whether we wanted to do it.  
8 You cannot make a developer do this, so if the developer doesn't want to do one  
9 of these, he just says nah I'd rather not.

10  
11 **VICE CHAIR SALAS** – Okay that's fine

12  
13 **CHAIR VAN NATTA** – Certainly I think there might be probably times the  
14 developers are used to working with the City where they are given that  
15 opportunity where they may be asking for that. Is there an opportunity for us to  
16 have a Study Session or a meeting with the Planning Commission before we get  
17 any further into this and I think that is likely to come up?

18  
19 **VICE CHAIR SALAS** – I have no problem with that. I mean as long as it doesn't  
20 delay the applicant. That is my concern.

21  
22 **COMMISSIONER OWINGS** – And I think the idea is that it's not to delay, it's to  
23 speed it up...

24  
25 **COMMISSIONER GIBA** – I don't consider this in any way, shape a delay. John  
26 has the information well in advance or comes to us well in advance.

27  
28 **VICE CHAIR SALAS** – I understand

29  
30 **CHAIR VAN NATTA** – Okay, then this is not about changing what our rules and  
31 procedures are. It is just talking about implementing something that perhaps we  
32 haven't been doing that is already provided for in the rules and procedures. The  
33 other thing that I wanted to mention is it is not just the size or the complexity of  
34 the project. I think the ones that we would want to especially look at are the ones  
35 that are going to be more contentious so that we can look at what the problems  
36 might be before we get into them.

37  
38 **COMMISSIONER GIBA** – John would this be... we talked about that earlier,  
39 would this be one of those opportunities for a workshop for this overlay  
40 discussion that we have been having too or certain pieces of evidence can be  
41 brought into play and we could discuss how the overlay...for me one personally,  
42 we had been discussing for me as a learning process to find out more about that  
43 with some professionals and if everybody. Would this be under that workshop  
44 type of thing; this session workshop?

1 **PLANNING OFFICIAL TERELL** – Yes I definitely think that is a Study Session  
2 type of item.

3  
4 **CHAIR VAN NATTA** – Okay, well I don't think we at this point we're really  
5 looking at making any changes in the procedure.

6  
7 **COMMISSIONER OWINGS**- I guess the only change Chairperson Van Natta  
8 would be is do we want to even address or further discuss the ex-party  
9 communication applicants as a normal part of our by-laws or rules. Really there  
10 is no prohibition against ex-party or in our rules as I read them and there are few  
11 things that I think are kind of interesting, but there are very few prohibitions here  
12 in terms of those types of... so, you know I think the range of people who I have  
13 spoken to go from no prohibitions whatsoever. Some Planning Commissions  
14 totally ban ex-party communications... to some people who totally ban ex-party  
15 communications, so I personally believe in banning the ex-party communication  
16 but you know as a formality I just believe that everything should be out in the  
17 open and always discussed out in the open and never privately when it comes to  
18 these types of matters, but you know that I guess would be one question that we  
19 could discuss; probably wouldn't have to decide it tonight, but John have you  
20 ever done a review of cities around us as to their rules and regulations  
21 concerning this?

22  
23 **PLANNING OFFICIAL TERELL** – I have not and where I worked before, it was  
24 similar to this. It is kind of at the discretion of the Commissioner.

25  
26 **CHAIR VAN NATTA** – I think what we've done in my limited experience here is if  
27 we did have a communication with someone prior to like we did on the Assisted  
28 Living Facility, we just mentioned it at the beginning at the meeting that we'd had  
29 a conversation with a representative and that was fine. That might be one of  
30 those situations where if the representative is contacting us individually to want to  
31 give more explanation about what their project is before it comes before us, that  
32 might be a good time for us to say hey would you just like to meet with us  
33 altogether in a Study Session so we can just bounce all of these ideas around  
34 rather than having individual meetings.

35  
36 **DEPUTY CITY ATTORNEY BRYANT** – It is addressed in Section F3; it says that  
37 any Commissioner shall declare prior to voting in the recorded minutes whether  
38 or not they talked or otherwise communicated independently with the developer,  
39 with the proponents or with the opponents or with a representative of the  
40 developer, proponents or opponents concerning a project under consideration  
41 and shall disclose the substance of the communication. So in the rules, it does  
42 allow for the communication as long as it disclosed at the meeting, which is what  
43 we've done in the past.

44

1 **CHAIR VAN NATTA** – And I think disclosure is fine. I don't see why that would  
2 have to be in a public meeting if a developer wants to give further elaboration on  
3 their project before it comes to us.

4  
5 **COMMISSIONER OWINGS** – Where the problem comes Chairman Meli is when  
6 the applicant says that during that meeting Commissioner Van Natta said I could  
7 build a building 13 stories tall right on the property line with no setback and am I  
8 correct John from your experience?

9 **PLANNING OFFICIAL TERELL** – I have never heard of Chair Van Natta saying  
10 that, but that's okay

11  
12 **COMMISSIONER OWINGS** – Just a hypothetical where the applicant might say  
13 that and you that is the exact case that Councilman Beatty said that got him into  
14 trouble which I found so ironic. He was saying well let's just keep this ex-party  
15 communication available to you guys but on the other hand you've got to be real  
16 careful about it because you can get into trouble.

17  
18 **CHAIR VAN NATTA** – Well I think that can be a very true statement. You can  
19 get into trouble if you are making statements that indicate what you would  
20 approve and what you wouldn't approve in this ex-party. The whole idea is to  
21 just gather more information and get a fuller explanation and not to make  
22 commitments about whether you would vote for it or not vote for it or anything like  
23 that, so...

24  
25 **COMMISSIONER OWINGS** – Well when there are only two people involved in a  
26 communication, it is difficult to prove what one said and what one didn't say.

27  
28 **PLANNING OFFICIAL TERELL** – Right and I think the same carefulness or care  
29 would need to be taken in a Study Session that that is a session just to get  
30 information not to get information to say I think that's a great project or those  
31 sorts of things.

32  
33 **CHAIR VAN NATTA** – Especially if it sounds like you've got a consensus from  
34 everybody on the Commission in the Study Session and then they voted against  
35 it when you brought it forward.

36  
37 **PLANNING OFFICIAL TERELL** – Yes

38  
39 **DEPUTY CITY ATTORNEY BRYANT** – This section also allows for the  
40 Commissioners to meet with project opponents, so theoretically if you met with a  
41 constituent who had an opposite position to a project that was pending, that  
42 could be considered communication as well, so we would want to perhaps  
43 consider that as well.

44  
45 **COMMISSIONER OWINGS** – Could you tell me what page you are reading  
46 from?

1 **DEPUTY CITY ATTORNEY BRYANT** - I am on the I Pad.

2  
3 **PLANNING OFFICIAL TERELL** – Page 348 in your agenda package

4  
5 **DEPUTY CITY ATTORNEY BRYANT** – It is page 4 of the Rules and Procedures  
6 Section F3.

7  
8 **COMMISSIONER OWINGS** – I see; well no I don't see 3

9  
10 **PLANNING OFFICIAL TERELL** – It's at the top of the page

11  
12 **COMMISSIONER OWINGS** – I see it

13  
14 **CHAIR VAN NATTA** – Yes with the proponents or opponents or a representative  
15 and so forth

16  
17 **COMMISSIONER OWINGS** – So when you have a rule in the Commission's by-  
18 laws that says all ex-party communication is prohibited, it is easy for the  
19 Commissioners to then say parties of either side, you know I cannot discuss that  
20 with you unless it is in a Study Session.

21  
22 **CHAIR VAN NATTA** – I think that would be counterproductive because then that  
23 would kind of let out Study Sessions and everything else because that would  
24 still...

25  
26 **COMMISSIONER OWINGS** – No, no, that would be within the Study Session  
27 you could. That would be the only area in which you could hear those types of  
28 communications.

29  
30 **CHAIR VAN NATTA** – I would rather allow the developer to make that decision  
31 whether he wanted to request a Study Session with the committee or whether or  
32 not he would like to meet several of them and go over his project.

33  
34 **COMMISSIONER OWINGS** – Respectfully though if there were no ex-party  
35 communication allowed, then the developer would ask for that Study Session  
36 where he could make that case in front of all us instead of just one of us and  
37 where he could make it front of the Staff and where he can make it in front of the  
38 City Attorney, so that's why I think the ex-party communication is somewhat you  
39 know... if Jeff meets with somebody and you and I do not have the opportunity to  
40 meet with them, Jeff is coming from a different perspective than I or you and so  
41 therefore it just seems to me in all fairness to everyone that we should make the  
42 decisions based on the same information that we've all heard and not just one  
43 party.

44  
45 **COMMISSIONER GIBA** – Well Commissioner Owings that's called  
46 Commissioner Debate, so I'll bring forth that and you'll debate it with me. That is

1 what it is considered, so if I did meet with somebody independently and I was  
2 voicing their opinion in some way, then that is that opportunity for me to be their  
3 representative in essence and that debate will take place here like it should be  
4 done. I don't see that as...

5  
6 **CHAIR VAN NATTA** – And the project will be presented and all the essential  
7 parts will be presented and that's what we are voting on, so I don't think that's an  
8 issue.

9  
10 **COMMISSIONER GIBA** – And in the Study Session; if you wanted to hold a  
11 Study Session it gives us room and parameters for the Chair to invite the public  
12 for their comments at that point in time anyways.

13  
14 **COMMISSIONER OWINGS** – Well at the Study Session they would but in an ex-  
15 party they are not. That very, very point that you make when you are talking to  
16 the developer the proponent is there but the person that may be against the  
17 project is not there. He doesn't have the same access to you at that point and  
18 you can say well hey it is just a free-for-all; whoever feels strongly enough about  
19 doing it to do it, but we are all busy; we're don't all have the same access and it  
20 does not afford the same access to every applicant or every person who is  
21 against a project.

22  
23 **CHAIR VAN NATTA** – However, right here we do have the opportunity for both  
24 the proponents and the opponents to speak with us in a Study Session the same  
25 as we have in individual meetings and you've been bouncing up and down like  
26 you want to say something. Is there something you wanted to say?

27  
28 **VICE CHAIR SALAS** – I agree with... well I've submitted stuff in almost City in  
29 Southern California in the business I am in and we've always had the opportunity  
30 to talk to the Planning Commission or the neighborhood... whoever we were  
31 going to... or to the neighborhood associations that we were doing the project in,  
32 so I guess what I'm trying to say that it is common for us to what we are doing  
33 here. I understand what guys want, which makes sense to me, but the only thing  
34 is you hit nail on the head when you said as long as we open it to the public and  
35 we have the opportunity for both parties to be there; opposed and the for, then I  
36 think it would work.

37  
38 **PLANNING OFFICIAL TERELL** – Yes but I think the idea is in a Study Session it  
39 doesn't have the same kind of notification. We are not going to send out notices  
40 to people within 300 feet of the project, so it will be a different session I think;  
41 much more technical I would call the Study Session. If it is a help to you, when  
42 people ask to speak to you about their project it almost always happens once we  
43 schedule it for your formal review, so it is very rare for an applicant to ask to talk  
44 to you earlier than that. Obviously if it was a formal; you know it's a possibility,  
45 some may want to do it and others may not, but when a request comes out of the  
46 blue from a developer that I want to talk to the Planning Commissioners, it almost



1 always happens once we schedule the Hearing date, so the Study Session  
2 probably wouldn't be an alternative in that case because you've stated you  
3 wouldn't want to delay the project, but with this new process we're talking about, I  
4 assume you'd have some people that would express it earlier because I'll ask  
5 them or you'll ask me to ask them; you know hey can we see this early, so I think  
6 that will happen and the current policy is somebody calls us and as you know we  
7 send a note to you saying this person wants to talk to you; you can call them or  
8 you can't call them, so that is the current policy.

9  
10 **COMMISSIONER OWINGS** – Well and I think there is a little bit of... we're  
11 speaking about two different things

12  
13 **PLANNING OFFICIAL TERELL** – Well I'm just trying...

14  
15 **COMMISSIONER OWINGS** – It's not only about ex-party they do know about but  
16 in truth ex-party, that's a legal definition of ex-party where a judge hears; both  
17 parties there is a notice given of ex-party. In this particular case what I'm  
18 speaking about the ex-party is when you don't know and the person calls the  
19 Commissioner direct and does not afford himself to all the Commissioners and  
20 now you are only talking to one and we may or may not know that and Jeff with  
21 all due respect to you and I know you to be an honest man and I know you'd say  
22 it, but not all people would say it. There are communications I believe that have  
23 gone in every City Planning Commission in the world where other  
24 Commissioners are not afforded the knowledge of those communications and  
25 that's the ex-party that I'm saying. I think that every Planning Commissioner  
26 should raise his right hand swear that I'm not going to have any discussions with  
27 somebody that is not public; that I'm not going to tell you about.

28  
29 **CHAIR VAN NATTA** – Okay before we go any further with this, there are two  
30 things that I have to say. One of them is I refuse to believe that any member on  
31 this Planning Commission would not reveal an ex-party communication with  
32 somebody who is an applicant here.

33  
34 **COMMISSIONER OWINGS** – Stipulated

35  
36 **CHAIR VAN NATTA** – Okay, the second is if we were to make any kind of an  
37 amendment to the procedure, according to the procedure itself, that the notice of  
38 the proposed amendment has to be received by each Commissioner not less  
39 than five days prior to that meeting. So if you want to propose that change and  
40 provide to us what proposal you want to make five days prior to the next meeting  
41 we can enter into a discussion about and it at that time vote on whether or not we  
42 would want to make a change to the procedure.

43  
44 **COMMISSIONER OWINGS** – I think that is a perfect solution to my concern.

45  
46 **CHAIR VAN NATTA** – Okay

1 **VICE CHAIR SALAS** – Is that legal?

2

3 **DEPUTY CITY ATTORNEY BRYANT** – That’s what it says; Section 3, Review  
4 and Amendment Procedures, Subsection B; four affirmative votes if the  
5 Commissioner submits not less than five days prior to said meeting.

6

7 **CHAIR VAN NATTA** – Okay, so if you want to make a change, write it up the  
8 way you want to make it, submit to us and...

9

10 **COMMISSIONER OWINGS** – You just make the motion and I’ll second it and we  
11 can vote right now; right?

12

13 **CHAIR VAN NATTA** – No you can’t, it has to be in writing to each member five  
14 days prior

15

16 **COMMISSIONER OWINGS** – Five days prior; okay

17

18 **CHAIR VAN NATTA** – And I’m not going to make that motion

19

20 **COMMISSIONER OWINGS** – Okay

21

22 **COMMISSIONER GIBA** – I mean I think the document is pretty inclusive and if  
23 we utilize it appropriately, then the things of all our concerns can be addressed  
24 as you point out.

25

26 **VICE CHAIR SALAS** – I think they are addressed, so that’s good

27

28 **CHAIR VAN NATTA** – Yes and I’m fine with the way it is at this point but we will  
29 have an opportunity to discuss it when and if a motion is made. So is there any  
30 other business before the Commission tonight.

31

32

33

34 **STAFF COMMENTS**

35

36 **CHAIR VAN NATTA** – Do we have any Staff Comments or wrap up?

37

38 **PLANNING OFFICIAL TERELL** – Your next schedule meeting would be October  
39 11<sup>th</sup>. At this point in time we don’t have anything scheduled for that meeting.  
40 People keep on promising that they’ll be ready to go a meeting but they are not  
41 yet, so I’m hoping we’ll have that but if not we would have the opportunity I guess  
42 to have further discussion as you had tonight and we also may entertain  
43 changing the date of the meeting and checking with you to make sure that that’s  
44 okay. I mean typically we tell applicants hey this is the meeting date and they  
45 generally meet that, but lately there have been so many requests for special  
46 meeting dates that it is always your decision as a majority whether you want to

1 do that, so we like to find out if you are available, we offer that to the applicant.  
2 We don't do it the other way around. We don't tell them that they can have a  
3 special meeting and then ask you about it, so I would have at least one item on  
4 your agenda. I will know next week if that's possible, so as soon as I know I will  
5 let you know.  
6  
7

## 8 **PLANNING COMMISSIONER COMMENTS**

9

10 **COMMISSIONER OWINGS** – John you know I was at a meeting where it was  
11 said that there were twelve or ten million square feet of warehousing under  
12 consideration right now and I think I've seen that figure two or three times in City  
13 documents. Have all of those projects been approved by the Planning  
14 Commission?  
15

16 **PLANNING OFFICIAL TERELL** – That are under consideration... there are and  
17 what I've heard there is a large number; I think it's like seven or eight million that  
18 is approved but hasn't proceeded with construction and I know Commissioner  
19 Baker came by today and picked the Economic Development information that  
20 talks to some of that and I know in the past I can ask specially to see if you can  
21 have a discussion about that if you'd like about what is that number; what is  
22 actually out there and approved and we can have a discussion about that. There  
23 are not 10 million square feet of projects under consideration that you haven't  
24 seen yet and as many of you are aware there is the Pro Logis Project that is the  
25 largest pending project and that is about 2 million square feet and other than that,  
26 there is another project called Western Realco, which was approved by the  
27 Planning Commission; did not prevail; once it was sued and came back; basically  
28 it was the same project and that is a million square feet, so there we have 3  
29 million square feet. Beyond that there is a new project called the Harbor Freight  
30 project that I think it is called and that is about a million square feet as well, so  
31 there is quite a bit out there that is in process that is moving slowly toward you;  
32 slower than I would like but that is really applicant driven and that is excluding the  
33 World Logistics Center which is really not a plan for us but a specific building, so  
34 that is a different category, but that is about what in the pipeline.  
35

36 **COMMISSIONER OWINGS** – So there is about three or four million that needs to  
37 be approved at some time in the future?  
38

39 **PLANNING OFFICIAL TERELL** – Right and it's probably six or seven million that  
40 has been approved but not built; but you know approved by the Planning  
41 Commission, but not yet built.  
42

43 **COMMISSIONER OWINGS** – Okay  
44  
45  
46

1 **ADJOURNMENT**

2

3 **CHAIR VAN NATTA** – Okay, I will entertain a motion to adjourn.

4

5 **COMMISSIONER OWINGS** – I motion to adjourn

6

7 **VICE CHAIR SALAS** – Second

8

9 **CHAIR VAN NATTA** – Okay moved and seconded...all in favor? Moved and  
10 passed... we have been adjourned.

11

12

13

14

15

16

17

18 \_\_\_\_\_  
19 John C. Terell  
20 Planning Official  
21 Approved

\_\_\_\_\_

Date

22

23

24 \_\_\_\_\_  
25 Meli Van Natta  
26 Chair

\_\_\_\_\_

Date

1 CITY OF MORENO VALLEY  
2 PLANNING COMMISSION  
3 REGULAR MEETING  
4 NOVEMBER 29<sup>TH</sup>, 2012

5  
6  
7 **CALL TO ORDER**

8  
9 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley  
10 Planning Commission on the above date in the City Council Chambers located at  
11 14177 Frederick Street.  
12

13  
14 **ROLL CALL**

15 Commissioners Present:

16 Chair Van Natta  
17 Vice Chair Salas  
18 Commissioner Baker  
19 Commissioner Crothers  
20 Commissioner Giba  
21

22 Excused:

23 Commissioner Owings  
24 Commissioner Ramirez  
25

26 Staff Present:

27 John Terell, Planning Official  
28 Jeff Bradshaw, Associate Planner  
29 Suzanne Bryant, Deputy City Attorney  
30 Barry Foster, Community & Economic Development Director  
31 Michael Lloyd, Senior Traffic Engineer  
32 Clement Jimenez, Senior Land Development Engineer  
33

34  
35 **PLEDGE OF ALLEGIANCE**

36  
37  
38 **APPROVAL OF AGENDA**

39  
40 **CHAIR VAN NATTA** – Okay, we have the Agenda in front of us. Has everyone  
41 had a chance to take a look at it? Okay, anyone move for approval of the  
42 Agenda?  
43

44 **COMMISSIONER GIBA** – I move that we approve the Agenda  
45

1 **VICE CHAIR SALAS** – I'll second

2  
3 **CHAIR VAN NATTA** – Thank you, moved and seconded...all in favor?

4  
5 Opposed – 0

6  
7 **Motion carries 5 – 0, with two absent (Commissioner Ramirez and**  
8 **Commissioner Owings)**

9  
10 **CHAIR VAN NATTA** – The public is advised of the procedures to be followed in  
11 the meeting which is on display in the rear of the room.

12  
13  
14  
15 **PUBLIC COMMENTS**

16  
17 **CHAIR VAN NATTA** – And we going to begin the meeting with comments by any  
18 member of the public on any matter which is not listed on the Agenda but which  
19 is within the subject matter jurisdiction of the Commission and I do have one  
20 Speaker Slip here for George Hague. Can you please state your name and  
21 address and then proceed.

22  
23 **SPEAKER HAGUE** – My name is George Hague, resident of Moreno Valley.  
24 You should have this in front of you. As you know I am a retired teacher and I  
25 hope all the time that you are here that you do an excellent job of educating  
26 yourself and reach out just for that reason. Looking at page one on this  
27 document. This is from City of Riverside. Actually WRCOG put it together seven  
28 years ago. The City of Riverside modified it a little and adopted it in 2008 and I'm  
29 wondering where Moreno Valley has something like this to help the residents and  
30 the developers. It explains what sensitive preceptors are as far as warehousing  
31 development is concerned. I'm looking at page 2 right now. You can't go  
32 through this entire thing; that is why I hope you will read this later, but on page 2  
33 and I have highlighted, it says that diesel exhaust is responsible for 70 percent of  
34 the total cancer risk from air pollution. Once again diesel exhaust is responsible  
35 for 70 percent of the total cancer risk from air pollution. I think most of that  
36 comes from the diesel trucks that we are inviting into our community.

37  
38 It is very sad to think that your job is to protect the health, safety and welfare of  
39 our residents and yet it seems like what we are doing is supplying jobs where  
40 they are going to be breathing this diesel exhaust at least 8 hours a day and I  
41 don't believe you are protecting the health, safety and welfare of the residents  
42 and especially those who work at these locations. When you have a situation  
43 where they are breathing this in, you might as well go out and ask them and  
44 encourage them to be smoking as to develop these and encourage them to work  
45 at these warehousing. It is very toxic; they breathe it in and there is usually no  
46 air conditioning or other at these warehouses. Flipping over to page 5... a health

1 risk assessment is required when traffic area of an industrial project located  
2 within 1,000 feet. Workers are right there within 1,000 feet. They are standing  
3 right next to these belching diesel emitting trucks and yet they are saying for the  
4 safety of residents you should have 1,000 feet. No, once again you are not  
5 protecting the health, safety and welfare of the residents. Required trip  
6 reductions plans submitted for all businesses including warehouses to reduce by  
7 6 ½ percent. That would be wonderful in this City if we had something similar to  
8 this... 2c down below, require warehouse distribution centers to provide onsite  
9 signage or directional guidance of trucks entering and exiting... require  
10 warehouse distribution centers to provide signage and flyers for the closest  
11 restaurants and refueling. The next page...

12

13 **CHAIR VAN NATTA** – Mr. Hague, you have about 30 seconds left.

14

15 **SPEAKER HAGUE** – With the 50 truck trips per day, you need to provide  
16 electrical hookups. Additional future tenants approving a warehouse needing  
17 refrigeration, likewise. No idling for 5 minutes, but I ask you when you put that  
18 condition into a project, do you know who is supposed to be enforcing that and  
19 has anybody ever enforced that in our City? Please check on that and finally  
20 page 7, risk as expressed, says estimated increased chances of getting cancer in  
21 a million. Whether it is one in a million or 100 in a million it does happen and I  
22 thank you very much and I hope you will read this at your leisure and maybe  
23 push for something very similar in our own City. I thank you very much.

24

25 **CHAIR VAN NATTA** – I thank you for your comments.

26

27 **PLANNING OFFICIAL TEREELL** – Oh Chair Van Natta, just for everyone's  
28 information the City did adopt good neighbor guidelines into its Code about six  
29 months ago and it was tailored on the WRCOG plan as well as we did refer to the  
30 City of Riverside, so it is not exactly the same but it is very similar to Riverside in  
31 our Code. We don't have a handout about it. We do have it in our Code.

32

33 **SPEAKER HAGUE** – And I hope all the residents get to see that. Thank you  
34 very much.

35

36 **CHAIR VAN NATTA** – Thank you. Okay we have another Speaker Slip here...  
37 Tom Thornsley.

38

39 **SPEAKER THORNSLEY** – Good evening Commissioners. I've come to the City  
40 tonight because I have lived in the City about 15 years; participated in a number  
41 of Hearings over the years and haven't been to the Commission in a couple of  
42 years now. I do watch what goes on. I do read Staff Reports. Once in a while I  
43 will tune in and catch what goes on here. What I have come to realize is the City  
44 is in transition right now. We are going extremely heavy industrial. We are going  
45 to have probably the largest warehouse distribution center in the City.

46

1 The City is I think the second to the largest city in Riverside County, yet we are  
2 the City some of the lowest development standards when it comes to just about  
3 everything that is developed in this City. Sadly to say industrial buildings are  
4 some of the saddest designs I've ever seen and I do have a planning  
5 background. I would really encourage all of you to get out of town and go look at  
6 stuff in other communities. Look at what is being done and start pushing for our  
7 City to have greater standards. As I fear the east end of town turning into a  
8 massive warehouse area, if we are going to give it up as mixed uses out there,  
9 then I want it to be the highest end use we can have and the same goes when  
10 you are looking at the specific plans. You want to make sure they are fully  
11 detailed. You want it to have stuff that gives you good guidelines and gets you  
12 good things for your community.

13  
14 When you look at the environmental documents, look at the mitigation measures  
15 and make sure they are really getting you something for your City. Don't let them  
16 be vague comments. Don't let them say "could" and let them say "should". Don't  
17 let them try to second guess what you might get. Make sure they are very, very  
18 definitive. I've been recently been looking through a number of documents and  
19 environmental reports and participated in some meet and confer projects and I'm  
20 kind of dismayed. There is very little in there that is saying that we should get all  
21 of the good things that we want and not just enough of them to get us by and I  
22 sadly feel that that is the way the City has been going. You know we are the  
23 easiest game in town for developers. The vast majority of what I've seen come  
24 to the City has been spec buildings. For spec buildings, the developer will spend  
25 the littlest amount possible to build something to then get someone into it,  
26 whereas if you actually have known tenants they want to promote themselves.  
27 They want to look good and they will bring that to the City and they will offer it to  
28 you. So if you don't have standards that encourage high end development, you'll  
29 just keep getting what I'll speak on later tonight about, but as a whole I applaud  
30 you for your effort... I mean I gave up my day to read the environmental  
31 document; the draft, the final EIR and the Specific Plan...

32  
33 **CHAIR VAN NATTA** – You have about 20 seconds sir

34  
35 **SPEAKER THORNSLEY** – And Staff Reports for both items tonight, so it is a big  
36 challenge to do that much reading to keep up with it let alone actually be involved  
37 in the whole process, so I hope you guys can all start making a better effort on  
38 behalf of the citizens. Thank you.

39  
40 **CHAIR VAN NATTA** – Thank you for your comments. Okay I believe that is the  
41 end of our Non-Public Hearing Items and we will now go into our Public Hearing  
42 Items.

43  
44  
45  
46



1 **PUBLIC HEARING ITEMS**

- 2  
3 **1. Case Number: PA11-0025 Plot Plan for 125 Unit Apartment Project**  
4 **PA11-0026 Tentative Tract Map for a PUD**  
5 **PA11-0027 Conditional Use Permit**  
6 **P12-114 Variance**  
7

8 **Case Planner: Jeff Bradshaw**  
9

10 **CHAIR VAN NATTA** – We have the Case Planner here; Jeff Bradshaw. Would  
11 you like to go ahead and present this first item for us?  
12

13 **ASSOCIATE PLANNER BRADSHAW** – Thank you Chairman and members of  
14 the Planning Commission. Item one is a proposal for a combination of different  
15 product types on 19 acres of land located within the Moreno Valley Ranch  
16 Specific Plan at the corner of Lasselle and Krameria and this is a site that has  
17 been disturbed in the past through some of the mass grading efforts that were  
18 done for the original Specific Plan. More recently there was an approval of a  
19 condominium project on this same site for 227 units.  
20

21 The current proposal would include a number of applications. One is for a  
22 Tentative Map that would subdivide the 19 acres into 93 lots and those would be  
23 distributed into three different product types. There would be 36 lots for single-  
24 family homes. There would be some additional lots that would be described as  
25 clustered units or condominium detached condominium units on small courtyard  
26 driveway shared driveways and then a single lot for an apartment project that  
27 would include 125 units. The Plot Plan application for the apartments for the 125  
28 units includes 7 separate two-story buildings. The number of those units varies  
29 depending on the unit. There is a single carriage unit. The unit sizes within the  
30 different buildings include one and two bedrooms and those range from  
31 approximately 600 square feet to 1200 square feet in size.  
32

33 Alongside of that there is a separate application for a Planned Unit Development  
34 which is a Conditional Use Permit in which they establish standards for the  
35 subdivision for the small lots and also for the clustered units. Each of those  
36 different product types there are unique standards described for setbacks for lot  
37 sizes and for building separation and those are included for reference in the Staff  
38 Report. There are tables for both of those that describe the individual standards  
39 that would be established for both of those product types.  
40

41 The exhibits on the wall provide samples of the proposed architecture for the  
42 Planned Unit Development for both the single family units as well as the  
43 condominium units and then colors and materials are also displayed there for  
44 reference as well. Because of the unique shape and topography of the project  
45 site, the portion of the site where the apartments are proposed was a challenge

1 to accommodate the units, the parking, the drive aisles and the other amenities  
2 that are proposed for that particular part of the project.

3  
4 The Applicant did make an effort to put some of the structures up against the  
5 slope at the rear of that parcel, so the result of that is there is a retaining wall, a  
6 crib wall of about 12 feet in height where they pushed back some of the slope to  
7 bring the project away from Lasselle Street. The result of that was being able to  
8 make sure that all the structures were outside of any setback areas. There is an  
9 instance along that Lasselle frontage where the required parking; the visitor  
10 parking and open parking, portions of some of those spaces do encroach into  
11 what is a required 30 foot setback area and so the other application that  
12 accompanied this request this evening is a Variance from the City's typical  
13 standard and looking at the constraints of the parcel shape and the topography  
14 and really kind of the unique situation of this particular location, Staff was  
15 supportive of that Variance for just that particular case, just for a portion of the  
16 parking. Structures livable area; none of those things are allowed to encroach  
17 into the setback and would just be the loss of some of the landscape you would  
18 typically expect to see there.

19  
20 Notice for the project was provided in our standard format. There was a notice  
21 published in the newspaper. The site postings were displayed and mailing  
22 notices were sent out to those residents that live within 300 feet of the site. The  
23 Applicant can probably speak in more detail about their efforts to bring  
24 information to the neighborhood and the community about this project. Two  
25 community meetings were held and I think they can provide better detail in terms  
26 of how that was done and the results of those meetings. In response to the  
27 noticing, as of this evening I did take phone calls from approximately 20  
28 residents, where I placed return calls in the instances where I was actually able  
29 to speak to someone, I encouraged them to the extent that they could attend  
30 tonight or provide something in writing so they could express themselves directly  
31 to you as opposed to leaving their concerns with me. My concern is always not  
32 delivering to you their actual concern, but the shared concern was opposition to  
33 this particular land use. They had concerns about apartments and  
34 condominiums at this particular location. On some of the exhibits before you, as  
35 you came in this evening, include letters that one or two of the residents did  
36 provide by email, so we have provided those to you as well. There is a memo  
37 that was prepared for you to address a couple of things that we wanted to be  
38 able to correct. One was just an error in the preparation of the Resolution.  
39 Tonight's meeting is obviously November and not February of this year, so we  
40 are recommending that correction to the final version of the Resolution.

41  
42 In addition to that there were some things in the preparation of the Initial Study  
43 where we felt we needed to make some corrections and that corrected text that  
44 we would recommend for approval is included as an attachment to that  
45 Resolution.

1 **PLANNING OFFICIAL TERELL** – Yeah just to add briefly to Jeff’s report... As  
2 he said a number of people called and were concerned about the potential for  
3 apartments to be at this site and as the Commission may or may not know,  
4 apartments are a permitted use. There are no requests to change the zoning at  
5 this site and therefore there is a property right to build multi-family on this site.  
6 Certainly if there are concerns about the design of the project or a configuration,  
7 those are fair game, but the use of the property has already been established as  
8 being permitted, so certainly if the Commission has any questions about that, I’d  
9 be glad to answer that and there have been other concerns I think that have  
10 been expressed about the design that you can focus on. Thank you.

11  
12 **VICE CHAIR SALAS** – Excuse me John, so this project is allowed by right?

13  
14 **PLANNING OFFICIAL TERELL** – Yes it is an allowed use and the Commission  
15 could not deny a project based on the use or the tenure basically; that it is rental  
16 opposed to ownership is not something that cannot be regulated.

17  
18 **VICE CHAIR SALAS** – Okay if we have aesthetic concerns or something like  
19 that or...

20  
21 **PLANNING OFFICIAL TERELL** – Aesthetic or how the buildings are placed on  
22 the site... certainly those are all fair game.

23  
24 **VICE CHAIR SALAS** – Okay thank you

25  
26 **ASSOCIATE PLANNER BRADSHAW** – I just had one or two more things I  
27 wanted to add as part of my presentation and then I’d be glad to answer any  
28 questions and then the Applicant is also here to speak to you. While a portion of  
29 the project is being presented to you as part of a Conditional Use Permit and  
30 they are asking for some unique standards, this project does remain consistent  
31 with the overall Master Plan for the area; the architecture, walls and other things  
32 that are specific to the Moreno Valley Ranch Specific Plan; that design criteria  
33 has been applied to this project, so they are not asking for a deviation in terms of  
34 the architecture in terms of style or quality. That would remain consistent with  
35 homes that have been previously approved and with Moreno Valley Ranch  
36 standards. There was a question I believe from the Applicant about a condition  
37 of approval that Clement was going to clarify and I’ll turn it over to him.

38  
39 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Good evening Chair Van Natta  
40 and members of the Planning Commission. I have one conditional of approval  
41 LD72 that we want to revise. In the first sentence it reads the applicant has  
42 proposed to incorporate the use of infiltration basins, infiltration trenches and  
43 after the word trenches we would like to add or other treatment control BMP,  
44 which stands for best management practices as approved by the City Engineer  
45 and likewise to LD72a and b, the same thing or other treatment control BMP as  
46 approved by the City Engineer after the word trenches. Thank you.

1 **CHAIR VAN NATTA** – Okay Commissioners, do you have any questions of Staff  
2 or the Planner? On the placement of the apartment section as compared to the  
3 others, what type of housing is around the apartment section? Is it single-family  
4 homes; existing?

5  
6 **PLANNING OFFICIAL TERELL** – There are single-family homes across LaSalle  
7 Street to the west and so those are the closest residences. To the north is the  
8 College and to the east is the Elementary School.

9  
10 **CHAIR VAN NATTA** – Okay, so there are no single-family homes that directly  
11 abut the proposed apartment building?

12  
13 **PLANNING OFFICIAL TERELL** – That’s correct

14  
15 **COMMISSIONER GIBA** – Jeff am I correct that there is also on the north side of  
16 the College by Iris; aren’t those also apartments?

17  
18 **ASSOCIATE PLANNER BRADSHAW** – Those are approved as condominiums.  
19 Those are the ones that are around the lake.

20  
21 **COMMISSIONER GIBA** – They seem to have the same flavor as this design

22  
23 **ASSOCIATE PLANNER BRADSHAW** – Yeah the standards are comparable.  
24 The Ranch has design guidelines for specific types of architecture.

25  
26 **COMMISSIONER GIBA** – Would it be appropriate to ask about the drainage? I  
27 noticed that when I went to the site that there was a natural drainage site and I  
28 also noticed them in the larger plans. I can see them better that there is some  
29 form of underground storage for the water runoff. Could you explain that to me  
30 how that is supposed to work?

31  
32 **LAND DEVELOPMENT ENGINEER JIMINEZ** – Sure, one of the best  
33 management practices for treatment for water quality on site runoff is a storm  
34 tech treatment chamber. It is basically an underground chamber that has an  
35 open bottom that will allow the water to infiltrate into the ground and it allows for  
36 storage of water as well and it is basically to treat what we call first flush, which is  
37 basically the nuisance flows. In a major storm flow, the infrastructure that is  
38 being proposed by the developer would pick up the major storm flows.

39  
40 **COMMISSIONER GIBA** – Are there any structures above that?

41  
42 **LAND DEVELOPMENT ENGINEER JIMINEZ** – There are also infiltration  
43 trenches that are proposed throughout the site where the open space areas will  
44 drain to and that will treat the water as well and then it will be captured ultimately  
45 by the storm drain system.

1 **COMMISSIONER GIBA** – And that underground storage, are there buildings or  
2 any facilities or homes above that or an open area of the site itself?

3  
4 **LAND DEVELOPMENT ENGINEER JIMINEZ** – No there wouldn't be any homes  
5 above of that.

6  
7 **COMMISSIONER GIBA** – I wouldn't think so. You also have several elevations  
8 for that. One of the plans around the school site right now it is just a chain link  
9 fence. Is there going to be any other... I think you have something like a 25 foot  
10 setback on one side and on the other side of the horseshoe where the  
11 Elementary School is, will it just be a fence of some kind or will it be a brick wall  
12 abutment separating it from the school?

13  
14 **LAND DEVELOPMENT ENGINEER JIMINEZ** – I think Planning can better  
15 answer the perimeter fencing proposed for the project around the school.

16  
17 **ASSOCIATE PLANNER BRADSHAW** – What is proposed is either open  
18 fencing if it appropriate or solid walls along that property line. Those single family  
19 lots that back to the school site at the... and I don't even know what direction to  
20 describe that, but the south edge of the school site, that common boundary  
21 would be solid wall and that would continue to the corner where there is a grade  
22 difference and there is about a 25 foot difference in elevation between two,  
23 where there is a grade difference would be pilasters with open fence across the  
24 balance of the rest of that area where there is a significant grade difference  
25 between the school and the adjacent developed site.

26  
27 **COMMISSIONER GIBA** – Yeah, when I went to the site there is a significant... it  
28 is almost like little terraced levels, so on the apartment side at the top of the  
29 slope...

30  
31 **ASSOCIATE PLANNER BRADSHAW** – So at the top of the slop would be open  
32 fence with pilasters

33  
34 **COMMISSIONER GIBA** – So then anybody from that school would be looking  
35 down on the apartments there; correct?

36  
37 **ASSOCIATE PLANNER BRADSHAW** – Yes

38  
39 **COMMISSIONER GIBA** – Okay on the other side then would have more brick  
40 wall. One of the individuals wrote that they were concerned about this being  
41 around. That is usually good thing. Most people want to be close to a school  
42 where they can have their children go to, but it is also a concern when you have  
43 too close a proximity where people can look through or go into or hand things  
44 across of any of those concerns, so I understand that from their perspective, so I  
45 want to make sure that is clear that that is not going to be encroaching on the  
46 school side at all. I think that's all I have for you guys.

1 **CHAIR VAN NATTA** – Any other questions from the Commissioners? Okay at  
2 this time we are going go into the Public Hearing Section and we're going to start  
3 with Al Rattan, speaking on behalf of the Applicant.  
4

5 **SPEAKER RATTAN** – Good evening members of the Planning Commission. It  
6 is a pleasure getting to visit with you again this evening. I thought we might want  
7 to start with a little bit of history of the project. As Staff reported, we want to  
8 thank Staff. This has been a rather arduous task of coming up with a program  
9 that is rather exciting for the City in that you had a 19 acre failed condominium  
10 project and we started over a year and half ago working with Staff; like for  
11 example when we were here a couple of months ago on the senior project; that  
12 was also a failed condominium project and what did we do? Well, we went out  
13 into the community and we did studies and knew there was a better choice than  
14 just condominiums. We thought the best choice of input was your Planning  
15 Director and Planning Staff and well what would you envision? The site has  
16 failed and how can we be good developers; work with the community and one of  
17 the first things that Staff had recommended was maybe we need to go talk to the  
18 College, which we did and they go well you know we are new College now and  
19 what are you doing about student housing, so the apartments are really kind of  
20 designed for that and what a great potential is that it's right across the street.  
21

22 In addition, we've designed a concept for cluster housing which provides the  
23 ability for Staff if they wanted to if they were working at the College to live there  
24 and the same for the last phase which is for the single family homes. The  
25 challenge for this site was that the City needs and we perhaps can have Staff talk  
26 a little bit more about this, but the City needs to meet its Housing Element, so  
27 there is kind of a condition of somewhere in the plus 200 density in order to  
28 accomplish that and I think that the concept that has been proposed for you is  
29 the best of all alternatives because it is kind of a blending. It meets the Housing  
30 Element but I think it also meets the needs of the community and we are certainly  
31 available for any questions that you might have. We have the entire team that  
32 has been involved in the proposal and are available for questions. Well with that  
33 I'll sit down. Thank you.  
34

35 **CHAIR VAN NATTA** – No, I'm not done. I let them talk first. Okay, you are  
36 saying that this was a failed condominium project. Is that down there where  
37 the... is that part of Aspen Hills?  
38

39 **SPEAKER RATTAN** – If I may approach...  
40

41 **CHAIR VAN NATTA** – Yes, see where that fits in  
42

43 **SPEAKER RATTAN** – This is the College. The entire site was rough graded and  
44 had permits to proceed with the condominium development but unfortunately got  
45 his with the times of the recession and as a result of that this whole site  
46 (inaudible...speaker has walked from the microphone)... So the challenge was

1 then what do you do with the goal of trying to accommodate plus 200 units  
2 density.

3  
4 **CHAIR VAN NATTA** – So this is all on the south side of the college.

5  
6 **SPEAKER RATTAN** – Yes

7  
8 **CHAIR VAN NATTA** – And the Aspen Hills development was on the north side of  
9 the college.

10  
11 **SPEAKER RATTAN** – That's correct

12  
13 **CHAIR VAN NATTA** – Okay, so in a way it is similar to that type of development  
14 though, so as far what was...

15  
16 **SPEAKER RATTAN** – Respectfully we looked at that project. I think what we  
17 have here is a much better designed project. I think it has a lot more architecture  
18 and a heck of a lot of landscaping ... (inaudible...walked from microphone)

19  
20 **VICE CHAIR SALAS** – And you should think that way

21  
22 **PLANNING OFFICIAL TERELL** – Yeah but I guess unfortunately this was not on  
23 the tape there, but just to generally say this was approved as a condominium  
24 project. They started to develop it. The market for all residential came to a halt  
25 and now that we are coming out of that, that product is not as viable in Moreno  
26 Valley today and the previous project was very similar to the Aspen Hills project  
27 but it was townhomes attached product and this particular project has three types  
28 of housing; the cluster, the single family and the multi-family together.

29  
30 **CHAIR VAN NATTA** – So when you are looking at the total number together of  
31 residences that are being built, how does it compare to the number of families or  
32 the number of residences that would have been there under the original  
33 approved condominium plan?

34  
35 **PLANNING OFFICIAL TERELL** – The approved project was 227 units and this  
36 is 217, so it is ten less than the prior approval. The zoning for this particular  
37 property would allow up to about 380 units, so it is well under the density and Mr.  
38 Rattan mentioned our Housing Element and part of the Housing Element talks  
39 about providing a variety of types of homes, which this does. It also talks about  
40 providing a minimum number of housing units and focuses on providing a  
41 minimum number of multi-family units and therefore when we have the multi-  
42 family site, we have to very careful about not reducing the density so much that it  
43 undercuts our ability the numbers that in our Housing Element. It doesn't require  
44 any of the units to be affordable, but it does require them to be at certain  
45 densities.

1 **CHAIR VAN NATTA** – Okay, alright, any other questions?  
2

3 **SPEAKER RATTAN** – I might just have one additional point containing the  
4 package, I've been doing development for about 30 years now what we are really  
5 pleased is that you a letter of support from the College and so we think that  
6 speaks for itself and your consideration.  
7

8 **COMMISSIONER BAKER** – You know I have one question here for you. You  
9 mentioned the infrastructure... how far are we on that? Is it like the sewers and  
10 the...?  
11

12 **SPEAKER RATTAN** – The site was entirely rough graded...no dry utilities, but  
13 some of the off-sites were put in.  
14

15 **COMMISSIONER BAKER** – Okay, good thank you.  
16

17 **COMMISSIONER GIBA** – That begs a small question real quick...I did go to the  
18 site and I noticed that from the school site, since you brought that up, on the  
19 Lasselle side, right now there is a big, deep depression and then it goes back up  
20 to another level, so you've got like a big hole. What were the intentions... level  
21 that area or are you going to grade step it again down or...  
22

23 **SPEAKER RATTAN** – Not speaking for the developer who did the grading, but if  
24 you were up by the grade school you will see that this is much more rough  
25 graded and as we as we start getting more towards the College it is deeper. This  
26 is all going to have to be re-worked and re-graded to accommodate the proposed  
27 project that is before you.  
28

29 **COMMISSIONER GIBA** – The apartment side is the one that has like a deep  
30 hole on that one; the top picture there.  
31

32 **SPEAKER RATTAN** – You're right and that's where we'll be. Part of it will have  
33 to be re-graded.  
34

35 **COMMISSIONER GIBA** – Okay, you'll now fill that so it will be level?  
36

37 **SPEAKER RATTAN** – I can get the Civil Engineer to address that if you want.  
38

39 **CHAIR VAN NATTA** – Okay, thank you. I have another Speaker Slip here from  
40 Charlene Kussner.  
41

42 **SPEAKER KUSSNER** – Good evening Commissioners, Chairwoman; good  
43 evening. My name is Charlene Kussner and I also represent Continental East  
44 Development; the Applicant. Our address is 25467 Medical Center Drive, Suite  
45 201, Murrieta, California. Al gave a good history of the site, so I won't belabor  
46 that, I just wanted to say thank you to Staff.



1 We have been working on this for well over a year and a half. We have had  
2 really good rapport with Staff. It has been a pleasure. I do have a letter from the  
3 Moreno Valley College. I have met with them several times. They do support  
4 our project. They are excited about offering student housing; faculty housing to  
5 some of their physician assistants now that their programs are really expanding  
6 over there, which is great. They do definitely need some housing for faculty and  
7 some of the physician assistants that will be primarily over at the hospital most of  
8 the day, so they did relate that to us that that was a need or a want. I did meet  
9 with both HOA's; the West Valley Ranch HOA and the Moreno Valley Ranch  
10 Boards. I met with some of the community members. One of the main concerns  
11 that we addressed was parking in this area.  
12

13 Because of the impact to the school and they are growing, which is a wonderful  
14 thing, the adjacent community has been impacted with parking. It has been an  
15 ongoing battle, so we designed our site. We wanted to make sure that we were  
16 almost over parked; that we had plenty of room on the streets; internal streets for  
17 our own residents and alleviate some of that congestion around the school and  
18 associated houses with offering student housing. It is not going to be student  
19 housing per say, this is a market rate apartment facility which will be managed  
20 well, but we did design it with the student and faculty in mind. We want to make  
21 that community.  
22

23 If you can see on that green; the exhibits with the green and yellow, those are all  
24 walking paths, interconnectivity between all three product types. We've included  
25 pocket parks. We are connected to Lasselle Elementary School. We offered a  
26 way to get to that so residents who live in this community can have their kids  
27 walk to school; right up to the Elementary School, so we did try to hear concerns  
28 and design and mitigate to help. So we are very excited about it. Again, overall  
29 we are less dense than the previously approved and permitted project and we  
30 kept our design aesthetic high and within the design guidelines for the Ranch, so  
31 if you have any questions, again our whole team is here. Our civil, landscape  
32 and architect; everyone is here.  
33

34 **CHAIR VAN NATTA** - So is your plan to be part of the Moreno Valley Ranch?  
35

36 **SPEAKER KUSSNER** – No we are not part of the Ranch; the HOA itself. We do  
37 fit with the guidelines. We are going to have our own HOA for this project, which  
38 will manage all right-of-way; all interior greenbelts; the little pocket parks. All the  
39 amenities will be managed by the HOA designed for this community.  
40

41 **CHAIR VAN NATTA** – Okay, so you're not going to be joining any of the existing  
42 HOA's?  
43

44 **SPEAKER KUSSNER** – That's correct  
45

1 **CHAIR VAN NATTA** – Okay, which also means these people will not be using  
2 the Moreno Valley Ranch...

3  
4 **SPEAKER KUSSNER** – They will not impact the Ranch, no

5  
6 **CHAIR VAN NATTA** – Is any portion of it going to be gated?

7  
8 **SPEAKER KUSSNER** – We considered it, but no we're not going to gate. We  
9 might gate; we have the opportunity to gate at the courtyard homes adjacent of  
10 the apartments, but it would not be fully gated as a whole community; no. And I  
11 just want to make it clear our Planner had mentioned condominiums. This is  
12 courtyard living. These are all individual units. There are no joining walls. They  
13 are all very nicely designed moderately sized houses, but they are just meant for  
14 that community or that resident who just doesn't want to have a lot of landscape  
15 to maintain. They have a rear yard; a small portion in the front and they all live  
16 around a kind of designed courtyard area, so they are all individual units.

17  
18 **CHAIR VAN NATTA** – More like patio homes

19  
20 **SPEAKER KUSSNER** – Exactly, yes, correct, so I just wanted to make that  
21 clarification.

22  
23 **CHAIR VAN NATTA** – Okay, are there any more questions?

24  
25 **COMMISSIONER GIBA** – The clubhouse... is that just for the apartments or is  
26 anybody within the whole development available to use that clubhouse?

27  
28 **SPEAKER KUSSNER** – Right now we are gearing the CCNR's for the entire  
29 community to use the pool, the Jacuzzi, the bbq areas and all the pocket parks.

30  
31 **COMMISSIONER GIBA** – And you do have some what you call pocket parks;  
32 the little kiddy parks?

33  
34 **SPEAKER KUSSNER** – They are little children's parks; yes

35  
36 **COMMISSIONER GIBA** – I just wanted to say, our lack of enquiry or my lack of it  
37 is because what they don't know is the comprehensive package with information  
38 that you give us. I have already gone over that and you are absolutely correct,  
39 you've done everything you can to make the community happy with that area and  
40 it was a difficult area when you go up there to view the site.

41  
42 **SPEAKER KUSSNER** – There are some constraints, but we are very proud of  
43 what we've all been able to work out together. We think it will be a beautiful  
44 project.

45

1 **COMMISSIONER GIBA** – And I appreciate the extra parking that was placed in  
2 there.

3  
4 **SPEAKER KUSSNER** – We had several discussions about parking, especially  
5 for courtyard patio living. That tends to be a point of contention for those  
6 residents when you visit other communities that there is just not enough parking  
7 for those types of homes. We didn't want to have that, especially for marketing  
8 purposes. We want to make sure that our residents can park; their guests can  
9 park and that won't be a problem for them.

10  
11 **COMMISSIONER GIBA** – Also I think and correct me, but just recently the  
12 Council approved a policy of a crime free apartment living. Are you aware... is  
13 that also part of your... for those people that wrote and were concerned about  
14 crime and all this stuff, I just want that brought out into the open.

15  
16 **PLANNING OFFICIAL TERELL** – Yeah the City Police Department has long had  
17 a training program called Crime Free Multi-Family Housing and any apartment  
18 complex; the manager's of any apartment complex are encouraged to go through  
19 that training. What the Council recently did was where there are projects and my  
20 understanding is that none of the large professionally managed projects in town  
21 fall into this category, where there are problems with individual multi-family  
22 projects, they can be required to go through the program, so it is a stepped up  
23 enforcement where has a property has problems; documented problems, but it is  
24 also voluntary to all complexes. We have a standard condition of approval that  
25 requires each apartment project to establish a relationship with the City Police  
26 Department just so they have contact information if there are problems they can  
27 work together on.

28  
29 **SPEAKER KUSSNER** – And I'll just make a comment. Mr. Rattan is still a sworn  
30 Sheriff, so security is of the utmost for us. We want to make this a safe,  
31 beautiful, joyous place to live, so that will be something we will focus on.

32  
33 **COMMISSIONER GIBA** – Thank you Ms. Kussner

34  
35 **SPEAKER KUSSNER** – Thank you very much

36  
37 **CHAIR VAN NATTA** – I don't see any other Speaker Slips on this matter. Are  
38 there any other Public Comments on this matter?

39  
40 **PLANNING OFFICIAL TERELL** – You have two green slips that I think I gave  
41 you.

42  
43 **CHAIR VAN NATTA** – Aren't those on the other project.

44  
45 **PLANNING OFFICIAL TERELL** – Sorry I gave you the wrong set but the same  
46 two people provided two sets.

1 **CHAIR VAN NATTA** – Oh okay

2  
3 **PLANNING OFFICIAL TERELL** – So I'll give you these but it is the same two  
4 people.

5  
6 **CHAIR VAN NATTA** – Okay, George Hague

7  
8 **SPEAKER HAGUE** – Before my time starts, do they have both of the letters from  
9 Ray Johnson each? Commissioner's do you have those?

10  
11 **ASSOCIATE PLANNER BRADSHAW** – Yes

12  
13 **VICE CHAIR SALAS** – From Ray Johnson?

14  
15 **ASSOCIATE PLANNER BRADSHAW** – From Johnson and Sedlack; yes

16  
17 **SPEAKER HAGUE** – I'm looking at the smaller of those two. It says  
18 supplemental comments. This goes to that education I was talking about...a  
19 variance. I'm reading the front page... a variance is only justified when the strict  
20 application of zoning laws would prevent the would-be developer from utilizing  
21 his or her property to the same extent as other property owners in the same  
22 zoning district. There is no substantial evidence here to prove that special  
23 circumstances exist justifying a variance. Importantly, self induced hardships are  
24 not grounds for a variance approval. Looking at the larger letter he sent you, he  
25 talks about a negative declaration for this project and does not consider this in  
26 talking about the aesthetics effect nor implementing mitigation. This potential  
27 aesthetic impact from the variance necessitates further analysis and disclosure  
28 and at least a mitigated negative declaration.

29  
30 The Initial Study in the Staff Report for this project further demonstrates that this  
31 project may have significant impact on hydrology, water quality, and biology  
32 through presence of wetlands on site. The Staff Report and Initial Study state  
33 that a wetlands review and plant evaluation and a Burrowing Owl Survey were  
34 prepared. Neither the Initial Study nor the negative declaration incorporated  
35 these reports are disclosed. These reports to the public are decision makers.  
36 There is no evidence supporting a finding of less than significant biological,  
37 hydrological water quality impacts. Project approval on a negative declaration is  
38 again improper and not based on evidence. The entire Initial Study negative  
39 declaration appears to omit consideration of construction related impacts of the  
40 project. What are you doing to protect the school site from the noise from this  
41 and I will bet it will be considerable. Likewise, in your determination that  
42 temporary increases in ambient noise will result in less that significant impacts is  
43 unsupported by the claim that construction would not be operated within certain  
44 hours.

45  
46 **CHAIR VAN NATTA** – 30 seconds please

1 **SPEAKER HAGUE** – You are given a list of things that can be done to mitigate.  
2 Lastly the negative declaration does not acknowledge any potential significant  
3 effects of the projects. No mitigation measures have been adopted to reduce its  
4 effects. This violates CEQA which mandates all feasible mitigation be adopted to  
5 reduce significant project impacts. At the very least the negative declaration  
6 must be amended to be a mitigated negative declaration with measures  
7 incorporated for noise, traffic, biological, water quality and other effects. And I  
8 thank you very much for your time.

9  
10 **CHAIR VAN NATTA** – Thank you for your comments... Tom Thornsley

11  
12 **SPEAKER THORNSLEY** – Good evening again. George stole a lot of my  
13 thunder there with the part about the variance. As a past Planner, variance is so  
14 rarely used because it is such a hard thing to prove. It best applies to somebody  
15 who has got a puny lot and wants to build the same thing somebody else has  
16 right nearby. This is a site that appears to be designed beyond what it can hold.  
17 I sent an email to John and I saw later that mine got rejected to Mr. Bradshaw,  
18 but I'm curious, did the previous project have a variance?

19  
20 **PLANNING OFFICIAL TERELL** – The prior project did not request a variance.

21  
22 **SPEAKER THORNSLY** – Okay the prior project got more units and didn't need a  
23 variance to make it fit, so this project has pushed the envelope beyond what can  
24 be designed or what should have been designed. They basically over built for  
25 the site and now they want some leeway. The buildings actually encroach into  
26 the setback, but because they are a PUD they get to develop their own setback  
27 standards. They made them small enough that the buildings don't count, but if  
28 you look at the line that runs through the map and you see the building footprints,  
29 you'll see that not only does the parking encroach into it, so do patios and  
30 including living space, so we are talking about large portions of the buildings, so  
31 you can't approve a variance if you go to it... somebody take you to court; you  
32 can't win it. It just can't be done. You're not going to justify it. You've got to  
33 make all of the findings for the variance. I know you can't make numbers 2 and 3  
34 at all, so you would have to go with that. In general, I think it's a good project for  
35 the type of development. I think it's nicely designed. It has got the right  
36 amenities, but you just can't try to you know squeeze more into a site than you  
37 can make fit when you've got options to design better. Thank you.

38  
39 **COMMISSIONER GIBA** – Tom, may I ask you a question? Your issue on the  
40 variance that you are asking about...you are talking of the legal standards and  
41 things like that and I would ask actually John to respond to that a little bit if he  
42 wouldn't mind, but other than that, how does this variance negatively affect this  
43 building project? How does it actually impact what they are trying to do on this  
44 site?

1 **SPEAKER THORNSLEY** – He is benefitting beyond what other people would get  
2 in the community. There are no other examples in the area to say that  
3 somebody else has gotten what he isn't going to be able to get, so he can't hold  
4 that out there for you to see and say well these people could get more, but my  
5 site because of its shape and topography prevent me from getting it. There is  
6 nothing else there to comparatively look at it. Past projects that developed on  
7 the sites were able to get more units and not have to have a variance for it. It  
8 works. Obviously this one here tried to put more than they could in a tight area.  
9 That is a design flaw. That is not a constraint of the property. If you let them  
10 have what they are requesting, then you are letting them have something better  
11 than what other people in the City could have and then you are opening yourself  
12 up for a whole lot of other problems for other places in the City with the same  
13 designation.

14  
15 **PLANNING OFFICIAL TERELL** – Yeah, I would say that there are properties  
16 within Moreno Valley Ranch that have a similar zoning classification that do have  
17 20 units per acre, so there are different properties that in fact have achieved the  
18 full density of their site and they tend to be more rectangular in shape and less  
19 odd shaped. This whole block including where the Elementary School now has  
20 the same zoning classification. It is all zoned for multi-family housing. The  
21 School District needed a school that came in after the zoning was established  
22 and they bought a piece. They bought a piece that met their needs and then  
23 they kind of carved out and left this a L-shaped portion as a remainder and that is  
24 what really created a difference between this site and the other multi-family sites  
25 in Moreno Valley Ranch. Also, the exhibit does show that some of the buildings  
26 do encroach into the required setback but there is a conditional of approval that  
27 requires those to be moved out prior to a final plan being approved, so we do  
28 acknowledge that the plans show that, but the final plan will have to have all  
29 building space outside that 30 foot area.

30  
31 **CHAIR VAN NATTA** – John would you think it would be possible to fit even more  
32 houses there if we weren't looking at pocket parks and green spaces and extra  
33 parking and everything else like that, that might have contributed to the need for  
34 the variance?

35  
36 **PLANNING OFFICIAL TERELL** – Yes, I mean certainly if you consider the open  
37 space as well as the product type. Obviously the product type does... when you  
38 are building large multi-family buildings they are harder to accommodate than  
39 small buildings and the previously approved project was smaller buildings with  
40 fewer units, so there is a hardship when you try to build closer to the density that  
41 is permitted on this site and that does create some of the need for a variance.

42  
43 **CHAIR VAN NATTA** – But the reason the previous project perhaps did not have  
44 that problem and could fit in more units is because they were not trying to go for  
45 the variety of housing that this project has, right?

46

1 **PLANNING OFFICIAL TERELL** – That’s correct. They were only providing one  
2 type of housing.

3  
4 **CHAIR VAN NATTA** – Okay thank you. Do we have any other public comments  
5 on this? If not we will close... come ahead. Please state your name and  
6 address for the record.

7  
8 **SPEAKER WINTRAN** – My name is Cindy Wintran. I live at 26426 Colt Way  
9 Lane and the speaker mentioned that we got notice. I live just right across from  
10 the Elementary School and there was no notice. One of my neighbors had to  
11 make a copy of his notice and give it to us. I am a pharmaceutical scientist and  
12 besides being so, I am also a mother of four. I am very concerned about  
13 apartment buildings. I live just right across the street and my son can potentially  
14 Lasselle Elementary School and we all know what kind of people apartments  
15 bring and the guest speakers speak on behalf of the developer and they  
16 mentioned that the College welcome the apartment because there are students  
17 and faculty need a place to live. Just right down the street you are looking at the  
18 corner of Lasselle and Iris there are apartment buildings and is vacant 365 days  
19 a year. You can get a place any time you want, so why would you do another  
20 apartment building while there apartment buildings that are empty just around us.  
21 That’s my comment.

22  
23 **CHAIR VAN NATTA** – Thank you very much. Are there any other comments?  
24 I’ve got another hand. Your name and address for the record please.

25  
26 **SPEAKER LAMB** – My name is Eric Lamb. I live at 26382 Clydesdale Lane,  
27 Moreno Valley. Basically you know I understand there are good intentions for  
28 everything being built, but in ten to fifteen years what guarantees that we are not  
29 going to Section 80 housing people going into these apartments. You know they  
30 say it is for the students but is there some type of requirement for them to be  
31 students to live there; no, so I mean understand the intentions are there but you  
32 know I used to live next to condos and apartments. We had cars broken into all  
33 the time. We had people dealing drugs all the time. We had prostitution going  
34 on. We moved away from that and now it is coming back to us. That is my  
35 comment. I know a lot of people feel the same way I do. Thank you.

36  
37 **CHAIR VAN NATTA** – Thank you for your comments. Does someone else have  
38 their hand up? Yup, there you go.

39  
40 **SPEAKER HOSS** – I live at 26392 Clydesdale Lane. My name is Jonathon Hoss  
41 and my main concern is you guys mentioned more families and access to the  
42 Elementary School. My daughter goes to that Elementary School and as is, it is  
43 hard for the kids to get into that school. Most of the kids that live in that area  
44 have to... some kids are on a transfer to a different school because they want to  
45 be at that school and they can’t. Putting more housing and more kids to go to  
46 that school and as is the classes are packed. How is that going to help our kids

1 and that school is a distinguished school, which is very high for the kids and very  
2 high score testing. How is that going to help our kids learning? The concern is it  
3 is very high for all the kids for all the community there and I don't approve this at  
4 all.

5  
6 **CHAIR VAN NATTA** – Thank you for your comment. Was there any study done  
7 as far as the school capacity for this?

8  
9 **PLANNING OFFICIAL TERELL** – No, actually and we can thank the State for  
10 this, but local agencies are precluded from considering the capacity or lack of  
11 capacity in schools when making a decision on the approval of housing. The  
12 School District was advised of this application. As far as I know we did not  
13 receive any comments negatively or positively about it and so we did not get any  
14 information from them, so yes this project will generate some students and the  
15 School District will be provided impact fees when each building is constructed in  
16 order help them finance additional school facilities in the district. So there is a  
17 mechanism just like the City has; impact fees where developers pay us for their  
18 impacts to build more streets and parks and so forth. There are impact fees that  
19 are required to be paid to a School District to provide additional school facilities.

20  
21 **CHAIR VAN NATTA** – So even though they are bringing more students, they  
22 would also be bringing more funds in for the School District to accommodate the  
23 students.

24  
25 **PLANNING OFFICIAL TERELL** – That's correct and that's why the State said  
26 because they are paying fees we cannot consider a current lack of facilities as a  
27 reason to deny a project.

28  
29 **CHAIR VAN NATTA** – Okay. You had a response to the previous comment I  
30 believe.

31  
32 **PLANNING OFFICIAL TERELL** – Yeah, I think it's time for the developer if they  
33 had any response to any of the comments.

34  
35 **SPEAKER RATTAN** – Thank you and we very much appreciate comments from  
36 the public. I'll start with the first one where the resident had the former planning  
37 background. I loved some of his comments but I don't think it was quite germane  
38 to compare the density of a past 227 condominium project to this. To me it is like  
39 night and day. There is no comparison that this is a much better project. The  
40 project's is named Continental Village because this is intended to be a market  
41 rate project that has three levels for someone to experience and to enjoy. The  
42 architecture really speaks for itself. There was a comment; I guess putting on my  
43 law enforcement hat. Not every house is the same. Not every apartment  
44 complex is the same. We've not come to the City with a tin cup and stating that  
45 we want to do a Section 8 or some type of affordable housing.

46



1 This is a market rate project. It is in a great location and there really is and  
2 respectfully I disagree with the one comment that there is an over abundance of  
3 apartments. That doesn't tie with some of the market studies that we're showing  
4 that there is a strong demand for apartments. The last comment on the variance  
5 is that the only reason that we really are asking for the variance was for all the  
6 ambient and additional features that we put on the site. There was really no  
7 other way to do that. We really started out in the beginning saying let's just put  
8 houses on there, but at the end of the day it didn't comply with what the City  
9 wanted from us to meet the Housing Element and so we asked based on what  
10 you heard this evening on the evidence that has been submitted, that you do the  
11 right thing and approve the project. Thank you for your consideration.

12  
13 **CHAIR VAN NATTA** – Thank you. Seeing no additional speakers... oh, we've  
14 got another one last minute. If there is anyone else who intends to speak would  
15 you put your hand up now so we know. Okay why don't go ahead and get a slip  
16 and fill it out so we can keep going. Anybody else who is planning to speak go  
17 ahead and fill out a slip. Okay, your name and address for the record please.

18  
19 **SPEAKER GLAB** – Hello, my name is Nancy Glab. I live at 26382 Clydesdale  
20 Lane and my son does attend Lasselle Elementary School and there is a lot of  
21 traffic and I am concerned about the parking as far as there is going to be over  
22 200 homes correct and how many spaces does each home get; parking spaces?

23  
24 **PLANNING OFFICIAL TERELL** – It depends on the size, but the average would  
25 be about at least two parking spaces per unit.

26  
27 **SPEAKER GLAB** – Okay so it is possible they'll have more than two?

28  
29 **PLANNING OFFICIAL TERELL** – Correct, depending on the product type. The  
30 single family homes will have more because they are larger.

31  
32 **SPEAKER GLAB** – Okay, so that means there would be at least 400 spaces. Is  
33 that correct; parking spaces and as far as visitors, how many parking spaces for  
34 visitors?

35  
36 **PLANNING OFFICIAL TERELL** – There is a quarter space per unit required for  
37 the apartments, so there would be roughly 30 spaces for the apartments and  
38 then the City has a requirement which is at least one space per unit on the other  
39 product, so there is the parking for the residents and then there is additional  
40 parking that the residents could use but it is intended for guest parking. And my  
41 other question was also... there is no stopping on our street at all, so as far as I  
42 know people have parties and they are going to invite more than one guest or  
43 two guest over to their home, so where would they park.

44  
45 **PLANNING OFFICIAL TERELL** – Well just like in a single family neighborhood,  
46 everybody doesn't have a party at the same time, so some days one person has

1 a party and they used a lot of extra parking and other days other people are  
2 having parties, so by way of when we look at other single family tracts as an  
3 example, we have the same standard. We require one on street parking space  
4 per house in a residential tract to make sure that there is on street parking that is  
5 basically open to whoever needs it at the time and you know some days people  
6 will have a party and have a lot of people and other days somebody else has the  
7 party and as you know in any neighborhood, at times there is limited parking and  
8 at other times, there is so much parking you don't know what to do with it. So  
9 that is the standard across the community in projects like this as well as single  
10 family tracts.

11  
12 **SPEAKER GLAB**- Okay and I also have another question. You know in our  
13 neighborhood you require a permit to park and I am right across from where this  
14 is going to happen so are they going to be eligible for a parking permit to park in  
15 our neighborhood if there is overcrowding?

16  
17 **PLANNING OFFICIAL TEREEL** – Well I believe you have a neighborhood  
18 parking pass program that came up related to overflow from the College I think  
19 and my understanding and we can confirm this is that that is limited to people in  
20 your tract for people who are eligible for parking passes. People in this area will  
21 have private streets so they'll be able to regulate their own parking without  
22 passes, but they don't have a right to park in your neighborhood if it requires a  
23 parking pass.

24  
25 **SPEAKER GLAB** – Okay, I just wanted... because along Krameria there is  
26 nowhere for anybody to stop and so if the College students they could only park  
27 in front of Lasselle, so if that is always crowded, when people go to pick up their  
28 kids, that is going to be a problem. I'm just, you know... we are in a good  
29 position right now and I know it's empty and it would nice to have something  
30 there, but it also brings concern to have that many people coming and living  
31 there. I mean that is a big concern and I just needed to express that. Thank you  
32 very much.

33  
34 **CHAIR VAN NATTA** – Thank you for your comments. Where there other  
35 Speaker Slips handed in?

36  
37 **SPEAKER COLEY** – I'm William Coley. I live at 26552 Clydesdale and my  
38 question is this project will have more kids like they are saying of course, so the  
39 schools will increase which will increase our property taxes.

40  
41 **CHAIR VAN NATTA** – No, what we were talking about with the money for the  
42 schools, it comes from the development fees from that particular tract. When  
43 they build a house or a unit, they pay additional fees and then that goes to the  
44 School District to provide more services, to provide more buildings for whatever  
45 is needed.

1 **PLANNING OFFICIAL TERELL** – It is a cash payment from the developer.

2  
3 **SPEAKER COLEY** – I hear them talking to the College but I haven't heard  
4 anybody talking to the residents because everybody says it is great for the  
5 College who says it is great, but nobody has talked to the residents that live  
6 there. I live right across the street almost from the school like some of the other  
7 people here and I never got anything in the mail. I've been here almost three  
8 years.

9  
10 **CHAIR VAN NATTA** – Was it properly noticed?

11  
12 **PLANNING OFFICIAL TERELL** – Yes, the required notice is we did post signs  
13 on the property and we did post in the newspaper and then everybody within 300  
14 feet of the site gets a mail notice and we base that on the Riverside County  
15 records and whoever is on the list for each home within that 300 feet does get a  
16 mail notice, so those are the three forms of notice that the City provides.  
17 Obviously the reason we do three and we are not required to all those, but the  
18 reason we do the three is to hopefully reach the maximum number of people.  
19 Obviously people may not receive it because the County records are incorrect or  
20 they live more than 300 feet away from the property. There is a variety of  
21 reasons, so that is why we post the property as well as send the mail notice and  
22 the newspaper notice which I think very few people get noticed through the  
23 newspaper.

24  
25 **CHAIR VAN NATTA** – Okay

26  
27 **SPEAKER COULEE** – It is such a short distance; I mean 300 feet isn't that far.  
28 That is practically across the street.

29  
30 **CHAIR VAN NATTA** – That is not anything that this Planning Commission has  
31 any jurisdiction over.

32  
33 **PLANNING OFFICIAL TERELL** – That is a State Law requirement.

34  
35 **SPEAKER COLEY** – It impacts the whole neighborhood. It doesn't just impact  
36 300 feet or people across the street but the whole neighborhood is impacted.

37  
38 **PLANNING OFFICIAL TERELL** – But that is the State Law requirement.

39  
40 **COMMISSIONER GIBA** – I took a drive up there and I was able to see every one  
41 of those signs immediately. There are very large. They are right there off of  
42 Krameria just as you turn left off of Krameria, that sign is very visible and it is on  
43 the other side by the College; on the College road side. What street is that one?

44  
45 **PLANNING OFFICIAL TERELL** – That is Cahuilla

46

1 **COMMISSIONER GIBA** – It’s Cahuilla. So there is a sign on that side and there  
2 is a sign on that side, so you had two signs and I wasn’t looking for them, but I  
3 could see them immediately when I went up to site property, so they were posted  
4 and I am a real stickler about that myself.

5  
6 **SPEAKER COLEY** – I just noticed it this morning when I drove by to take my  
7 grandson to school. It is the only time that I have seen one.

8  
9 **CHAIR VAN NATTA** – Okay you are here for your comments now, so if you have  
10 comment, let’s say it and we can move on to the next speaker.

11  
12 **SPEAKER COLEY** – Traffic control... who is going to take care of that, because  
13 there is a lot of traffic there now?

14  
15 **VICE CHAIR SALAS** – Who takes care of it now?

16  
17 **SPEAKER COLEY** – Well it doesn’t look like anybody.

18  
19 **CHAIR VAN NATTA** – Okay, thank you for your concerns. Okay what was your  
20 name sir, I’m trying to figure out who has and hasn’t spoken yet here.

21  
22 **VICE CHAIR SALAS** – Let the guy come up. Who is next?

23  
24 **CHAIR VAN NATTA** – Excuse me... what was your name sir? William; thank  
25 you. Okay, Dana Estes... state your address to please

26  
27 **SPEAKER ESTES** – 16463 Colt Way and I’d like to address the traffic concerns  
28 again. I noticed and oh by the way, I did see the signs, but I never did get a  
29 notice and I think I am within 300 feet of that project, but anyway, I noticed in the  
30 thing that I read this evening that they want a parking variance for parking on the  
31 street. Do they plan to allow parking on Krameria?

32  
33 **PLANNING OFFICIAL TEREELL** – There is not a request for a parking variance.  
34 The variance is for the parking on site to go into the landscaped area in front of  
35 the building, so there isn’t any change to any regulation regarding on street  
36 parking. All the parking is going to be on the property site.

37  
38 **SPEAKER ESTES** – Yeah because there is a lot of traffic particularly when the  
39 school starts in the morning and when they get out in the afternoon and if we  
40 have parking on Krameria it is going to be a mess. We get traffic down  
41 Clydesdale now when school gets out in the afternoon. That was it. Thank you.

42  
43 **CHAIR VAN NATTA** – Thank you... Enrique Felix and please state your address  
44 too.

1 **SPEAKER FELIX** – Hello, my name is Enrique Felix and I live at 26402  
2 Clydesdale Lane. My main concern is are the elementary students; all the kids  
3 there with all the construction and of course it is going to happen during the day  
4 when the kids are in school and of course they can't work nights because of all  
5 the residents there. My kids go there and I feel like it is going to have an impact  
6 on them because they are going to be curious trying to look out. I think Lasselle  
7 Elementary School is one of the highest and best in Moreno Valley and I think  
8 having all that construction is going to drop them down as far as their school  
9 grades and stuff like that. Now they mentioned about all the students in the  
10 College. Well everybody is grown up and they have a standard of their own so  
11 they are going to want to approve it, but all the little kids are going to be running  
12 around with all the construction going on, I just feel it is an accident waiting to  
13 happen for one of the students and my main concern it is mostly like the little kids  
14 are growing up and they need to concentrate in school and I think with all this  
15 construction going on there, it is just going to affect the Elementary School more  
16 than anything and that is my main concern is for all the students from the  
17 Elementary School.

18  
19 **CHAIR VAN NATTA** – Okay, thank you for your comments Mr. Felix... Tom  
20 Jerele Sr.

21  
22 **SPEAKER JERELE** – Tom Jerele speaking on behalf of myself. I live 24535  
23 Wild Calla Drive. It is at the other end of town. I wasn't planning to speak on the  
24 project. I came here to see another one, but I wanted to say first that I agree with  
25 the speaker about the 300 feet. That seems to incredibly tiny. I know it is a  
26 State Law thing, but I think Moreno Valley should take a proactive effort and try  
27 to an outreach for at least 1,000 feet or if you have a major arterial or something,  
28 discount that at start from the other side of the street, because that can put  
29 somebody out of range really quickly and people have a right to speak their mind  
30 and I like all sides of the issue, but a couple of things.

31  
32 I do support the project because one of the things is that it has been with Staff for  
33 a year and a half, so it certainly wasn't rushed through and I have been in the  
34 development business and I don't have vested in this project and I don't even  
35 know the man putting it up, but you know the City certainly isn't a push over by a  
36 long shot. I mean they do their homework. I worked on them on big projects and  
37 small projects and you know they cross the T's and dot their I's and so I do think  
38 they look out for the community good. I do like the innovative combination of  
39 housing. The architecture is very nice and in fact I worked on a project with a  
40 similar combination on the other end of town here, so I like that and one other  
41 thing about the apartments is I know there are controversial, but the reality is you  
42 are putting in a centralized management. If they are condominiums, I can  
43 guarantee you in this market and future markets, in a period of time people are  
44 going to rent them out, so you are going to have absentee landlords renting to  
45 god knows who and you are going to have problems. So with centralized  
46 management, you have the opportunity to control things a lot better.

1 From what I can see, larger projects are a little better managed than these little  
2 spot deals and I thought I heard one of the representatives say at the applicant is  
3 a sworn law enforcement officer. Well I can't speak for that person, but I can  
4 certainly advise him or recommend to him that I wouldn't voluntarily join the Pop  
5 Team Program Housing. What do you call it John?

6  
7 **PLANNING OFFICIAL TERELL** – Crime Free Multi-Family Housing

8  
9 **SPEAKER JERELE** – Yeah I've attended some of their meetings and it is an  
10 incredible resource, so if it were my project and I signed on, you can make it a  
11 condition of approval, because it will help to ensure the integrity of his project in  
12 the surrounding areas because the Police put in a tremendous amount of  
13 resources there and this probably shouldn't be a big problem for it, but the point  
14 is they can spot problems before they start, so that my take on it. Thank you.

15  
16 **CHAIR VAN NATTA** – Thank you very much. Okay seeing no more Speaker  
17 Slips, I'm going to close the Public Hearing at this time and we are going to move  
18 to Commissioner's Discussion. Does anybody have something they want to say?

19  
20 **COMMISSIONER CROTHERS** – I appreciate all the speakers coming out and  
21 the community coming out and expressing their concerns for the projects that are  
22 in front of us. Often times we have these meetings and nobody shows up, so  
23 when we do have a project that brings the community in to express their  
24 concerns we definitely take it to heart what you guys are saying as we are  
25 representatives of you. We also are representatives of the City and we have to  
26 think about what is best for the City.

27  
28 Unfortunately the schools they are not getting money from the State. You know  
29 their class sizes are gaining; they are getting bigger and you know a construction  
30 site right next to the school is definitely going to be a little bit of a curiosity peek  
31 for the kids, however you know I worked with kids for a long time and you know  
32 somebody walking into a classroom can be a huge distraction. The bell ringing is  
33 a huge distraction. The phone ringing; you know the teacher's phone ringing is a  
34 huge distraction, so that is definitely going to be up to the teachers and up to the  
35 administration to keep their teachers on task with what is going on in the  
36 classroom to prevent you know the kids getting sidetracked and with the history  
37 of that school and with the level of education that is coming out of that school and  
38 the scores that are coming out, I don't see the teachers giving up control or  
39 giving up any kind of superior teaching or anything like that to a project that is  
40 going on right next door.

41  
42 Unfortunately class sizes are getting bigger. That is not anything that the City  
43 can do anything about. That is a State thing and a money budget thing. This  
44 project has been in the works for a while. They've done some incredible project  
45 design and you know it is better than a dirt lot. I mean there you know there is all  
46 kinds of situations that we could put ourselves in and say you know will

1 apartments bring you know bad people and houses bring bad people. It depends  
2 on who is in the house, not the house or the apartment complex. It depends on  
3 who is in it. Being a part of the safe neighborhoods program is definitely a good  
4 idea for every apartment complex; every condominium complex if they can. You  
5 know working with the Police Department or the Sheriff's Department is definitely  
6 something that is going to keep our community safer and we need to have that  
7 open communication, but you know I've seen projects like this in other areas that  
8 are doing extremely well. They are selling extremely quickly because the fact of  
9 the matter is people you know need apartments.

10  
11 Right now the economy is not very good and it is hard to find jobs that are paying  
12 what you should be getting paid and apartment complexes and condominium  
13 complexes offer you know a nice place to live when you can't afford to buy a  
14 home or when you are not looking for that permanency yet because you know  
15 that something better is out there or you know the tide is turning and your job  
16 may be able to pay you a lot more and you may be able to move to your target  
17 neighborhood, but you know the availability of apartments is a good thing with  
18 the economy we are in, so overall I think the project fits the area and I think  
19 they've done a good job and that Staff has done a good job with this. Thank you.

20  
21 **CHAIR VAN NATTA** – Thank you. Commissioner you had something you  
22 wanted to say.

23  
24 **CHAIR BAKER** – You know I'm in favor of this project. I think the main reason  
25 we worked with you people before I think on another project. These guys are a  
26 first class operation and believe me and if they tell us they are going to manage  
27 this and I agree with what Commissioner Amber said there. You know it all starts  
28 at the top. You know if you've got good management and we've got apartment  
29 complexes in this town that are managed well and I'm not saying we don't have  
30 any crime but most of the time we do pretty decent with it and I think with this  
31 Pop Program with the Police Department it is top notch. I like the design. It is a  
32 perfect fit for there. I know it is a lot of traffic. Ginger and I were out there today  
33 when the school was letting out and it is just every school you go to in this town,  
34 you are going to have that situation. You're just not going to out run it period. It  
35 is just the way it is. I mean kids get out of school... in the old days we used to  
36 walk to school. That doesn't work anymore. The parents feel more confident  
37 picking the kids up and it makes cars and vehicle traffic and I understand that  
38 totally, so I don't think we're going to outrun that. I'm a little concerned about the  
39 construction, but coming from a construction background, if I was a student that  
40 would really intrigue me to see how the tractors work and how the construction  
41 progresses. Some people may be not. It may be a learning curve for the kids,  
42 but I'm sure when you do a project this size, there has to be security fences put  
43 up and I'm sure they will make all efforts to make sure there is no impact to the  
44 kids as far as noise or dust. I mean they are going to be curious, there is no  
45 doubt about it, but all in all I'm in favor of it. I think it is a good fit for the area.

46

1 The College is a big supporter of the City and we need to kind of work with them.  
2 Whether you guys believe it or not, that College is a big force for Moreno Valley  
3 right now. They decided to put our name on their school and we are going to try  
4 to support them the best way we know how. That is my feeling on the deal.  
5 Okay, thank you.

6  
7 **CHAIR VAN NATTA** – Okay are there any other comments?

8  
9 **COMMISSIONER GIBA** – Yeah I agree. They've already said most of what I  
10 had to say. The variance issue to me I don't consider it an issue, from the  
11 standpoint that it is not affecting what we are building out there. As far as  
12 schools is concerned, they've already kind of mitigated that issue where these  
13 folks living in these apartments or these folks living in these houses will have  
14 access; they've already worked that out, access for the school for the students,  
15 so the parents aren't going to be driving their cars up there.

16  
17 Most of the concerns that I heard were from people that are above Quarter Horse  
18 Road, which means they've already been impacted for a long time with the folks  
19 coming up that way and dropping things off and these folks in these complexes  
20 will probably have their children walking back and forth.

21  
22 The fees that you do get from the impact fees will help affect that school in a  
23 positive way, whether it is putting in new portables or materials or whatever they  
24 need, that is for the District to decide. I don't know whether it is Val Verde  
25 District or Moreno Valley District down there. I used to teach at Rancho Verde  
26 and if anybody has been up that way when school is letting out or coming in, it is  
27 you know... and I live up by Canyon Springs High School and if anybody has  
28 been up there, you know you've got a Junior High and a High School, so I don't  
29 know if you could ever, ever solve that problem during school starting and school  
30 ending anywhere, so that is going to be a difficulty.

31  
32 They are a good organization. We've seen what they've already put out. I think  
33 we've mitigated that as well as we can for the site that it is. I think it is a nice fit  
34 and the combination of the houses and the combination of the small apartment  
35 complex groups; the fact that they put in the pocket parks for the children; they've  
36 thought the program through; it makes a very nice fit for our City and obviously  
37 since the College supports it, it would be a hard thing for us not to support it  
38 unless there was something really, truly desperate. I think they've answered  
39 most of the problems that you have, but I also encourage you folks that when you  
40 come here and like Commissioner Amber said, we really appreciate when you  
41 come and express yourself.

42  
43 We can't always make you happy in our decision making, but come early so you  
44 get a chance to look at the thing and speak to the people that are involved.  
45 Speaking to us is one thing, but actually having a chance to visit with the  
46 developers because they are usually available to speak with you, I would



1 encourage that on any kind of visit that you have here to the Commission. So  
2 with that said, I want to thank you all for showing up this evening and putting in  
3 your two cents; five cents or a dime. Thank you.

4  
5 **CHAIR VAN NATTA** – Commissioner Salas do you have any comments?

6  
7 **VICE CHAIR SALAS** – I think everything has been pretty much been said. I also  
8 support the project. I don't think if it is 227 condominiums or 217 houses and a  
9 mixed use, I don't think the impact is not going to be any different than what it is  
10 and I also understand about the school. I live by a school and that happens at  
11 every school, so everything has pretty much been said, but I'll support the  
12 project.

13  
14 **CHAIR VAN NATTA** – Okay, all I have to say about it as well is it looks to me  
15 like a really great project. This is the kind of thing that you do want to see if  
16 somebody is trying to meet a requirement of density, which is what the City  
17 needs. It would nice to say that whatever houses are going to be built around my  
18 house are bigger and fancier and are going to increase the value of my property,  
19 but you know not everybody can live in a house; not everybody can afford one  
20 and like Commissioner Crothers said, there is a place in everybody's time and a  
21 place in everybody's economy where apartment dwelling is more appropriate.

22  
23 I do disagree with what people say when they say that everybody knows what  
24 kind of crime apartments bring. Apartments do not bring crime. Crime can be  
25 controlled in any neighborhood if people want to manage and control it. I doubt  
26 that there is anyone of us here who at one time or another has not lived in an  
27 apartment, so it matches. There are times young couples get married; live in an  
28 apartment for a while till they can save up for a house. Seniors retiring might live  
29 in a rental or something. There are reasons why we have different types of  
30 housing and this is a very good mix. I would much rather see more communities  
31 like this than to take and put all the apartments in one area of town, put a whole  
32 bunch of condominiums together in another area of town and all the houses  
33 together in another of town. It makes a lot more sense for the community to have  
34 a mix of housing like this and the small variance that we are being asked to  
35 approve here is simply to enhance the quality of living and the quality of the  
36 project overall and I see no reason to not approve it. So at this point would  
37 someone like to make a motion regarding this item?

38  
39 **PLANNING OFFICIAL TERELL** – Chair, before you do that, just make sure that  
40 each... not the environmental but... well the environmental also because of the  
41 minor changes, that each of those actions is as amended because there were  
42 some minor changes to both the environmental Initial Study as well as the  
43 conditions of approval.

44  
45 **CHAIR VAN NATTA** – Okay, the Plot Plan...  
46

1 **PLANNING OFFICIAL TERELL** – So just read what is in your Staff Report and  
2 at the end just say as amended so that it gets on the record.

3  
4 **CHAIR VAN NATTA** – For each one of the items will be as amended?

5  
6 **PLANNING OFFICIAL TERELL** – Yes

7  
8 **CHAIR VAN NATTA** – Okay

9  
10 **VICE CHAIR SALAS** – For one and two?

11  
12 **PLANNING OFFICIAL TERELL** – Yes, and three and four and five, I think

13  
14 **CHAIR VAN NATTA** – Okay, Commissioner Salas do you wish to go ahead with  
15 that.

16  
17 **VICE CHAIR SALAS** – Okay I move that we **APPROVE** Resolution No. 2012-28  
18 and thereby:

- 19  
20 1. **ADOPT** a Negative Declaration for PA11-0025 Plot Plan, PA11-0026  
21 Tentative Tract Map 36401, PA11-0027 Conditional Use Permit and P12-114  
22 Variance application, in that this project will not result in significant  
23 Environmental impacts as amended.  
24  
25 2. **APPROVE** Variance application P12-114 to allow parking to encroach into  
26 Street side setbacks because of unique site...  
27

28 **PLANNING OFFICIAL TERELL** – I'm sorry, if you could just go ahead and take  
29 each one separately and vote on that separately, that would be helpful.

30  
31 **CHAIR VAN NATTA** – Okay

32  
33 **PLANNING OFFICIAL TERELL** – Just in this case since there are so many. I  
34 know sometimes we group them together, but that would be helpful to have a  
35 separate vote.

36  
37 **CHAIR VAN NATTA** – Okay we have a motion of Item No. 1. Do we have a  
38 second?

39  
40 **CHAIR BAKER** – I'll second that

41  
42 **CHAIR VAN NATTA** – Okay a motion and a second. All in favor?

43  
44 Opposed – 0

1 **Motion carries 5 – 0, with two absent (Commissioner Owings and**  
2 **Commissioner Ramirez)**

3  
4 **CHAIR VAN NATTA** – Go on to Item No. 2 please

5  
6 **VICE CHAIR SALAS** - Okay, I'll do one more... I move to:

7  
8 **2. APPROVE** Variance application P12-114 to allow parking to encroach into  
9 Street side setbacks because of unique site constraints (parcel shape and  
10 topography) for Plot Plan PA11-0025.

11  
12 **CHAIR VAN NATTA** - As amended

13  
14 **VICE CHAIR SALAS** – As amended

15  
16 **COMMISSIONER BAKER** – I'll second that, as amended

17  
18 **CHAIR VAN NATTA** – Okay, moved and seconded. All in favor?

19  
20 Opposed – 0

21  
22 **Motion carries 5 – 0, with 2 absent (Commissioner Owings and**  
23 **Commissioner Ramirez)**

24  
25 **CHAIR VAN NATTA** – Do you want somebody else to take the next one?

26  
27 **VICE CHAIR SALAS** – I'll take it. I move to:

28  
29 **3. APPROVE** Plot Plan PA11-0025, subject to the attached Conditions of  
30 Approval included as Exhibit A, as amended.

31  
32 **COMMISSIONER BAKER** – I'll second

33  
34 **CHAIR VAN NATTA** – Okay we have a motion and a second. All in favor?

35  
36 Opposed – 0

37  
38 **Motion carries 5 – 0, with 2 absent (Commissioner Owings and**  
39 **Commissioner Ramirez)**

40  
41 **VICE CHAIR SALAS** – Okay, I move to:

42  
43 **4. APPROVE** Tentative Tract Map No. 36401, PA11-0026 subject to the  
44 attached Conditions of Approval included as Exhibit B, as amended.

1 **COMMISSIONER BAKER** – I'll second

2  
3 **CHAIR VAN NATTA** – We have a motion and a second. All in favor?

4  
5 Opposed – 0

6  
7 **Motion carries 5 – 0, with 2 absent (Commissioner Owings and**  
8 **Commissioner Ramirez)**

9  
10 **VICE CHAIR SALAS** – I'm going for five of a kind...Okay I move that we:

11  
12 **5. APPROVE** Conditional Use Permit PA11-0027, subject to the attached  
13 Conditions of Approval, included as Exhibit C, as amended.

14  
15 **COMMISSIONER CROTHERS** – I'll second

16  
17 **CHAIR VAN NATTA** – Okay we have a motion and a second. All in favor?

18  
19 Opposed – 0

20  
21 **Motion carries 5 – 0, with 2 absent, (Commissioner Owings and**  
22 **Commissioner Ramirez)**

23  
24 **CHAIR VAN NATTA** – At this point we are going to take about a five minute  
25 break. Oh excuse me, Staff wrap up first and then we will take a short break.

26  
27 **PLANNING OFFICIAL TERELL** – Yes these actions shall become final unless  
28 appealed to the City Council within 15 days.

29  
30 **CHAIR VAN NATTA** – Okay now we're going to take about a five minute stretch  
31 break and allow them to set up for the next presentation.

32  
33  
34  
35 **2. Case Number: P12-057 Environmental Impact Report**  
36 **PA12-0019 Plot Plan**  
37 **PA12-0020 Plot Plan**  
38 **PA12-0021 Plot Plan**  
39 **PA12-0022 Zone Change**

40  
41 **Case Planner: Jeff Bradshaw**

42  
43 **CHAIR VAN NATTA** – Okay, ladies and gentleman we're back from our short  
44 break and we are ready for our second item on the Agenda and Jeff Bradshaw is  
45 our Case Planner on this. Would you like to tell us about the project please?  
46

1 **ASSOCIATE PLANNER BRADSHAW** – Thank you. Good evening Chair and  
2 members of the Planning Commission. Item 2 is a proposal for 4 applications for  
3 the construction of one, an addition to an existing building; two, a new building on  
4 the north side of Brodiaea and Graham and the third presents two alternatives or  
5 options for the corner of Frederick and Cactus. The corner location at Frederick  
6 and Cactus is currently zoned Business Park Mixed Use or BPX Zone and that  
7 comes with a list of particular uses that are allowed there. The developer is  
8 interested in being able to utilize that for either truck parking/trailer parking or  
9 possibly a warehouse facility. Both of those would require a change in zoning  
10 from Business Park Mixed Use to Light Industrial. That is the fourth application  
11 that is proposed this evening is that zone change.

12  
13 The surrounding area is comprised of comparable zoning and comparable  
14 development, so the uses proposed there under application PA12-0019, both the  
15 proposal for the truck court and the building alternative would be permitted under  
16 that zone. The adjoining property and I apologize for the way the site plans are  
17 kind of haphazard... the exhibit at the top left corner with the orange and the tan  
18 shading is a site plan exhibit that would accompany Plot Plan application PA12-  
19 0020 which is a proposal to add just over 500,000 square feet to an existing  
20 780,000 square foot approximate size building and that addition would result in a  
21 building with a total square footage of just under 1.3 million square feet. The  
22 third Plot Plan application PA12-0021 is for building three. It is the exhibit on the  
23 wall there that is in the middle on the top. That facility is located on the north  
24 side of Brodiaea. At the intersection of Brodiaea and Graham there is currently  
25 the interim use of truck parking there. If you have had the chance to drive the  
26 area there, you can see some of the onsite improvements that are in place.  
27 There are perimeter screen walls. There are some water quality improvements  
28 and landscape. This building would be constructed over the top of the existing  
29 storage area and then extend beyond that, past Joy Street onto some existing  
30 parcels and the result there would be the construction of a building of just over  
31 600,000 square feet. The three buildings are all proposed for warehouse  
32 distribution use and building 3 and building 4; the expansion and construction of  
33 both those buildings would require the vacation of Joy Street.

34  
35 The project has been designed and conditioned to recognize easements and  
36 infrastructure that are located within Joy Street and those would all be moved  
37 and relocated into new easements that would accommodate the requirements of  
38 the water district and gas line and anything else that is currently within an  
39 easement. That has all been taken into consideration. For building 3, Joy Street  
40 also includes an extension of a sewer line to the northern property line and that  
41 would be relocated to the western portion of that site. So I've had a chance to  
42 take a look at the existing infrastructure and easements and take them;  
43 relocation and movement of those things into account.

44  
45 This project; because of the size and scale and scope of the project, the  
46 environmental for this required the preparation of an Environmental Impact

1 Report and the environmental, following a review by Staff we were able to make  
2 that available to the public for review. We did receive comments on that and we  
3 worked with a consultant to prepare responses to that. Both the Final EIR and  
4 the Draft were made available to the Commission for your consideration for  
5 tonight and what we'd be asking of you is to review the project; both the design  
6 and the environmental document and make a recommendation to Council as to  
7 whether or not the project and the documents should be approved and certified.  
8 In the noticing efforts for this project, I did receive one phone call from the  
9 property owner to the north, Mr. Dhalla had concerns about how this new  
10 development and specifically building 3; the one located at Graham and Brodiaea  
11 might affect future storm runoff and he also had concerns about how and where  
12 he would be able to tie into sewer connections and he seemed satisfied following  
13 that conversation with the design of the project.

14  
15 The project as proposed would not result in any changes to storm runoff for his  
16 property. The water would continue to leave his site and be accepted onto this  
17 property and conveyed into the storm drain system in the same manner that is  
18 occurring now. The sewer would still be available to him by being relocated from  
19 Joy Street to the western property line. Before you there is a packet of comment  
20 letters that were submitted for this project. They included two letters from  
21 responsible agencies; one from AQMD, one from Cal Trans and then there was  
22 another letter provided by Johnson and Sedlack and Staff had a chance to  
23 review the letters from the responsible agencies along with the consultant, felt  
24 that those issues had been addressed and responded to. The other came in  
25 today and there hasn't really been time to see really what is in the content of the  
26 letter to address the concerns that are raised there. With us this evening I guess  
27 before I conclude, our Community Development Director wanted an opportunity  
28 to present some information to you and I wanted to let you know also that the  
29 Environmental Consultant, that team is here if you have questions about the  
30 environmental.

31  
32 **PLANNING OFFICIAL TERELL** – Yes and on the environmental, as with other  
33 large projects like this, the environmental document was prepared by one  
34 consulting firm and then the City also hired a second consulting firm to assist in  
35 the review of that, so we had two experts as well as Staff looking at the reports to  
36 make sure they were complete as possible.

37  
38 **ASSOCIATE PLANNER BRADSHAW** – And if I could just add to that; I  
39 apologize before anybody speaks... as with other projects that we have  
40 presented to you, there were some categories within the environmental review  
41 that while mitigation is being proposed, could not be fully mitigated to less than  
42 significant and so some of the documentation that has been provided to you  
43 includes findings that would be made in support of recognizing... that instance  
44 would still be approving the project and certifying the EIR so that amongst the  
45 packet of information, the things that you have available to you this evening  
46 would be a resolution for the environmental that includes those findings as well

1 as the mitigation program for this project; it would enumerate our list; the  
2 mitigation measures required for this project for construction and so that  
3 information is available to you as well.

4  
5 **CHAIR VAN NATTA** – Can we have a little clarification on the exhibits up there  
6 as to which one applies to which Plot Plan? You keep referring to building 3 or  
7 this or that and I’m a little confused.

8  
9 **ASSOCIATE PLANNER BRADSHAW** – I apologize. With the building numbers,  
10 I’m not sure that I still follow the connection myself. The planning numbers and  
11 how they correlate; PA12-0019 is for the development proposed for the seven  
12 acres on the corner of Cactus and Frederick and that would also correlate to the  
13 exhibit on the bottom left hand corner that shows a proposed truck storage area  
14 which is one alternative and the second would be the exhibit on the top of the far  
15 right for building 11. Both of those are proposed under Plot Plan application  
16 PA12-0019. The exhibit on top at the far left, is Plot Plan application PA12-0020  
17 and that is referred to as building 4 and that is the additional 500,000 square feet  
18 proposed for the existing Harbor Freight location and the exhibit in the middle is  
19 Plot Plan application PA12-0021 or building 3 and that is located at the northeast  
20 corner of Graham and Brodiaea and that would be a brand new building as  
21 opposed to the addition.

22  
23 **CHAIR VAN NATTA** – And then the zone change applies to which?

24  
25 **ASSOCIATE PLANNER BRADSHAW** – The zone change applies to what is  
26 referred to building 11 or Plot Plan PA12-0019 and that is the northeast corner of  
27 Frederick and Cactus. The balance of this site is all...

28  
29 **CHAIR VAN NATTA** – Which one?

30  
31 **ASSOCIATE PLANNER BRADSHAW** – Which of the exhibits...I apologize... It’s  
32 the upper right hand corner and the lower left hand corner.

33  
34 **CHAIR VAN NATTA** – Okay, so it’s kind of a little bit of juxtaposition; some of  
35 them referring to more than one... okay?

36  
37 **ASSOCIATE PLANNER BRADSHAW** – Yes there is the numbering scheme that  
38 the developer is using to keep track of the build out I believe of that Centerpoint  
39 area and then there is the numbering scheme the City uses when they assign a  
40 number to a Plot Plan or a case.

41  
42 **CHAIR VAN NATTA** – And we’ll just call them A, B, C and D so that we have  
43 another set...

44  
45 **ASSOCIATE PLANNER BRADSHAW** – Sure, if we can introduce another way  
46 tracking them...

1 **CHAIR VAN NATTA** – Okay, thank you

2  
3 **VICE CHAIR SALAS** – Jeff, zone changes for the truck parking; for the trailer  
4 parking...

5  
6 **ASSOCIATE PLANNER BRADSHAW** – Change for the seven acres on the  
7 corner... and the zone change is required because under the Business Park  
8 Mixed Use zone you cannot build buildings over 50,000 square feet, nor can you  
9 store vehicles in this manner, so that use is only allowed in the Industrial or Light  
10 Industrial zones and so the proposed zone change would allow both of those  
11 uses to take place there and the zone really is complimentary to the surrounding  
12 area. The balance of everything on the east side of Frederick and south of  
13 Brodiaea is all Light Industrial zone.

14  
15 **VICE CHAIR SALAS** – Thank you.

16  
17 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – I just  
18 wanted share a few of my comments with the Planning Commission before you  
19 go ahead and hear from everybody else on this project. I'm Barry Foster, the  
20 Community and Economic Development Director for the City. Harbor Freight  
21 Tools really has been a great corporate partner for Moreno Valley. We just did  
22 our annual survey of major employers and Harbor Freight is number 16 on that  
23 list. Harbor Freight opened their first facility just a year ago. It is the 779,000  
24 square foot distribution center at Centerpoint. They quickly outgrew that. This  
25 summer; late this summer they actually leased another building; another new  
26 building that was just constructed in the south of Moreno Valley in the industrial  
27 area and so they are working on improvements for that facility, which will be their  
28 second facility here in Moreno Valley and they need more and they are really  
29 looking to relocate their distribution facilities for everything for the Western United  
30 States that would serve everything west of the Mississippi to Moreno Valley.

31  
32 I think that's the goal that they are pursuing and I think the great thing is this will  
33 add more jobs to Moreno Valley and these are not relocations of jobs from  
34 someplace else. When they moved their first facility here, just a handful of  
35 people came from Ventura or the Oxnard area. These are all brand new jobs.  
36 These are people that live in the community and the mass majority of them live  
37 here in Moreno Valley. I think they are very... in my discussions with Harbor  
38 Freight, they are very pleased with the quality of employees they will be able to  
39 have at this facility and I think that speaks volumes of why they want to do more  
40 investment and have more facilities here in Moreno Valley and then Ridge  
41 Property Trust; I mean they are a top notch developer. They are a very qualified  
42 developer. They have done work all over the United States. They've done a  
43 great job here in Moreno Valley with the Centerpointe Business Park and we've  
44 already established businesses there like Minka Lighting, ResMed, Serta  
45 Mattress and Frazee Paint.



1 There is a Regional Distribution Center for the US Postal Service and then now  
2 we have Harbor Freight, so it is a great lineup and they've all produced jobs,  
3 which we desperately need here in this community. The Development Plan is  
4 presented by Ridge and by Harbor Freight, clearly meets objectives that the City  
5 has established with our two year Economic Development Action Plan. The  
6 development of Centerpoint and the creation of jobs is what that Economic  
7 Development Action Plan is really all about. At the very beginning of the  
8 meeting, one of the speakers talked about Moreno Valley having not great design  
9 standards and development standards. That is absolutely wrong. Just a month  
10 and half ago I took a bus tour with a professional group of real estate brokers,  
11 developers and City officials that looked at Ontario, Fontana, Riverside, Perris,  
12 Moreno Valley, Redlands, San Bernardino. I think we looked at probably a  
13 hundred industrial properties that day.

14  
15 The buildings that are constructed here in Moreno Valley are every bit as good  
16 as in any other community that is represented in the Inland Empire. He also  
17 talked about the fact that we shouldn't; that some cities don't allow spec building  
18 development. That is not what is done in this industry. If you look at Moreno  
19 Valley and we have about 12 million square feet of industrial development  
20 currently built in this community, with the exception of Sketchers and Walgreen's  
21 every other building that has been built in this City has been a spec development  
22 building. Tenants and users for those buildings want to have a fully approved  
23 and entitled project before they enter into a lease. It is a little bit different here  
24 today and Harbor Freight was a spec building. They came along, they leased it,  
25 they put their improvements in and they are now looking to expand. Typically 90  
26 percent of all the industrial development in this area is spec development. Users  
27 do not want to take the risk of going through a number of years; the potential for  
28 CEQA challenges and everything else, they look for approved and entitled  
29 projects and I think you've got a great corporate user that wants to bring more  
30 jobs to this community in Harbor Freight. You've got a quality developer that has  
31 already developed a nice Master Plan over there and they want to do more and I  
32 fully support the project. I think it will be a great project for the community and  
33 I'm happy to answer any questions.

34  
35 **CHAIR VAN NATTA** – Okay do we have any questions of Staff?

36  
37 **VICE CHAIR SALAS** – I'll start with one. Okay we are talking about full time  
38 jobs? We're not talking construction jobs here, right?

39  
40 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – Right,  
41 okay. When Harbor Freight gets up, I'll let them talk about how many people  
42 they are looking to add at this facility. I think they have some ideas on that, but  
43 there will be construction jobs obviously during the construction period, but what  
44 they have currently and what ranks them 16<sup>th</sup> in this community in terms of major  
45 employers are full time jobs.

1 **VICE CHAIR SALAS** – Okay I’m just talking about full time, permanent jobs.  
2 Okay, thank you.

3  
4 **COMMISSIONER CROTHERS** - I have a question. Are all of these buildings  
5 going to be Harbor Freight?  
6

7 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – No, just  
8 what they are looking at right now is just the expansion and then the truck  
9 parking facility would be theirs too. The building in the middle; the 600,000  
10 square foot building would be another future opportunity and some of that is  
11 already approved and entitled now. What they are looking to do is rather than  
12 have three small buildings; there is just no market for that is to have one large  
13 one and that potentially; I think our hope is that they continue to grow Harbor  
14 Freight and maybe have a need for that. It is right across the street, but they are  
15 not committed to that right now.  
16

17 **COMMISSIONER CROTHERS** – And who gets to park in that big giant parking  
18 lot?  
19

20 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – Harbor  
21 Freight... they’ll have trucks and truck trailers there that will be within the  
22 perimeter...  
23

24 **COMMISSIONER CROTHERS** – And that is just for Harbor Freight; that’s not for  
25 the other three buildings that are going to be right in the vicinity?  
26

27 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – That is  
28 just for Harbor Freight  
29

30 **COMMISSIONER CROTHERS** – Okay, thank you  
31

32 **COMMISSIONER GIBA** – Okay, a couple of questions. On your proposal PA12-  
33 0019 you said either/or... which one is it and how are you making that decision?  
34 I’d like to know in advance. I’m not inclined to approve something that makes a  
35 decision later. I’d rather make it tonight if we are going to do that.  
36

37 **PLANNING OFFICIAL TERELL** – Yes, the applicant asked for the option for one  
38 or the other. I think the applicant will tell you what their preference is now based  
39 on what has happened since they submitted the project, but we’ve done this on  
40 other projects. It provides flexibility. What we do with the environmental is we  
41 assess the worst case and in this case it would be building a building, because  
42 building has additional activities in it unrelated, whereas this parking area would  
43 be related to the other building to the east, so we have provided developers  
44 options on other projects. We’ve assessed it so that we know the maximum  
45 impact and we provide and we mitigate and design for that, so if they choose to  
46 do the less impactful item they have that option. So it is just like if someone was

1 building a shopping center and they have 20 buildings in a shopping center, they  
2 might build one or two and then they might change their mind and we have had  
3 situations in shopping centers where they want the option to do x or y and we  
4 provided that maximum flexibility for success in either the current economy or  
5 future economy.  
6

7 So today you are being asked to approve both of them and one will get built  
8 immediately and let's say they build the storage lot; they would have the  
9 opportunity to build the building later; they have a three year window. That is  
10 how long approvals are for and then at the end of that three year time frame, they  
11 could ask to extend that option because Harbor Freight or some other user may  
12 decide today they want the storage lot and in three years or four years they might  
13 want the building to expand, so we provide that opportunity and at every three  
14 years, we would re-assess that. They would have to apply for an extension of  
15 time and we would look at it and update the conditions, so it would always be  
16 consistent with the City Code, so that's what you are being asked to do and we  
17 have done that on several other projects to provide the maximum flexibility so  
18 that a project can succeed.  
19

20 **COMMISSIONER GIBA** – Okay now north of Brodiaea is a parking lot already.  
21 Is that a Harbor Freight lot?  
22

23 **PLANNING OFFICIAL TERELL** – It is  
24

25 **COMMISSIONER GIBA** – Alright, so then what they want to do is they want to  
26 take that parking lot, put it in the left hand corner at Frederick and Cactus and  
27 then vacate that basically to build a building. Is that going to be on the north side  
28 also for Harbor Freight; your middle picture there?  
29

30 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – It is not  
31 part of the lease right now. It's a future development opportunity. Ridge is  
32 getting that entitled tonight and again there are approvals in place right now.  
33 What they are really doing is rather than having three small buildings, they are  
34 looking to put one large building there. That is not part of the Harbor Freight  
35 lease. What they have is the expansion of the one building and then moving the  
36 truck parking to the corner and that will be part of their lease, but what John said  
37 is if at some point in time and if in 15 years in time when the lease runs out and  
38 they don't extend the option and Harbor Freight is not there anymore, they could  
39 then potentially build a building there.  
40

41 **COMMISSIONER GIBA** – Okay but in the meantime the parking lot isn't hiring  
42 anybody, right?  
43

44 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – It is part  
45 of their business plan and if you look at what...  
46

1 **COMMISSIONER GIBA** – You have a choice of two buildings, right Barry? You  
2 have the building they want to build, which is the “either” and then you have the  
3 “or”, which is the parking lot... am I correct what the choice is?  
4

5 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – The  
6 lease will have what Harbor Freight wants to have which is truck parking there.  
7

8 **COMMISSIONER GIBA** – Okay, so that is what they want to do is a parking lot.  
9

10 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – Right  
11

12 **COMMISSIONER GIBA** – On the corner of Frederick and Cactus, okay, so the  
13 parking lot isn’t going to hire the same amount of people as a building facility they  
14 were originally going to put there. Am I correct?  
15

16 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – I’ll let  
17 them get up and talk about how many people they are going to hire when they do  
18 the expansion, but they have to move their truck parking.  
19

20 **COMMISSIONER GIBA** – My concern is on one hand we talk about hiring  
21 people and putting people in place, but on the other hand we’re talking about  
22 building a facility or something that could later on and might be hiring people, but  
23 not at this real point, so I just want the clarity if that is what they are really going  
24 to do is put the parking lot there, that is not a building; that is not office space and  
25 that is not people and that is what I want to make sure of...  
26

27 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – I’ll let  
28 them talk about how many people they want to have, how many will be there  
29 when they expand the building and what they’ll be up to.  
30

31 **CHAIR VAN NATTA** – How much distribution they could actually do if they didn’t  
32 have any place to put their trucks.  
33

34 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – And  
35 when I went on this tour, the facilities that have the ability to do truck parking next  
36 door are very valuable right now. In fact Harbor Freight has that in the building  
37 that they just leased in the south part of town and not every facility has that.  
38 That’s a very valuable component which generates jobs in the building that they  
39 have. They may not have jobs right there but it has an overall positive impact  
40 and effect on their business plan.  
41

42 **COMMISSIONER GIBA** – Yes and these are questions that a lot of people ask  
43 about okay. What is this going to do so we are going to need clarification on that  
44 even for me, the value of that versus the other at that point in time and the  
45 building that they are doing on it, because this a very large project and they

1 already have a parking lot that they have in the top side that they are using for  
2 their rigs and stuff on the north side of Brodiaea, right?

3  
4 **PLANNING OFFICIAL TERELL** – Yes but I think the idea is that would be  
5 moved to the corner, that would free up the site on the north side of Brodiaea for  
6 an additional building.

7  
8 **COMMISSIONER GIBA** – For an additional building...

9  
10 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – And that  
11 existing lot is an interim use. It was the ability to get them something close by to  
12 put their trailers. They want to move it to the corner and do a nicer plan and do  
13 the screen walls and everything else there and then vacate and not have the  
14 interim facility on the north side of Brodiaea and then hopefully we'll be able to do  
15 another 600,000 square foot building there in the future.

16  
17 **COMMISSIONER GIBA** – In the future... okay. I'll probably have more later.

18  
19 **CHAIR VAN NATTA** – Okay do we have any more questions for staff or can we  
20 move on to the...

21  
22 **VICE CHAIR SALAS** – Does the property owner to the north didn't have any  
23 problem with vacating Joy Street; is that correct?

24  
25 **ASSOCIATE PLANNER BRADSHAW** – No, he had three questions actually.  
26 He wanted to know how that might affect access to his property; which it would  
27 not, he would continue to be able to access their commercial zone properties and  
28 they would really take primary access from Alessandro, so the loss of the Joy  
29 Street connection really was not going to affect the development in that manner  
30 and once he understood that, I believe he felt comfortable with the answer. He  
31 didn't state any objections to the project. He seemed to understand that by  
32 approving this project, it was not going to negatively impact his project in terms of  
33 runoff. This project would continue to accept the same drainage that had always  
34 left his property and crossed onto this one, so that would remain the same before  
35 and after and then the other concern was the sewer connection and that exists  
36 now through I believe the efforts of the applicant. They built Joy Street and they  
37 put in the sewer and by vacating it, they'll now lift the sewer line and move that to  
38 the west and relocate it parallel to that western property line and would continue  
39 to go from Brodiaea north to what would be the northwest corner of that site and  
40 which would give that property owner the opportunity to work with the Water  
41 District to tie into the sewer line.

42  
43 **VICE CHAIR SALAS** – No I understand, because when I drove out there, I see  
44 the purpose of Joy Street. It is just basically to facilitate Harbor Freight where  
45 they are now, so by losing the Street, if he doesn't have a problem with it; it is  
46 probably no problem there.

1 **ASSOCIATE PLANNER BRADSHAW** – He seemed okay with the answers that  
2 I provided.

3  
4 **VICE CHAIR SALAS** – Okay

5  
6 **PLANNING OFFICIAL TERELL** – Yes relative to Joy Street, we also consulted  
7 with our Transportation Engineering to make sure there wasn't any impact on the  
8 City circulation system, so we did look at that as well.

9  
10 **VICE CHAIR SALAS** – Yes, I see Michael Lloyd shaking his head over there

11  
12 **ASSOCIATE PLANNER BRADSHAW** – Yes we're probably past this now, but  
13 just for reference, the Applicant did provide an exhibit that really shows the  
14 entirety of the Business Park and using their numbering schemes you can see  
15 the relationship of the three buildings that are proposed this evening where they  
16 fit into the street system and how they relate to one another.

17  
18 **VICE CHAIR SALAS** – Thank you

19  
20 **CHAIR VAN NATTA** – Okay, we're going to move on to Public Comment now  
21 and we are going to start with the Applicant.

22  
23 **APPLICANT RICE** – Good evening Commissioners. My name is Dennis Rice.  
24 I'm with Ridge Property Trust. We are the developer for this project. Before I get  
25 started with my presentation, I'd like to take the opportunity to thank John and his  
26 Staff, especially Jeff, Land Development, Fire, Transportation and Barry for all  
27 their hard work. We've put this together in a fairly short order of time and I know  
28 they worked very hard. I've also got here with me pretty much our whole team  
29 involved in the EIR preparation; Traffic Engineer, Applied Planning who oversaw  
30 the overall preparation, our Architect. I've also got Mr. Trey Fieler with Harbor  
31 Freight and he'd like to get up in a couple of minutes and talk a little bit about  
32 Harbor Freight and I've our Civil Engineer Maurice Maurod who can address  
33 anything having to do with infrastructure and/or dry and wet utilities.

34  
35 A couple of things on some of the items that were talked about; Dr. Dolla who  
36 owns the property to the north of us; he actually owns the corner, the northeast  
37 corner of Brodiaea and Frederick. He also owns the corner at Alessandro and  
38 Frederick and then he owns the property running along Alessandro, almost all  
39 the way to Graham, kind of in the "L" shape there and I've talked to him over the  
40 last couple of days. I provided him with a utility plan prepared by our Engineer to  
41 get him comfortable that he is not getting anything taken away. We're still  
42 picking all his storm drain flows. We provided the sewer line up to his property  
43 line that he can tie into and there are also utilities in Brodiaea and there are also  
44 utilities in Frederick and there are utilities in Alessandro that he also can tie into  
45 those, so I think he was comfortable Jeff. I will send you a copy of that exhibit  
46 that I did send him so you've got that.

1 If you don't mind I'd like to step up and kind of walk through the Site Plan. I've  
2 also got these aerials that might help you to visualize this just a little bit better; if  
3 you can share that, I only had two of them, but just to give you a little bit of  
4 history on this project... back in 2002 we bought 162 acres; a majority of which  
5 was purchased from Dr. Dolla and what we have currently built out here is about  
6 1,853,000 square feet which is the 780,000 square foot building for Harbor  
7 Freight, 180,000 foot building to Frazee Paint, the 530,000 foot building to Minka  
8 Lighting, 130,000 foot building to ResMed and 231,000 foot building to the Post  
9 Office.

10  
11 When we originally bought this site Brodiaea did not exist, so that is a new street  
12 all the way from Frederick to Heacock. Gilbert Street did not exist. Rebecca  
13 Street did not exist and Joy Street did not exist and as part of the overall  
14 improvements that we did when we built the whole project it was our decision to  
15 build out all the infrastructure at one time because we thought it would add more  
16 value to the project as to doing it piecemeal, so we did that and part of that  
17 included widening out Cactus from Heacock all the way to Frederick; putting the  
18 landscape median you see there today which now with the project here on the  
19 corner, west of Frederick will be improved even further west of Frederick; the  
20 Cactus improvements and we spent about 29 million dollars in infrastructure  
21 improvements; off-site infrastructure improvements for the project back when we  
22 did the original five buildings.

23  
24 What we are proposing today and Commissioner Jeffrey I don't know if there is  
25 some confusion when we were talking about it but Harbor Freight is expanding  
26 the 780,000 foot building to an additional 500,000 foot building.

27  
28 **COMMISSIONER GIBA** – No I get that, I get that

29  
30 **APPLICANT RICE** – Okay, so they will be expanding. We'll be vacating Joy  
31 Street here. They'll expand this 780 by another 500,000 square feet and then  
32 we're taking the existing and I think you can see it there on the aerial there; the  
33 trailer parking lot north of Brodiaea that sits right here, which takes up about 8  
34 acres of that 17 ½ acre site on what we call Lot 3 or Building 3, which is right  
35 here.

36  
37 Originally there was a building of 400,000 square feet planned. In order to do the  
38 deal we entered into a 10 year lease with Harbor Freight for this trailer parking  
39 lot. As part of this expansion it made sense to move it down to the corner and  
40 that way Harbor Freight is now all self-contained on one lot; they don't have to  
41 cross Brodiaea to take a trailer over to the building, it is all contained on one lot  
42 and it also benefits us because now we can terminate this trailer parking lot and  
43 build a building and utilize the whole 17 ½ acres versus not utilizing any of it  
44 because it was just a trailer parking lot on half the lot. We originally had like I  
45 mentioned a 391,000 foot building planned here, 106,000 building on Lot 2 and  
46 an 80,000 foot building on Lot 1.

1 We thought it would be better based on market conditions to combine those three  
2 lots and go with one larger building that is about 600,000 square feet. We are in  
3 lease documents with Harbor Freight to lease under a 20 year lease now, this  
4 building here and the trailer parking lot. This building here was originally leased  
5 under a 10 ½ year lease and what will happen is when this lease expires it will  
6 automatically roll into the same term as this one here, so Harbor Freight; we  
7 anticipate this building if it gets approved, being finished construction wise in  
8 2014, so that lease would expire in 2034, plus they have another 20 years of  
9 options to extend the lease for another 20 or so, so it could be a total years of 40  
10 years or more.

11  
12 One thing we've offered anybody that would like to tour the facility and I think  
13 you'll see when you go into the facility that they have a huge investment in  
14 material handling equipment and racking and I don't think you are going to see  
15 them go anywhere any time soon, so they are here for the long term.

16  
17 With that, I'll address any questions you might have. This building, number 3  
18 here, is again we're just seeking entitlements there. At this time we don't plan on  
19 going spec on a 600,000 foot building. Our hope would be but Harbor Freight is  
20 not committing to it based on the way their currently expanding, that would be a  
21 viable choice for them down the road sometime, so with that I will take on any  
22 questions.

23  
24 **COMMISSIONER GIBA** – Just let me do some clarification... all that I was quite  
25 aware of it. It is quite obvious. I spent two hours running around the lots in all  
26 honesty and seeing the size and scope and the inspection of it and going over  
27 the Environmental Impact Report that is involved in that, all the arterials that feed  
28 into that whole location and I had an inquiry as to the either/or situation, which  
29 was a concern. I wanted clarification on that because I didn't want any undue  
30 thing... well they said they would be putting more jobs out here and now I've got  
31 a parking lot, so I wanted clarification. I want to know exactly what you intended  
32 to do on that corner. I didn't want an either/or personally.

33  
34 If I am going to make a decision, I want to make a decision on what is supposed  
35 to go there and not what we might want to put there and leave later and have  
36 something happen with it. Your explanations are good and I appreciate them  
37 very much. A lot of building space there. Harbor Freight is wonderful. There is  
38 nothing that I'm saying against Harbor Freight in any way, shape or form. Please  
39 do not misunderstand that. I just want to make sure that the City gets its bang for  
40 its buck. A lot of buildings, a lot of facilities, a lot of impact on our arterial system  
41 and want to make sure of that and I've seen that other building that you had there  
42 for parking and the one side is an unfenced side and you should have it all  
43 fenced in where you had it, but out there in the middle, it was no big deal. You  
44 know you couldn't see it out there, but on the corner of Frederick you are going to  
45 be able to see a parking lot if anything is exposed and it is not going to be really  
46 lovely, not down from the City facilities either, so how soon did you have to



1 expect to build each one of those? Are they going in any kind of stages? Did  
2 you intend to do them at one big shot? I think the Environmental Impact Report  
3 actually addressed something like that as to doing it in phases or doing it at one  
4 time, which is affects your Environmental Impact Report if I am correct from what  
5 I've been reading.  
6

7 **APPLICANT RICE** – One thing I'll address to make sure we are really clear, is  
8 the intention of Harbor Freight and us and this is what we are documenting in the  
9 lease is that corner lot is going to be a trailer parking lot and that will be under the  
10 same 20 year lease term as the building itself and that trailer parking lot is very  
11 critical to their use. The second thing is that on that trailer parking lot it is going  
12 to be screened with concrete screen walls similar to what you see on their  
13 existing building along Cactus there and the same thing that you see on the  
14 trailer parking lot at Brodiaea. There is going to be no chain link fences, it is  
15 going to be screened on the north, the west and the south sides. The east side  
16 is what kind of ties it into the expansion building there, so you won't even see a  
17 trailer in the parking lot as if you were standing at Cactus or Brodiaea trying to  
18 looking at their truck courts. Those walls are 14 feet high, there are architectural  
19 design elements to it that will match what is already there, so you won't even see  
20 the top of the trailer and won't know it is there and it will heavily landscaped in  
21 front of the screen wall, so the chain link fence that you saw was really a  
22 temporary fix for Harbor Freight.  
23

24 **COMMISSIONER GIBA** – I assumed so; yes  
25

26 **APPLICANT RICE** – And we entered into a 10 year lease with them. Our  
27 intention was not to... we wanted to develop that and get full utilization of that  
28 site, so we as the landlord had the unilateral right to terminate that lease after  
29 three years, so if market conditions improve and we could go build a building, we  
30 could go and do that and that was kind of the intention of making the north, the  
31 east and the west sides the fence and then the south side was permanent  
32 because then a building was going to sit behind that.  
33

34 **COMMISSIONER GIBA** – Um, so back to my other question on that is do you  
35 intend to do the buildings in phases or anything? I don't know if this is  
36 appropriate John, you can cover me on this one because we didn't say anything  
37 on the Environmental Impact Report whatsoever and yet in the Impact Report  
38 there were several circumstances of not being able to totally mitigate it. As a  
39 matter of fact compared to the VIP that we did, it seemed to be a lot more of  
40 those problems than we say with at least from what I am reading. There were  
41 quite a few of them that said hey no matter what we do, this isn't going to change  
42 because we can't control that overpass or we can't control this because that is  
43 not going to happen and we don't know how long down the road were are going  
44 to be able to repair that situation and it could take a long time before this  
45 happens and so there was some severe concerns on the Impact Report for your  
46 ramp changes at the I-215 southbound ramps on Cactus, your Ellsworth,

1 Frederick and Graham and I could go right on down the list from page 256 and  
2 so on down the list, so it would seem to me to be wise to do this at a slower pace  
3 and not one time so that you could maybe over time be able to negotiate and  
4 mitigate some of those needs, instead of at one big shot and that's why I asked  
5 you that question.

6  
7 **PLANNING OFFICIAL TERELL** – The Environmental Impact, obviously we look  
8 at what is normally called the worst case scenario and that is building it at once,  
9 so obviously if you build it in pieces, that by its nature reduces some of the  
10 impacts and provides more time for those regional improvements to be  
11 constructed.

12  
13 **COMMISSIONER GIBA** – Thereby my question; to intend to do it in pieces or at  
14 one time, the worst case scenario.

15  
16 **APPLICANT RICE** – The way we've set up the lease with Harbor Freight is they  
17 have to stay on Lot 3 until we finish the building and the new trailer parking lot on  
18 the corner of Cactus and Frederick, only then can we move them off of that lot  
19 and switch them over to the corner lot so they don't have any down time as far as  
20 not being able to park their trailers and they have 60 days after that lease starts.  
21 We anticipate finishing these buildings or finishing the Harbor Freight expansion  
22 building and the trailer parking lot in September of 2014 and then they have 60  
23 days after that to be able to move their stuff over from the trailer parking on Lot 3  
24 over to the corner. So probably the soonest for us that we could get going on a  
25 building; the 600,000 foot building north of Brodiaea would be in the first quarter  
26 of 2015 and that would be the best case scenario for us.

27  
28 **COMMISSIONER GIBA** – So we are looking at 2 ½ years for something like that  
29 and I would ask John of course and Michael over there is that a practical time  
30 frame for them to mitigate some of these street and road and arterial road  
31 problems coming through Cactus, because that is really the only way we can get  
32 to that freeway. Yes, Alessandro is there, but you've just got Cactus and the  
33 other side is Riverside and you know you are going to have to negotiate with  
34 Riverside and I know you've got the TUMF fees involved in all that, but still those  
35 are not guaranteed without negotiating and working with the other parties  
36 involved, so how long does this usually take us to accomplish this goal.

37  
38 **PLANNING OFFICIAL TERELL** – Well typically the restriction on regional  
39 improvements is getting enough money to do it and so 2 ½ years won't solve all  
40 those problems. The City is currently working on widening the south side of  
41 Cactus and certainly within that time frame that is very likely that that might  
42 happen, so there will be improvements over a 2 ½ to really more like a 4 year  
43 period because the second building wouldn't completed until later to resolve  
44 some of those issues, but regional problems; they are regional for a reason, they  
45 are very expensive and they take a lot of money to do and the timing is... in  
46 times like we are in now when growth is very low, takes a long time to gather the

1 money to put a big regional project together. In good times, it takes less, so I  
2 don't want to mislead you and say that you know in 2 ½ years those issues will  
3 be resolved, but it does provide some time to do some improvements such as the  
4 south side of Cactus and it does allow the planning on the Cactus interchange to  
5 proceed further towards realization.

6  
7 **COMMISSIONER GIBA** – Is there any way of working together and I'm not trying  
8 to stop your project in any way, shape or form, we want to move forward on it,  
9 but my concerns really are the concerns that are coming out and in what I've  
10 been reading and trying to digest. It is not just the streets and arterials, it is the  
11 ramp improvements, the air quality; all of those is a whole list of them that we are  
12 showing very high difficulty to accomplish. On large site such as this one, I am  
13 almost willing to say that we've almost exceeded our capacity in that location, so  
14 is there any way that we can work together and say look you can't move on to  
15 the next thing until we've accomplished this. You know what I'm saying... if it is  
16 going to take 5 or 6 years instead and Harbor Freight I apologize, but this is  
17 where my brain was going when I was thinking of it, that to help move us along  
18 on these mitigations, not just say 60 days and then you vacate and now we build  
19 this, but unless this arterial is repaired or unless we've engaged in environmental  
20 with the City of Riverside or this expansion project is taking place and we cannot  
21 move forward with the next... you know what I mean. Am I making myself clear?

22  
23 **APPLICANT RICE** – I understand what you are saying; yes

24  
25 **PLANNING OFFICIAL TERELL** – I think the answer is you could, but the project  
26 that is being built provides the resources to build the regional facilities and they  
27 provide not only direct funding, but they provide funding to leverage other  
28 funding, State and Federal funding to build those regional facilities. There are a  
29 lot of them... ones that are under construction now obviously at Nason, which  
30 has been... you know the road created an issue and now it is solving it because  
31 there is enough money to take care of that interchange. Moreno Beach is next in  
32 line. The Van Buren interchange is being improved based on all the  
33 development over in the Meridian Project on March Air Reserve Base, so all  
34 these are happening incrementally and I don't want to say chicken and egg, but it  
35 is very hard to time it exactly.

36  
37 One thing to the credit of Ridge Realty is for their specific area, they did put all of  
38 the infrastructure in at one time. That is very expensive and so they have  
39 already put in a big investment beyond what many other developers are able to  
40 do, so I'll tell you about something in another community so you can get some  
41 perspective. In Redlands there is the corner of Alabama and Redlands  
42 Boulevard. It has been at level of service F for at least 10 years and every single  
43 project in that part of town has had to override that restriction. Just now they are  
44 starting to get money in order to improve that and it is similar to San Bernardino  
45 who have a similar system to us where they do collect some regional fees and

1 some city fees, so there is some time lag and the projects create impacts but  
2 they also help solve those impacts.

3  
4 The other improvement that will be completed certainly before any of those other  
5 projects are constructed is our favorite is the intersection of the I-215 and the 60.  
6 Again that will help. That is a huge regional facility similar to when they did the  
7 91 and the 60, that was such a big impact, but that took a lot of money in order to  
8 do it and a lot of that money was from TUMF funding and other local funding that  
9 helped us leverage the Feds and the State, so again there is an opportunity to  
10 place restrictions on what must happen before development can occur, but often  
11 it is counterproductive because the projects themselves help remove the  
12 obstructions and without that it is very difficult to do. Does that make sense?

13  
14 **COMMISSIONER GIBA** – Oh yes it makes sense. My concern is the time lag on  
15 all of that and now we also the March facility that is being built too which I’m quite  
16 sure will exit into Cactus as well. Cactus is the only access point for all those  
17 along that entire corridor and that is what concerns me; not those beautiful  
18 facilities and your ability to bring us the jobs, but are we going to over impact  
19 ourselves in one area. This area is getting pretty tight and everybody wants to  
20 build in there and maybe it just cannot hold it as much as we would like it to, so  
21 that’s what I’m trying to be concerned for, is that we might get ourselves into  
22 something that we can’t get ourselves out of for a long time... Redlands mess...  
23 so that’s my concern and if you can make me feel better about that that would be  
24 just be great.

25  
26 **APPLICANT RICE** – Yes I think I’d leave that up to Michael and we’ve also got  
27 our Traffic Engineer and he did the Study and he could probably talk to that also.

28  
29 **SENIOR TRAFFIC ENGINEER LLOYD** – Well I don’t want to convolute the  
30 conversation here but...

31  
32 **COMMISSIONER GIBA** – Do it Mike; convolute me...

33  
34 **SENIOR TRAFFIC ENGINEER LLOYD** – But one thing to keep in mind is that  
35 these cumulative impacts are just that; they are cumulative, which in essence  
36 that it is dependent upon all these other developments that were assumed in the  
37 Traffic Study. You have eluded to some of them; the March Life Care Facility;  
38 the Meridian Project and there are other projects as well that will occur that will  
39 put traffic onto Cactus, so this project as a standalone did not have the direct  
40 impacts to Cactus Avenue and that is threshold that we use to identify what the  
41 developer should be held to do versus what the developer should contribute to,  
42 so that is the grounds for the conditions that are in front of you tonight and just try  
43 to keep that in the back of your mind and that it is a timing issue that has already  
44 been stated, but it is not just a timing issue versus road improvements and the  
45 three buildings that he is proposing, it is the big picture timing issue of well does

1 this project go before March Life Care; maybe; most likely just given the track  
2 record.

3  
4 Is it ahead of schedule like say some of the buildings over in the Meridian  
5 Project; probably, but again there is no guarantee, so it is a timing issue over  
6 which this applicant has no control over and because we are talking multi-  
7 jurisdictional, the City has no control over, so you are absolutely right, there has  
8 to be a process where we work together with our neighbors, which is under way,  
9 which John eluded to. We are trying to secure funding for that additional third  
10 eastbound lane. It is in our Capital Improvement Plan. It is partially funded at  
11 the moment and we are aggressively going after those funds so that... we know  
12 that it is needed and it is stated as such in the Capital Improvement Program that  
13 is essential and it needs to be done in the next couple of years, so the sense of  
14 urgency is there, so we are out chasing funds so that it can be done. You know  
15 2 years may be too optimistic but it is certainly in the realm of possibility and it is  
16 all about securing those funds.

17  
18 **COMMISSIONER GIBA** – Yes, I’m kind of just putting a goat on you guys just a  
19 little bit and letting you know it is something that is a concern and I think if it isn’t  
20 mitigated properly over the next few years and it becomes a big problem I think it  
21 is going to be an uncomfortable seat to sit in at that point, so I wanted to make it  
22 clear that this is a big concern, because I don’t know that everybody has spoken  
23 to the EIR, even though it is out there and it is available, so I always look at it as  
24 my responsibility to bring that forward, otherwise I don’t think I’m doing my job as  
25 a Commissioner. So air quality is in there just as much and you get air people  
26 screaming about the air quality with all the trucks and everything; the open  
27 parking lot with the trucks there. There is no way to... a lot of trucks parked in  
28 one little corner of the world, so you are going to see that coming up as well, so  
29 that was my concern is how soon can we resolve some of those cumulative  
30 issues before this facility is built out; a wonderful opportunity, but we want to  
31 make sure it is done correctly and the property timing, because my concern is not  
32 just jobs, my concern is quality of life in the City of Moreno Valley too you know  
33 and if people are trying to get to work to the freeway and now they can’t get  
34 through because you know it is held up and it is uncomfortable and people are  
35 having difficulties, that is not good quality of life either; jobs maybe but not quality  
36 of life. That is my point. Sorry to drag this on but...

37  
38 **CHAIR VAN NATTA** – Okay, thank you. Does anyone else have any questions  
39 of the Applicant?

40  
41 **APPLICANT RICE** – Thank you

42  
43 **CHAIR VAN NATTA** – Okay, thank you. We’ll go on to our Speaker Slips here...  
44 George Hague

1 **SPEAKER HAGUE** – George Hague, Moreno Valley... First of all I'd just like to  
2 commend all of you for allowing the public to speak. The last hearing was very  
3 nice and like I say commendable. I am representing the Sierra Club on this  
4 project. What you did with the VIP Warehouse, I disagree with several of the  
5 things related. You did a better job on that than probably most warehouses I've  
6 seen in this City. Hopefully you will require a similar Silver LEED Certification on  
7 this. I repeat again what I said on the previous project or previous time. Diesel  
8 exhaust is responsible for about 70 percent of the total cancer risk from air  
9 pollution... 70 percent and we are just bringing it into our City one project after  
10 another and then you say we are bringing jobs and those are the jobs that once  
11 again where people are going to be sucking in diesel exhaust all day long. It is  
12 not a quality job. You need to start thinking of other things and demanding more  
13 than that. There are several things within 1,000 feet of this. They say 1,000 feet;  
14 it should be beyond 1,000 feet when you are next to these things. There are  
15 homes within 1,000 feet, a hotel within a 1,000 feet or a motel, you have future  
16 uses, commercial on the north, business or offices on the west side. Those are  
17 future uses, but they are going to be within the 1,000 feet also, plus all the  
18 workers.

19  
20 You have Ray Johnson's letter and that covers most of the things. I just want to  
21 add the following. The Centerpoint west warehouse project will significantly  
22 impact State Route 60, especially when added to the projects which are in the  
23 planning pipeline that would result in more warehousing. The Sierra Club  
24 believes the Final EIR is inadequate until the necessary cumulative impacts to  
25 State Route 60 between Market Street and Riverside and the City of Beaumont  
26 are fully analyzed. The Traffic Engineer whom I talked to earlier, Michael Lloyd  
27 knows of the court decision on the villages of Lakeview. You probably know it  
28 because the World Logistics Center pulled back from releasing their documents  
29 as a result of that decision, which basically shut down the project partly on the  
30 basis that they had a very small radius around the project for their traffic impacts  
31 just like our City does.

32  
33 **CHAIR VAN NATTA** – 30 seconds

34  
35 **SPEAKER HAGUE** – This court ruling shot down as well as related impacts like  
36 air quality. The City of Moreno Valley likewise required a small radius for traffic.  
37 While this project is smaller than the villages of Lakeview, but the cumulative  
38 impacts along with the diesel trucks, it is very significant and therefore impacts  
39 from traffic need to be fully analyzed as mentioned above in dealing with State  
40 Route 60. This project doesn't deal with State Route 60. Almost none of them  
41 do that are off of the 215 and that is because of our City standards which need to  
42 be changed. I thank you very much.

43  
44 **CHAIR VAN NATTA** – Thank you for your comments... Tom Thornsley

45

1 **SPEAKER THORNSLEY** – Good evening again. I applaud Jeffrey;  
2 Commissioner Giba for his insight about the mitigation that TUMF fees and stuff  
3 is going to do. There is going to come to a point when you as a Commissioner  
4 are going to simply say we can't build anything more because we don't have the  
5 resources to get you there, so those are the kind of things that you've got to be  
6 watching for instead of outside people to make them happen. I really can't take  
7 the constant zone changes that the City is doing. We keep doing away with a  
8 particular type of land use. This zone change in here is going to take away the  
9 opportunity for some small type businesses to come in. It would be the same as  
10 listening to public and saying we don't want apartments anymore so we're not do  
11 away with all the zoning for apartment uses. You have to a mix of these types of  
12 things to give your City a balance and the type of land that is being lost here  
13 again is what is being lost all over the City to the warehouses.

14  
15 With regards to buildings, I'm glad that Barry Foster did hear me. I never said  
16 that spec buildings weren't good, I said spec buildings didn't present the best foot  
17 forward that a building could have. I agree so many people want their street  
18 forward entitlement right away, but these buildings are straight flat boxes; very,  
19 very little three dimensional articulation on them. There is a little bit of some  
20 height variation on there; almost nothing extra in the sense of relief to the  
21 buildings; minimal amount accenting for the entrances on the 600,000 square  
22 foot building. At best you have some parking; a little piece of pavement for the  
23 sidewalk to the front doors. That just doesn't do it. You take a building that big  
24 and you should be looking at something like one percent of equivalent floor area  
25 to be in your entry area, so that would give that building a 6,000 square foot  
26 plaza area entry and then would start to create some significant entry points to  
27 buildings on there. You know landscape setback lost to where your bus turnout  
28 is. You really need to try to bring some of that back because you are down to  
29 about a 6 foot landscape buffer along about a 70 foot stretch there for a turnout.  
30 That huge parking lot right there I hope you guys look at that again and look at  
31 some diagonal parking. It is much easier for the semis to their moving in and out  
32 of that. I don't know how you are going to back big rigs in.

33  
34 **CHAIR VAN NATTA** – 30 seconds

35  
36 **SPEAKER THORNSLEY** – As I said earlier, I read through most of the stuff.  
37 You do have a lot of comments that were in your Final EIR; the one from the  
38 lawyer Mr. Johnson. There are a lot of things in there that he brought up that I  
39 really feel that probably weren't truly addressed by Staff and then sounds like  
40 some were written off by the developer saying that Staff didn't have a problem  
41 with them, they are not a problem and so I'd hope that at least in the future you  
42 all dig as deeply into it as Giba and that you understand that there is a lot of stuff  
43 that needs to be addressed. Thank you.

44  
45 **CHAIR VAN NATTA** – Thank you for your comments. Thank you... Tom Gerald

46

1 **SPEAKER GERALD** – I'm Tom Gerald Sr. speaking on behalf of myself, 24535  
2 Wild Cow Drive... Madam Chairman and Commissioner and members of staff  
3 and the public. The first observation I have is the openness of this process. I  
4 mean I'm amazed to the level that this applicant divulges lease terms and things  
5 like that. That's pretty incredible and whatnot. I know it is not a simple process  
6 and secondly I've had a chance to review the EIR and it is a very extensive  
7 document and not perfect and there are holes in it, but you know it is a bit of  
8 homework in there and the City had a second one to oversee the other. It was a  
9 good move. I was a member of the original General Plan Committee and maybe  
10 Commissioner Crothers and I can remember that because it goes back to the  
11 mid-80's and was formed through '85 through '87 and this project is what was  
12 always envisioned in this general area.

13  
14 This area is where we wanted to see industrial development, so it has a long  
15 history of being there. The alternate use would have been called multi-use small  
16 business; you know that's great and I would love to see it but there is obviously  
17 not a really driving market for it right now number one and number two if it did,  
18 you know you can a lot of welding shops and a lot of automotive and it brings in a  
19 whole different venue of problems too, so one I remember one of the things that  
20 was kicked around was clean industry, clean industry and the reality is probably  
21 this is some of the most clean industry we can bring in. Diesel trucks admittedly  
22 yes they have their element and the comment about the 5 minute idling rule; I  
23 remember when it was brought up a long time and they put it on there. I don't  
24 think these buildings are posted for that but they should be and I think it would be  
25 a good way. I've worked around diesel trucks and I don't like being close to them  
26 but if a truck comes in and it shuts itself off and there is a reasonable time for  
27 them to unload it, so it's maybe not a big a pollutant as there be a factor to.

28  
29 I concur with Community Director Barry Foster about design standards of the  
30 City. Ridge is extremely competent, experienced, credible industrial developer  
31 and I've learned from personal experience that Mr. Rice has a deep concern and  
32 interest in our educational facilities and even through our reading essay contest  
33 winners on the last 4<sup>th</sup> of July, so there is a lot of interest beyond his profession.

34  
35 **CHAIR VAN NATTA** – 30 seconds

36  
37 **SPEAKER GERALD** – Okay the final thing is and my biggest concern is denial. I  
38 signal was sent to the business community to a good corporate partner like  
39 Harbor Freight. You know I remember a long time ago when Former  
40 Commissioner Bruce Springer came to us at the Chamber of Commerce and he  
41 was talking about how tough it is to bring quality jobs to the community. His  
42 quote was it is a dogfight out there. It hasn't changed. It is still really tough, so  
43 thank you for hearing my comments.

44  
45 **CHAIR VAN NATTA** – Thank you. Would the Applicant like to come back and  
46 address any of the concerns that were brought up by the Public?



1 **SPEAKER RICE** – Dennis Rice with Ridge Property Trust. I understand what  
2 Mr. Hague and Mr. Thornsley are saying and you know I think we've spent a lot  
3 of time; Staff have spent a lot of time; the consultants have spent a lot of time;  
4 the Peer Review consultants have spent a lot of time to put together a thorough  
5 well documented EIR and we're going to go back through and look at some of  
6 the comments that were provided by Johnson and Sedlack just today, also by the  
7 South Coast Air Quality Management District and I believe the Sierra Club  
8 submitted something today, so we are going to revisit their comments. I'd also  
9 like Trey Fieler with Harbor Freight to come up and speak and he can give you a  
10 little bit of background on Harbor Freight and what their intentions are here and  
11 why they picked Moreno Valley.

12  
13 **CHAIR VAN NATTA** – Thank you. Welcome

14  
15 **SPEAKER FIELER** – Thank you. We are a proud citizen of Moreno Valley. I'm  
16 very happy to be here as Barry shared. We've really been doubling down as  
17 hopefully you've seen in Moreno Valley and it may be helpful if I give you a little  
18 bit of insight into how we use this facility as you think through, particularly the  
19 truck use there. Unlike a lot of retailers, we source all of our product direct.  
20 Home Depot I know has put a facility here and typically there are more of a cross  
21 dock facility where they have their manufacturers hold all their inventory. They  
22 bring it in just in time and distribute it to the stores. Most of our product is  
23 proprietary so we do actually bring it in and it will come in waves, so one of the  
24 necessities of a large truck park is if a tanker comes into Long Beach Harbor and  
25 the commentary was about the 60 Freeway and that is our primary access point,  
26 but really the majority of the business that is going through here today won't  
27 increase. It will certainly by our growth but today we have that long hold  
28 component, so we're a really big warehouse facility more so than a cross dock  
29 facility, so we have decided and certainly this would enable us to fulfill that need  
30 to really double down the east and west coast with a million square foot facility  
31 today in Dylan, South Carolina and if this project is able to go through, this will be  
32 our west coast as Barry mentioned as well facility. It will handle everything west  
33 of the Mississippi River as well. Because of that long hold need that we have,  
34 unlike a lot of retailers, it helps us to have it all under one roof.

35  
36 Today we do have the facility on Nandina as well, but frankly with this facility  
37 being larger, it will prevent some of the trucks, particularly the local trucks as we  
38 move product from one facility to the other, we'll actually be able to hold more of  
39 the high turn product in this facility versus having it over at Nandina and bringing  
40 back across to be able to do the distribution out of this facility. The Nandina  
41 facility today is just warehouse. Again it is for our longer term product that today  
42 doesn't turn as quickly. Specific to the jobs, we are a pretty high touch retailer.  
43 For those that may have been in our store, a lot of bulk items; a lot of odd shaped  
44 items, unlike a Sketchers where every box is the same size and they can  
45 automate a lot of their material handling equipment. We have to touch a lot of  
46 the product, so granted we do have crates that go out and you know larger

1 packages that go out, but a lot of it is touched and we do have a high need for  
2 jobs over a long term.

3  
4 The question was raised about the number of jobs. We're not fully operational  
5 today and very accurate and very set about moving jobs here. We try to hire  
6 local. We definitely try to have that commitment to the community that we are in.  
7 We have about 350 jobs today and if this facility is able to continue, we probably  
8 have close to 600 jobs in Moreno Valley proper. We are in negotiations  
9 obviously still and yes there was disclosure about our contractual agreements,  
10 but this would enable us to be in the City for a long time to come. We are  
11 prepared to commit to the Building 3 at this point, but certainly if we continue on  
12 our trajectory, that is the logical expansion place for us as you can imagine. You  
13 know to the question about whether this building is built for us, frankly if it is  
14 across the street or it is 5 miles away, it really doesn't matter. We need it under  
15 one roof to really get the economies for us, because if we are putting it onto a  
16 flatbed or a semi to move it, it doesn't matter; it really doesn't; it's just a mileage  
17 charge. All the labor happens for us when we actually put in into the truck, so to  
18 be in Nandina is fine. Frankly to be in Riverside is fine. Today as you know we  
19 are in Oxnard as well and with this facility, we potentially would be consolidating  
20 all that operation into this facility as well. So again, we are very happy to be in  
21 Moreno Valley and a neat place to be, so you any questions you have I'd be  
22 happy to answer.

23  
24 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – Trey, can  
25 you talk about and I think the reason for your growth spurt is you're actually; I  
26 think you are doubling the number of new stores. Do you want to talk about a  
27 little about that?

28  
29 **SPEAKER FIELER** – Sure, so historically we've been a slow growth company.  
30 Without getting into all our growth targets and all that good stuff, we today have  
31 414 stores. We plan to build about 50 stores this year and so somewhere  
32 around that 10 percent constant growth, so if we continue that trajectory  
33 obviously in short order we will double the number of stores; have a high quantity  
34 of inventory in each of our stores if any of you have been in there recognize, so  
35 we do obviously as we grow, we also have a need to have back up stock in the  
36 warehouses and certainly speaks to why we need such a big square footprint to  
37 be able to handle that as well. So we are controlled growth. We definitely are  
38 sensitive to ensuring that we have the right people and the right processes in  
39 place as we do it but we are committed to continuing to grow and very fortunate  
40 as well as a retailer to not have had negative comp sales as many people have  
41 had over the last couple of years as well, so hopefully between those two, the  
42 continued growth of our existing stores and the growth of new stores across the  
43 and the west is the focus area for us. Certainly this facility would continue to  
44 support that as well.

1 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** – I do want  
2 to thank Trey because we twisted his arm a little bit but they opened the store on  
3 Sunnymead Boulevard, so it has done well to actually have a store in Moreno  
4 Valley too. That is something that we wanted to have for a long time and once  
5 we got the DC, we were able to convince him to put in a store.  
6

7 **SPEAKER FIELER** – And Barry was very helpful with that as well.  
8

9 **CHAIR VAN NATTA** – Do you happen to know what the average wage is on  
10 your blue collar workers?  
11

12 **SPEAKER FIELER** – I don't. We can find that information out though  
13

14 **CHAIR VAN NATTA** – I was just curious  
15

16 **SPEAKER FIELER** – I know we typically pay a little bit better than minimum  
17 wage for sure, but I couldn't speak to that exactly.  
18

19 **CHAIR VAN NATTA** – Okay, any other questions of the... not really the  
20 Applicant, but the end user. Okay, thank you very much.  
21

22 **SPEAKER FIELER** – Thank you. I appreciate the time.  
23

24 **CHAIR VAN NATTA** – This closes the Public Comment section and does  
25 anyone have any comments to make in Commissioner Discussion here before  
26 we go to a motion.  
27

28 **COMMISSIONER CROTHERS** – Again I'd to thank the public for coming out and  
29 speaking. Like I said earlier, it is rare that we have the public come out and  
30 speak, so it is nice when they do come out so that we can hear their opinion.  
31

32 To what Mr. Thornsley said earlier... you know I drive Cactus every morning and  
33 every day on my way home and you know not to put the buildings down, but  
34 there is not a day goes by when I drive by and I think to myself, gosh that is a  
35 nice looking building. You know I drive by and I think that is a very use  
36 appropriate looking building. It is definitely a warehouse; you know it's a  
37 warehouse when you drive by it. It is not something that is going to knock my  
38 socks off when I drive by it and I understand that it fits with the design of the rest  
39 of the buildings that are already there.  
40

41 You know in the future I think I would like to see something a little bit more;  
42 something a little bit less industrial looking; something maybe more interesting to  
43 look at when you are driving by it because these are huge buildings and they  
44 take up a lot of our area; our land space and you know it is something that  
45 people like me that are commuters that have to drive by and look at it every  
46 single day and you know I'm not saying they look horrible, I'm just saying that

1 they look like warehouses and they look very industrial. You know maybe in the  
2 future we can get a little more creative with what we do with paint or with design  
3 or with whatever element we can add to it to make it not just look like you know a  
4 big area of our section that is taken up by you know a block wall or you know the  
5 pop up kind of buildings. That's all. Thank you.

6  
7 **VICE CHAIR SALAS** – Okay, for us long time Moreno Valley residents and  
8 whatever we were, seeing Centerpoint there for all those years empty just sitting  
9 there with nothing in it and you are going like oh boy does that thing ever fill up  
10 and now you can see it is starting to actually have tenants having it fill up. I  
11 mean I think it's a great thing for the City. I mean Barry has done a good job  
12 getting people there and I think it's a great thing. I'm all for it. I'd like to see the  
13 whole thing filled up myself.

14  
15 **COMMISSIONER BAKER** – I'm in support of this project and I'm a big fan of  
16 Harbor Freight for whatever that is worth, but these guys want to commit their  
17 future to Moreno Valley and the Riverside County area and we need to get on  
18 board and we already are and I just feel like that if they need more space and we  
19 can make it happen... unfortunately every project you have you know projects  
20 some growth, you are going to have some pain with it. No pain; no gain is kind of  
21 the way it goes. I know a lot of people don't like to hear that and I've been here  
22 in Moreno Valley too; probably 28 or 30 and I'm with George, I'm glad to see  
23 something happening over there. I mean that was... I meant here for a while that  
24 was flat nothing going on, but now Ridge Developers got a hold of that and a few  
25 other people that know exactly what they are doing and I think we need to get  
26 behind this project, so let's go for it, okay, thank you.

27  
28 **CHAIR VAN NATTA** – Well you just said your peace... Well the only comment I  
29 want to make is if you are not growing you are dying and I always understood  
30 that that side of town was where the industrial uses were going to come in and  
31 whether you are going to call it business park or whether you are calling it light  
32 industrial, to me that is all variations of the same usage and it works there and I  
33 think we should encourage it especially when we have the caliber of companies  
34 that are now seeing Moreno Valley as being a destination, not just for their  
35 warehouses but for their businesses; not just buildings but companies coming in  
36 and I don't see any reason not to encourage it. Okay does somebody want to  
37 make a motion here?

38  
39 **COMMISSIONER CROTHERS** – I'll make a motion.

40  
41 **CHAIR VAN NATTA** – Okay

42  
43 **COMMISSIONER CROTHERS** – I motion to:

- 44  
45 1. **APPROVE** Resolution No. 2012-29 and thereby **RECOMMEND** that the City  
46 Council **CERTIFY** that the Environmental Impact Report (EIR) for the RPT

1 Centerpoint West Project has been completed in compliance with the  
2 California Environmental Quality Act.

3  
4 **2 APPROVE** Resolution No. 2012-30 and thereby **RECOMMEND** that the City  
5 Council **APPROVE** Zone Change application PA12-0022, Plot Plan PA12-  
6 0019, Plot Plan PA12-0020 and Plot Plan PA12-0021, subject to the attached  
7 Zone Change Map and conditions of approval included as Exhibits A, B, C and  
8 D.

9  
10 **VICE CHAIR SALAS** – I'll second that

11  
12 **CHAIR VAN NATTA** – We have a motion and a second. All in favor?

13  
14 Opposed – 0

15  
16 **Motion carries 5 – 0, with two absent (Commissioner Owings and**  
17 **Commissioner Ramirez**

18  
19 **CHAIR VAN NATTA** – I would like to go to the Staff wrap up now.

20  
21 **PLANNING OFFICIAL TERELL** – Yes, this recommendation shall be forwarded  
22 to the City Council for final review and action and we tentatively scheduled it for  
23 December 11<sup>th</sup>, so it will be going to City Council at that time.

24  
25 **VICE CHAIR SALAS** – Thank you and good luck.

26  
27 **COMMISSIONER BAKER** – You bet

28  
29  
30  
31 **PLANNING COMMISSIONER COMMENTS**

32  
33 **CHAIR VAN NATTA** – Are there any final comments from the Commissioners for  
34 the good of all.

35  
36 **PLANNING OFFICIAL TERELL** – I don't know if wanted to convey  
37 Commissioner Owings message that he sent to us.

38  
39 **CHAIR VAN NATTA** – You mean about missing us?

40  
41 **PLANNING OFFICIAL TERELL** – Yes

42  
43 **CHAIR VAN NATTA** – We will miss him also.

44  
45 **PLANNING OFFICIAL TERELL** – And once you have your Commissioner  
46 Comments I did have a couple of comments to follow on that.

1 **CHAIR VAN NATTA** – Okay, fine, comments.

2  
3 **COMMISSIONER GIBA** – Yes we will miss Commissioner Tom as Ray would  
4 call us, very, very much. He has been like a father figure on this. Ray is way too  
5 young for that... but I sent out a little email out to you about overlays and I want  
6 to speak to that very simply and you guys can think about it over the time frame  
7 but I was really thinking about the overlay project and I really believe it would be  
8 very important for us to learn more about it; the public to learn more about it. I  
9 think it would be of value; a workshop; study session and so I'd like us to think  
10 about that and maybe perhaps at the next Commission meeting maybe even  
11 consider voting on it or whatever they would like to do or feedback to you. I  
12 wouldn't know what that process would be otherwise than to do that, so that  
13 would be my position. I personally and that's why I say me as a Commissioner, I  
14 personally would like to learn more about the value of an overlay project. It  
15 sounded like it is something that we could really use on a regular basis; large;  
16 small, but I don't know much about it and so I want to learn about it and so if we  
17 could have a study session then I think that is something that would be of value  
18 to all of us.

19  
20 **PLANNING OFFICIAL TERELL** – I think that obviously there have been some  
21 discussions at the Council level regarding that and I would anticipate there will be  
22 more so they will also provide some direction and since it was raised before it is  
23 kind of on the list and was waiting for a meeting where you had some extra time,  
24 this meeting and your next meeting you won't, but so that is kind of and really  
25 kind of waiting on seeing if now the new Council, because the old Council had  
26 kind of pushed that decision into early next year, that the new Council will have  
27 some direction and it will help us see if they are interested in doing that at that  
28 level and that will also help in our discussion when that happens. So you  
29 don't need to vote on it. Certainly you can express your interest but I think the  
30 Commissioners when it came up originally at the Joint Study Session, I think that  
31 was when it was; had expressed some interest in that so we'll keep that. It is on  
32 the list. I just wanted to say it was on the list. I wanted to give you an  
33 opportunity to present it here publicly, so we good do that.

34  
35 **COMMISSIONER GIBA** – Thank you wholeheartedly and I appreciate the  
36 opportunity to cut my comments short.

37  
38 **CHAIR VAN NATTA** – Thank you.

39  
40 **COMMISSIONER CROTHERS** – I just wanted to formally congratulate Tom  
41 Owings in winning his election race and not only winning his district but winning  
42 every precinct in his district. I think he'll do great things for this City and I'm  
43 excited to see what kind of changes he brings and what new opportunities he has  
44 and new ideas. It is always good to have you know kind of a regime change and  
45 figure out what new and exciting stuff we can do for our City. Not everybody  
46 thinks the same. Everybody has different ideas and I think that he will be

1 definitely be a good addition to our City Council and I just wanted to thank him  
2 and congratulate him.

3  
4 **CHAIR VAN NATTA** – Commissioner Salas do you have anything to say?

5  
6 **VICE CHAIR SALAS** – No

7  
8 **CHAIR VAN NATTA** – Commissioner Baker do you?

9  
10 **COMMISSIONER BAKER** – I have nothing.

11  
12 **CHAIR VAN NATTA** – Well I just want to say yes, you just said it. We'll miss  
13 Tom on the Planning Commission and look forward to what he going to be doing  
14 on the City Council and taking what he experienced here from the Planning  
15 Commission to the City Council and maybe putting a little more input put there  
16 that will make what we have been doing heard a little better. So Mr. Terell you  
17 said you had some additional comments too.

18  
19  
20  
21 **STAFF COMMENTS**

22  
23 **PLANNING OFFICIAL TEREEL** – I just wanted to give you a preview of your  
24 next meeting. Your next meeting is on December 13<sup>th</sup>. There are two items  
25 scheduled for that day. The first one is the March Business Center which is  
26 down at Heacock and Iris. That is an industrial warehouse project that has  
27 several buildings... actually one of the buildings is 16,000 square feet, so it is a  
28 range of buildings and that will be coming forward to you and because of the  
29 scale of the project it does have an Environmental Impact Report. I believe you  
30 should be receiving it or you already have received that so that you have it  
31 between holiday shopping you have something to take up the rest of your time.

32  
33 **VICE CHAIR SALAS** – We got it today

34  
35 **PLANNING OFFICIAL TEREEL** – Okay good and so that project will be in there  
36 and another project will be the Kaiser Hospital. They have an application that will  
37 be coming forward to expand the emergency room at the Hospital and as part of  
38 that they are also looking at modification of one of their conditions related to the  
39 medical office building that is nearing completion and should be open early next  
40 year, so that is the other item that is on your Agenda for December 13<sup>th</sup>.

41  
42 **CHAIR VAN NATTA** – Okay, thank you.

1 **ADJOURNMENT**

2

3 **CHAIR VAN NATTA** – Okay, with no further business we are adjourned.

4

5

6

7

8

9

10

11 \_\_\_\_\_  
12 John C. Terell  
13 Planning Official  
14 Approved

\_\_\_\_\_ Date

15

16

17

18

19

20 \_\_\_\_\_  
21 Meli Van Natta  
Chair

\_\_\_\_\_ Date



1 CITY OF MORENO VALLEY  
2 PLANNING COMMISSION  
3 REGULAR MEETING  
4 DECEMBER 13<sup>TH</sup>, 2012

5  
6  
7 **CALL TO ORDER**

8  
9 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley  
10 Planning Commission on the above date in the City Council Chambers located at  
11 14177 Frederick Street.  
12

13  
14 **ROLL CALL**

15  
16 Commissioners Present:

17 Chair Van Natta  
18 Commissioner Baker  
19 Commissioner Crothers  
20 Commissioner Giba  
21 Commissioner Ramirez  
22

23 Excused:

24 Vice Chair Salas  
25

26 Staff Present:

27 John Terell, Planning Official  
28 Mark Gross, Senior Planner  
29 Julia Descoteaux, Associate Planner  
30 Michael Lloyd, Senior Transportation Engineer  
31 Barry Foster, Community & Economic Development Director  
32 Suzanne Bryant, Deputy City Attorney  
33

34  
35 **PLEDGE OF ALLEGIANCE**

36  
37  
38 **APPROVAL OF AGENDA**

39  
40 **CHAIR VAN NATTA** – Okay, can I hear a motion to approve the Agenda?  
41

42 **COMMISSIONER GIBA** – I move to approve the Agenda  
43

44 **COMMISSIONER BAKER** - Second  
45

1 **CHAIR VAN NATTA** – Moved and seconded; and all in favor?

2  
3 Opposed – 0

4  
5 **Motion carries 5 – 0, with one absent (Vice Chair Salas)**

6  
7  
8  
9 **PUBLIC HEARING ITEMS**

10  
11 **CHAIR VAN NATTA** – The public is advised of the procedures to be followed in  
12 the meeting and on display in the rear of the room they are published and shown  
13 there.

14  
15  
16  
17 **PUBLIC COMMENTS**

18  
19 **CHAIR VAN NATTA** – And at this point we will entertain comments from any  
20 member of the public on any matter which is not listed on the Agenda but which  
21 is within the subject matter jurisdiction of the Commission and it looks like we  
22 have a couple of Speaker Slips and the first is from George Hague and I'm  
23 supposed to tap that little thing to open it. Okay, comments are open.

24  
25 **SPEAKER HAGUE** – Good evening. I'm George Hague, resident of Moreno  
26 Valley. Last week there was a discussion of an apartment building in which an  
27 Attorney wrote a letter concerning a variance and the problem with the variance  
28 for this particular project? I think it is appropriate for the Planning Commission  
29 individually or collectively to spend some time or talk actually during the meeting  
30 with the Attorney and ask questions from the Attorney from the City concerning  
31 something like this and get their input prior to your vote and hopefully in the  
32 future you will feel very comfortable in doing so. Whether it is this type of a  
33 problem or some future problem, just pause for a minute and get that person's  
34 input on some aspect of the project.

35  
36 Also last week you received a couple of letters on the project from last week; one  
37 from Cal Trans and one from AQMD. Cal Trans was a good ten days before the  
38 meeting. The AQMD letter was the day before. Hopefully those types of letters  
39 are sent to you and not just all of a sudden the night of the meeting piled up in  
40 front of you, which you actually have the type of communications with Staff that  
41 you expect those to be given to you almost as soon as they receive them. And  
42 the AQMD letter actually requested responses from Staff and there was some  
43 very serious concerns about the project and what could have and should have  
44 been done and wasn't done and I still don't think it was done prior to the City  
45 Council vote. Those things should have been responded to prior to your vote.  
46 AQMD wanted a response at least prior to the City Council Meeting, but it didn't

1 happen and again you should have demanded that to be fully informed prior to  
2 your vote. If you ever get somebody from like one of the Native Tribes here or  
3 maybe from Cal Trans like the letter you got or AQMD, hopefully you will give  
4 them more than the three minutes you give the regular public. They have  
5 knowledge that you should try to tap into and allow them to expand on what they  
6 are talking about, ask them questions and again gain knowledge from what those  
7 people can bring to you about a particular project or things in general.

8  
9 And last week you also talked about several times that when the community  
10 came up and spoke and they were upset that they were not notified and you said  
11 well it is the law; 300 feet. I know several of you know that 300 feet is the  
12 minimum and that's all and it doesn't really address the impacts that a project  
13 can bring to a community. You have considered changing that as other  
14 communities have to do more than 300 feet. Some people in communities  
15 around do it to the point where they say if we don't get a certain number of  
16 people within our distance that we have prescribed, and then we demand that it  
17 go further out that distance and you keep going further out until you have a  
18 certain number of people that have been notified of this project. Those are the  
19 type of things that should be done in order to make it so that the people of this  
20 area come to these meetings, which I heard several times last time that you  
21 appreciate people coming. Well notify them and let them know this place is here  
22 for them and going beyond the 300 feet would definitely be in the right direction  
23 and hopefully you will do that. I thank you very much.

24  
25 **CHAIR VAN NATTA** – Thank you for your comments and I will say that we do  
26 receive communication well ahead of our meeting times. As soon as  
27 communication is available, it is sent to us by email. We have another Speaker  
28 Slip here; Tom Thornsley.

29  
30 **SPEAKER THORNSLEY** – Good evening Commissioners. I'm glad to be here.  
31 I came last week and I spoke on some of the projects having to do with the land  
32 use and the design and want you to start becoming very aware of the changes  
33 that are taking place when you take something out of Business Park use and put  
34 it into the Industrial use; in essence for the big cube boxes that we are getting a  
35 large number of now. By doing that, we are starting to take away the opportunity  
36 for a different type of business in this community. It would be no different than if  
37 we said we'll no longer have Neighborhood Commercial of any kind. You know,  
38 there will be no little small stores here and there. By taking away the smaller  
39 businesses, you no longer have people who would have metal workshops or  
40 small engine repair or cabinet shops or a whole host of industrial businesses.

41  
42 I'll pick on Sketchers because that property is visible on the freeway and was  
43 supposed to be nothing greater than 50,000 square feet. If that were the case,  
44 you would have a series of the businesses like you see all along the 91 Freeway  
45 in Riverside as you get down towards Tyler and again what you see when you go  
46 through Corona. All those shops have their visibility to the Freeway. They are all

1 a combo of retail and business and so I really hate to see us continually redoing  
2 the zoning and losing all those opportunities and there are other projects that will  
3 be coming that are proposing massive areas of one use and there needs to be a  
4 lot of consideration for mixing up some uses so that the City does not become a  
5 one business town; a one type of job town and that is a valid concern I have and  
6 a lot of people I know have in Moreno Valley.  
7

8 Another thing is I'm going to be trying to be making inroads with you and with  
9 Council is that the City needs to create some development standards that have  
10 merit. The Specific Plan for one of the project tonight really has no design  
11 standards in it at all. It has a couple of wishes and that is about it. There is very  
12 little in there. There are so many things that can be done that can better  
13 enhance a project and if you have an organization where that is what they really  
14 strive for, even if you don't have it written down, they'll push the development to  
15 bring that to the community, but if you don't have anybody pushing it, then you  
16 have to have it completely written out. It has to be spelled out up front so when  
17 developers come to your City they see what standards you are expecting and  
18 that is what they design to and from there you are still going to have to work with  
19 them to get what you want or at least get something that everybody is pleased  
20 with, but I spent a lot of time looking at stuff in this City and it has saddened me  
21 from the perspective that I live in this community and when I drive around, I don't  
22 see the kind of nice stuff that I've seen in other cities and I definitely don't see the  
23 kind of stuff that I used to work on in places where I did planning too. Thank you  
24 very much.  
25

26 **CHAIR VAN NATTA** – Thank you for your comments. I see no other Speaker  
27 Slips and I will now close the Public Hearing portion and we will go on to our first  
28 Public Hearing Item and our Case Planner for this is Mark Gross. Would you  
29 please make your presentation?  
30  
31  
32

### 33 **PUBLIC HEARING ITEMS**

- |    |                        |                              |                                    |
|----|------------------------|------------------------------|------------------------------------|
| 35 | <b>1. Case Number:</b> | <b>PA11-0001</b>             | <b>General Plan Amendment</b>      |
| 36 |                        | <b>PA11-0002</b>             | <b>Master Plot Plan</b>            |
| 37 |                        | <b>PA11-0003 – PA11-0006</b> | <b>Plot Plans</b>                  |
| 38 |                        | <b>PA11-0007</b>             | <b>Tentative Parcel Map 35879</b>  |
| 39 |                        | <b>P11-004</b>               | <b>Specific Plan Amendment</b>     |
| 40 |                        | <b>P11-005</b>               | <b>Environmental Impact Report</b> |

41  
42 **Case Planner: Mark Gross**  
43

44 **SENIOR PLANNER GROSS** – Yes good evening Chair Van Natta and members  
45 of the Planning Commission. I'm Mark Gross, Senior Planner here to provide a  
46 brief report on the industrial project for Western RealCo known as March

1 Business Center. The Applicant and Representative Hogle-Ireland is the  
2 Representative and they are proposing a project that includes nine discretionary  
3 components.

4  
5 There is a General Plan Amendment, Specific Plan Amendment, a Tentative  
6 Parcel Map, Master Plot Plan and four Plot Plans as well as the Environmental  
7 Impact Report for an approximate 66 net; 75 gross acre site and that is located  
8 on the southeast corner of Iris and Heacock Street. Now the project proposes an  
9 industrial complex with four buildings that total 1,484,407 square feet of building  
10 area. The General Plan Amendment and Specific Plan Amendment that is being  
11 proposed will change the physical location of the west end of Krameria Avenue  
12 from the east property line of the project to Heacock Street and change the  
13 designation of Krameria from Indian to Heacock from Minor Arterial to Industrial  
14 Collector. Now the project itself is consistent with the type and intensity of uses  
15 that are envisioned and allowed under the Moreno Valley Industrial Area Plan  
16 which is Specific Plan 208.

17  
18 The project was originally approved by City Council back in 2009 and there was  
19 some litigation on that and through the County of Riverside Superior Court review  
20 the project was rescinded in October 12<sup>th</sup>, 2010 and the Applicant has prepared  
21 an Environmental Impact Report to review potential construction noise impacts  
22 and what was directed by the courts and at the same time the document does  
23 review other potential project related environmental impacts. Now the project  
24 meets specific buffer zone requirements. In this case through the Specific Plan  
25 established a 300 foot buffer to a residential district and again that is established  
26 in the Industrial Area Plan and that will not allow for any outdoor storage or  
27 loading in that particular area. Now the features proposed within and closest to  
28 the residential buffer zone and neighborhood across from Iris Avenue would  
29 consist of an entry and you would have a vehicle parking lot; the office portion of  
30 the building on parcel one and landscape. All of these items will minimize the  
31 associated project impacts. Now the nearest truck bay is set back from the  
32 northeast corner of parcel one, because parcel one is the closest to the  
33 residential neighborhood and that is setback approximately 500 feet away from  
34 the nearest residence. Now overall the proposed industrial warehouse  
35 development is compatible, not only with the zone, but also with the General Plan  
36 Land Use Map.

37  
38 The project has been designed to separate truck and employee traffic and restrict  
39 truck traffic from Iris Avenue. Now we have the drawings up on the wall and you  
40 will be able to better see and those are in color. Now the truck access from the  
41 site to Highway 215 will be primarily from Heacock Street north to Cactus  
42 Avenue. In the future you'd have additional access to the freeway that would be  
43 available via Krameria to Indian Street and Heacock to Harley Knox. Now the  
44 building elevations and again back onto the far wall, are consisting of tilt-up  
45 concrete construction and have the same architectural style pretty much as was  
46 previously approved with neutral earth-tone colors and then some darker accent

1 type colors. The buildings include varying wall heights which are predominantly  
2 rectangular in shape with flat roofs and the windows have reflective glazing  
3 finish. The decorative architectural features of the building are located primarily  
4 at the entrances to the offices and you will also have decorative concrete tilt-up  
5 screen walls that will be located all around the project; that would include  
6 Heacock, Iris, Krameria and future Cosmos Street that will have the screening  
7 and that will actually screen the loading activities from public view.

8  
9 Now just briefly to touch on the Environmental Impact Report that was prepared  
10 for the project, it is indicating potentially significant impacts either individually or  
11 cumulatively on air quality, noise and traffic that could not be reduced to less  
12 than significant levels with proposed mitigation and are considered significant  
13 and unavoidable. Now all other environmental impacts evaluated in the EIR are  
14 considered to be less than significant or can be adequately mitigated below  
15 significant thresholds. Now the California Environmental Quality Act does allow  
16 for allow for a Statement of Overriding Considerations and Findings to be  
17 provided and does require the decision making body such as the Planning  
18 Commission which will be recommending to Council to balance the economic,  
19 legal, social, technological or other benefits of the project against the  
20 unavoidable environmental risks.

21  
22 Now if the benefits of the project outweigh these adverse environmental effects,  
23 the adverse environmental effects may be in this considered and Staff did  
24 receive through the process 11 comment letters with the original Draft  
25 Environmental Impact Report and there were specific responses to those  
26 comments provided in the Final Environmental Impact Report. All responsible  
27 agencies, interested parties, and property owners of record within 300 feet of the  
28 project were provided a public notice of the hearing and in addition we posted on  
29 the property itself in two different areas and published in the local newspaper.  
30 There was a copy of the Final EIR that was included on the City's website. We  
31 also provided that at City Hall and the Public Library where the public could come  
32 in and take a look at the document. And so we did mention that the EIR was  
33 included again on the website, City Hall, Public Library and also responsible  
34 agencies and commenting agencies and organizations as well as interested  
35 parties were notified because they did ask to be include on a mailing list and we  
36 did provide all of that information to them. Staff did receive a letter from Johnson  
37 and Sedlack and an email from the Sierra Club and each of those were provided  
38 to the Planning Commission well before this meeting via email that you had a  
39 chance to take a look at. We also have hard copies as well of those documents.

40  
41 That pretty much concludes Staff's verbal report on the project. We do have in-  
42 house Staff from various departments along with the representative Michael  
43 Bradman Associates. They were the peer consultant to the City that assisted in  
44 the review of the Environmental document. They are all basically available here  
45 in the audience. Now we also have representatives from Western RealCo and  
46 Hogle-Ireland here this evening that represent the project and they would be able

1 to answer questions on the project later on in the Hearing process. At this time  
2 what I'd like to do is introduce Tracy Zinn who is the principal from T & B  
3 Planning who was the preparer of the Environmental Impact Report to provide a  
4 synopsis of some of the environmental issues related to the written  
5 correspondence and to elaborate further on the prepared document.  
6

7 **SPEAKER ZINN** – Good evening Commissioners. As Mark mentioned, my  
8 name is Tracy Zinn with the firm T & B Planning and I was the primary author of  
9 the Environmental Impact Report. The EIR before you tonight represents a full  
10 and complete analysis of the proposed project as required by the California  
11 Environmental Quality Act. It objectively and thoroughly discloses the  
12 information necessary to allow the City to make a fully informed decision about  
13 this project's environmental effects and in many instances as you'll hear me  
14 describe, the analysis in many cases overstates the impacts of this project to  
15 further ensure that all potential effects are more than adequately disclosed for  
16 your consideration and mitigated to the extent feasible.  
17

18 As Mark also mentioned, the Draft EIR's public review process resulted in the  
19 City receiving; I have 12 Mark said; 11 comment letters which were formally  
20 responded to in writing and all of those written responses are contained in the  
21 Final EIR. The comments were given serious consideration and as a result  
22 changes were made between the time the Draft EIR was published and the Final  
23 EIR that is before you this evening. Those changes are numerated on pages,  
24 Final EIR 3 thru 10 in the documentation and those included changes to seven  
25 mitigation measures and the addition of twelve additional mitigation measures as  
26 a result of that public process. But tonight I was asked by the City to specifically  
27 respond to the comments raised in letters that were submitted to you two days  
28 ago. The letters were very lengthy as you know, you have them in front of you,  
29 so I'm not going to go through point by point response to every comment letter as  
30 we would be here all evening if that was the case. Instead I'm going to address  
31 the issues on a topical basis, but if you have any specific questions or would like  
32 a specific response on anything that I don't cover feel free to ask.  
33

34 I'm going to start with traffic. The project is calculated to generate 2,419 daily  
35 vehicle trips and that consists both of passenger vehicles and trucks; not the  
36 4,400 trips that were cited in the Johnson and Sedlack letter. ITE rates were  
37 used, which is a long accepted practice under CEQA to calculate the number of  
38 trips generated by a project. Also the average truck distance that was used in  
39 the analysis is 61 miles, which is a long average. As far as the circulation of the  
40 traffic signs, they are going to be posted at every exit driveway directing truck  
41 traffic to the City's designated truck route, so the trucks are expected to travel  
42 north and south on Heacock and according to the analysis and the trip  
43 distribution, no trucks are expected to travel east on Iris. There is really no  
44 where for them to be attracted to or to go to in that direction. Overall, about 30  
45 percent of passenger cars are expected to go in that direction, but no trucks.

1 Also, as you'll see on the plans, proposed Cosmos Street is designed as a cul-  
2 de-sac to limit the number of vehicles going in that direction onto Iris. The Traffic  
3 Study appended to the EIR follows the City's report preparation guideline which  
4 requires the study of the geographic area where this project would generate 50  
5 or more peak hour trips at intersections. There are comments made in the letter  
6 before you that the Traffic Study should have considered a larger geographic  
7 area, particularly out near SR 60, but a larger study area is really not warranted  
8 in this case because that 50 peak hour trip threshold is not exceeded by this  
9 project on any intersection north of Cactus. So there is really no basis to do that  
10 even if that area was studied, this project would not have a significant impact  
11 because 50 trips at peak hour is the criteria used. There was also a comment in  
12 traffic that more cumulative projects should be studied.

13  
14 This Environmental Impact Report considered 52 projects that are pending in the  
15 area, which is quite a big number and input on which projects it considered was  
16 provided by this City, by Riverside County, by the City of Perris, by the City of  
17 Riverside. We did all of that outreach. It also considered a 2 percent ambient  
18 growth rate, so considering more projects again would not have resulted in any  
19 different conclusion than was reached in this EIR. Also the traffic analysis  
20 assumes that every trip generated by this project is a brand new trip and not a  
21 redistributed trip which is likely the case, so again the analysis is solid and the  
22 impacts are likely over-stated. Do you want to ask questions by topic area or do  
23 you just want me to keep going?

24  
25 **CHAIR VAN NATTA** – I think we can make notes and you can finish

26  
27 **SPEAKER ZINN** – Okay...Regarding the comments that were provided on air  
28 quality, green house gas emissions and energy efficiency, this project is  
29 proposed to be energy efficient and is required to be built to California State  
30 Building Code Cal Green Standards, which really mandates energy efficiency for  
31 all new construction and at higher levels than ever before. And that is the case  
32 throughout the State of California, so a large majority of the features that were  
33 bullet pointed on the two and half pages that were in the Johnson letter are  
34 already incorporated into this project, either through regulatory mandates, project  
35 design features or mitigation measures.

36  
37 The EIR does conclude as Mark mentioned, significant and unavoidable air  
38 quality impact for NOX and VOC emissions, which comes mostly from mobile  
39 sources, so the trucks coming and cars; passenger cars coming to and from the  
40 site and through the EIR process we considered a multitude of measures to  
41 mitigate those impacts to the greatest extent feasible and the City vetted the  
42 feasibility of every mitigation measure that was suggested. In the comment  
43 letters provided by AQMD and others through that public review process and  
44 many of those were repeated in the letter that is before and responses to those  
45 are provided in the Final EIR. I have a couple of examples of those, but I'm  
46 going to skip over them and if you have questions I can answer those.



1 Okay the next topic I'm going to address is the Health Risk Assessment.  
2 Comments were made in the letter regarding the EIR's analysis of health risk.  
3 The EIR does disclose a mobile health risk assessment that studies the  
4 maximum exposed individual from operation of this project and at the point of  
5 maximum impact, what the analysis assumed is an individual only 115 feet from  
6 the property line, which is very close and even in that instance the significance of  
7 the impact is less than significant at 3.7 persons in one million effected, where  
8 the significance criteria is 10 and it assumes 70 years of exposure 24 hours a  
9 day, 7 days a week and so I'd like to point out that the modeling done in the  
10 analysis also doesn't take into account the mitigation measures and 70 years, 24  
11 hours a day, 7 days a week assumes that every truck accessing the site would  
12 be idling for 15 minutes, where that is not really the case. The regulatory  
13 mandates and the mitigation measures in this EIR are going to restrict onsite  
14 idling to three minutes, so the analysis is definitely over stated. In no way did this  
15 EIR under estimate the health risk associated with this project as was suggested  
16 in the letter that you have.

17  
18 One more point; an argument was made in the letter about the cumulative health  
19 risk; so not just from this project, but from this project in addition to every other  
20 project in the area and some documentation was cited in that letter. That is not  
21 new information to us or this process or the City, the study that was the primary  
22 document cited is referenced in our technical appendices and the information  
23 that we have documented is consistent with known health risk in the Air Base.  
24 Alright, just a couple of notes on some other subject areas; there was a comment  
25 made on cultural resources and a suggestion that Native American monitoring  
26 was not being done to the extent necessary. We've been in regular contact with  
27 the Pechanga Tribe pursuant to the SB18 consultation requirement about  
28 monitoring the site. Pechanga agrees with the mitigation and has no objection  
29 and we confirmed that in an email with them today. Comments were made  
30 regarding biology and specifically impacts to the Burrowing Owl. The MSHCP  
31 addresses these impacts on a regional basis and this complies with all applicable  
32 MSHCP policies. The site is not targeted for conservation and really has no long  
33 term conservation value for the species. The issue was whether or not the Owl  
34 should be passively relocated or actively relocated and based on discussion and  
35 recommendation with a biologist, the recommendation is to passively relocate at  
36 this site. There are enough vacant properties around and the species ability to  
37 migrate; we don't believe there is going to be any unmitigated impact associated  
38 with that technique. I'll briefly touch on noise. As Mark mentioned, construction  
39 noise was the only topic area, but the court required it be re-studied in more  
40 thorough detail through the Environmental Impact Report.

41  
42 Again we very thoroughly evaluated construction noise and used the City of  
43 Moreno's Municipal Code, which establishes a noise level limit of a distance of  
44 200 feet from the property line and the conclusion is during construction of this  
45 property of this project or really any project in the City using the criteria that we  
46 applied, you do result in a significant unmitigated impact. All mitigation measures

1 that could possibly mitigate that impact again were thoroughly vetted and found  
2 to be infeasible, therefore there is a significant unmitigated noise impact and a  
3 Statement of Overriding Considerations would be required. I have a lot more, but  
4 I think I'm going to stop there because my comments are lengthy already, but we  
5 have gone through the letters. We have responses to hopefully any question you  
6 may ask. I'll be available to answer those. Thank you.

7  
8 **CHAIR VAN NATTA** – Okay, do the Commissioners have question of Staff or of  
9 Ms. Zinn?

10  
11 **COMMISSIONER RAMIREZ** – I've got one

12  
13 **CHAIR VAN NATTA** – Okay, go ahead Commissioner Ramirez

14  
15 **COMMISSIONER RAMIREZ** – What has been the biggest challenge in dealing  
16 with the residents in the area? Have you heard any complaints in regards to this  
17 project?

18  
19 **PLANNING OFFICIAL TERELL** – Oh I think we can probably answer that. I'll  
20 defer over to Mark.

21  
22 **SENIOR PLANNER GROSS** – Yes actually on this project we didn't receive any  
23 comments; any telephone calls from the residents at all. Again, we did... this  
24 was in the newspaper; a 300 foot radius; this was on the site; all around on both  
25 sides, so we have not received any letters or calls from the neighborhood.

26  
27 **COMMISSIONER RAMIREZ** – How about the School District? Did the School  
28 District show any concern regarding the proximity?

29  
30 **SENIOR PLANNER GROSS** – No, they did not. We didn't receive a call on that  
31 and actually they were always notified of course with the process.

32  
33 **COMMISSIONER RAMIREZ** – Okay and we do not anticipate any truck traffic  
34 travelling east and west on either Krameria or Iris? Is that correct?

35  
36 **PLANNING OFFICIAL TERELL** – Yes, neither one of those streets is a  
37 designated truck route, so there is no right for a truck to travel that way and as  
38 Ms. Zinn said, there is no attraction; there is no reason for them to go that way,  
39 but they are not dedicated truck routes.

40  
41 **COMMISSIONER RAMIREZ** – In the event that trucks do take that as a route,  
42 could they be held accountable?

43  
44 **PLANNING OFFICIAL TERELL** – Yes

45  
46 **COMMISSIONER RAMIREZ** – Great, thank you

1 **CHAIR VAN NATTA** – Is there anyone else?  
2

3 **COMMISSIONER GIBA** – I have a few things as usual. Traffic... this whole  
4 report; believe it or not I went through a lot of it. There are over 1,500 pages of  
5 report. It was exhaustive. It was extensive and you folks did do a lot of work  
6 toward mitigation and some of these things are probably not as like you said,  
7 they're just nothing more you can do than what you have done. The location of  
8 the site I think is appropriate for this type of project because it is right next to the  
9 March Air Force Base, so you are using Heacock as primary artery for moving  
10 and I think the last time we had this discussion about the cumulative impact, your  
11 only sites from what I can see for getting onto that 215 Freeway at this time is  
12 down Heacock to Cactus where another very large warehouse project is going to  
13 be built. I notice your timeline on this is 2016. Am I correct? Is this supposed to  
14 be completed by 2016... about four years from now? That seems to be the same  
15 timeline as the other project that is coming down the pipe, so you've got two  
16 different projects coming into the same arteries, at the same time, within the  
17 same timeframe.  
18

19 You also mentioned that there were phases, so I was going to ask you about  
20 your phases of construction and how soon those are going to be done and what  
21 timeframe those will take and evolved, but I have here in front of me your routing  
22 for that. I appreciate Commissioner Carlos' question on that one. I was  
23 concerned about the only routes coming out from Iris going east/west up Iris  
24 because you do have the residential area here on Iris and then you do have a  
25 Junior High School here right on the corner of Indian and Iris, so any vehicle; any  
26 trucks or vehicles travelling on that route, I would not suspect that would be...  
27 like you said, nobody has heard, but then again your whole project is kind of to  
28 the west of that housing project, so they may not have even considered the fact  
29 that that was there and you have now confirmed that trucks are not going to go  
30 up Iris, but that they'll stay on Heacock. What was curious to me was that you  
31 have the route going from Krameria that you are building the roads. Right now  
32 there is nothing there now, so when we're saying that there is a Krameria, there  
33 is a dirt road with a four wheel drive, if it is really a road, which means you are  
34 going to construct a road called Krameria. Am I correct?  
35

36 **SPEAKER ZINN** – Correct  
37

38 **COMMISSIONER GIBA** – But Krameria comes out at Indian, which is right there  
39 in a whole residential area, so what is the intent to go all the way to Indian if we  
40 have no reason to be going that way?  
41

42 **PLANNING OFFICIAL TERELL** – The boundaries in the industrial area north of  
43 the Perris Valley Storm Drain goes from Indian over to Heacock, so long term,  
44 Indian will be constructed, there will be a bridge constructed across the channel  
45 on Indian to go to the south, so they'll be some opportunity for trucks to go south  
46 on Indian from this project or the adjacent approved project, but still the project

1 was designed primarily to carry folks and trucks over to Heacock as the long term  
2 preferred route and Heacock is in design for extension down to Harley Knox  
3 Boulevard, so long term the City's intent and the intent of the Specific Plan is to  
4 encourage trucks to go to Heacock to Harley Knox and over to the freeway,  
5 which is for lack of a better word the path of least resistance, but in the interim  
6 until that is built Indian is the major route that they'll need to take to Harley Knox  
7 and Indian and Heacock are both truck routes in the industrial area. When you  
8 get out of the industrial area going north they are not truck routes, so the only  
9 trucks that could go say from Krameria, they would need to go south because  
10 otherwise they are only allowed to make what we call local deliveries, so a truck  
11 coming to this project or the already approved project to the east would need to  
12 be coming to that project and access to both this project and the project to the  
13 east are off of either Krameria or Cosmos, so there are no truck accesses off of  
14 Indian or Iris for either this project or the already approved project to the east.

15  
16 **COMMISSIONER GIBA** – Okay, so the residential area that is already there  
17 shouldn't experience any truck traffic in that area. Indian doesn't go all the way  
18 through yet. You haven't completed Indian all the way through anyway, so that is  
19 not done.

20  
21 **PLANNING OFFICIAL TERELL** – Correct

22  
23 **COMMISSIONER GIBA** – And Cosmos is basically just a cul-de-sac; a dead end  
24 to accommodate the loading of the trucks on that side. Am I correct on that?

25  
26 **SPEAKER ZINN** – Correct

27  
28 **COMMISSIONER GIBA** – Please be patient with me...When I went through your  
29 mitigations and we were talking about some of these; your impact on Heacock  
30 Street and Gentian Avenue for instance and this cumulative effect and all these  
31 traffic reports you are taking are from peak hours and my concern is and I  
32 brought this up the last time and actually we've gone through three of these  
33 providing and they are all loading into Harley Knox. There are all loading into  
34 Cactus. They are loading into Heacock; all these projects. They are coming into  
35 fruition pretty near the same time, so that concerns me for the quality of life the  
36 continued accumulative effect of the traffic and the trucks and all of the things  
37 that are going on.

38  
39 As we keep trying to build these, there is some point and I mentioned that last  
40 time that we are starting to achieve a maximum limit of what we should be doing  
41 wisely and this is what concerned me when I see this. Mitigation 1.1; the  
42 following improvement is necessary to reduce the project's direct impact to less  
43 than significant; install a traffic signal. That's it on that specific one. I don't read  
44 anything through here as I kept going through here on install a traffic signal...  
45 construct a northbound throughway... I don't see anything about restricting traffic  
46 movement from high peak hours as we continue to keep loading all this traffic.

1 There are areas and I've seen them before where trucks and movement of trucks  
2 are not allowed to be moving at high peak hours, but under peak hours or in the  
3 middle of peak hours so that we don't improve that congestion, but I'm not seeing  
4 that in the mitigation, I'm seeing traffic signals; you make a left turn here; make a  
5 right turn here. Is that feasible and is that wise to actually restrict movement as  
6 we keep building these things and if we do keep continuing to approve them, we  
7 need to start restricting the time and movement for some of these so that we  
8 don't congest those areas. If everybody is moving at the same time, you are  
9 going to start having problems and I think we should start thinking about that now  
10 and not later. So that's another concern and question that I have.

11  
12 **PLANNING OFFICIAL TERELL** – I'd like to see if maybe Michael Lloyd could  
13 respond to that. Obviously we can't restrict an individual project to when they  
14 can drive and it would be very hard to manage that, but I'll defer to...

15  
16 **COMMISSIONER GIBA** – But can you restrict the movement on a specific street  
17 for a specific time because it is within the boundaries of cities.

18  
19 **PLANNING OFFICIAL TERELL** – Well again I'm going to defer to Michael Lloyd.  
20 My sense is how would you stop one vehicle from travelling during peak hours  
21 and everybody else gets to travel at that time that is located in the City, so...

22  
23 **SENIOR TRAFFIC ENGINEER LLOYD** – Good evening Chair and  
24 Commissioners. My name is Michael Lloyd, Transportation Engineering Division.  
25 So it sounds like we've got two questions here that I'd like to answer. One is the  
26 timing issue and the second is more specifically I think Heacock and Gentian in  
27 terms of the mitigation.

28  
29 **COMMISSIONER GIBA** – Not just Heacock and Gentian, you've have all of  
30 those. You've got the Iris movement; you've got the Gentian; you've got the  
31 Harley Knox; you've got all the way to Cactus and all the streets that those trucks  
32 can run alongside of March Air Force Base.

33  
34 **SENIOR TRAFFIC ENGINEER LLOYD** – Okay and so if you would like I can  
35 kind of run through some updates in terms of progress on projects that would  
36 address I think those concerns and I can also talk about Heacock and Gentian  
37 more specifically if you would like. First off, with regards to the timing issue, I  
38 agree with John's assessment that it would be difficult to condition this project  
39 specifically for truck traffic usage on our streets within certain timeframes. How  
40 would we enforce it? How would we distinguish; let's say we put officers out;  
41 they've been notified; you need to enforce this condition for us. How do they  
42 distinguish trucks utilizing Heacock? Are they coming from this project? Are  
43 they coming from other projects, so it would be a challenge from an enforcement  
44 standpoint and just from a legal standpoint, I'm not an expert here, but I'm not  
45 sure that we have a right to restrict it? I think maybe what you're thinking of are  
46 turning restrictions that maybe you've seen in communities where you've seen

1 signs that say no right turns between the hours of 7 and 9 am. That is not  
2 specific to a vehicle type. That is not specific to a location from where that trip is  
3 coming from. That is basically an all out restriction stating no turn movements  
4 whatsoever by anybody within this timeframe, so those are options that can be  
5 considered. I don't know if they apply at any locations that were studied  
6 specifically for this project. If you had any ideas, we would certainly entertain  
7 them, but nothing was vetted out during the study analysis that suggested we  
8 needed to restrict turning movements in that manner. Hopefully that addresses  
9 the timing issue. Specifically dealing with project impacts whether it be Cactus or  
10 Harley Knox or Heacock.

11  
12 As I mentioned in our previous meeting a couple of weeks ago, there were  
13 concerns about the cumulative effects; the impacts to Cactus Avenue and as I  
14 mentioned there, it was a timing issue; kind of the chicken or the egg type of  
15 question. Does this project come first or does the project next door come first.  
16 The analysis assumes all projects come on all at the same time, so that is kind of  
17 the worst case analysis. Obviously in the real world that is not the way things  
18 happen, but efforts are being made and are under way specifically for Cactus to  
19 get the additional eastbound third lane in so that we can get a full six lane section  
20 from the Interstate all the way over to Heacock. Grants are being pursued. I  
21 don't know if we have received word yet or not whether we received it or not. If  
22 we haven't received word, we should know soon, however that would provide a  
23 significant amount of funding so that the project can move forward. The project  
24 has been designed and completed. The right of way has been pursued and I  
25 think is complete with the Base. Obviously it is a Federal Agency, so it is a  
26 lengthy process but I think we've either completed that or near completion, so  
27 those are two big hurdles getting over and getting a project delivered.

28  
29 The next is obviously securing the funding and we are under way getting the  
30 funding wrapped up. With regards to Heacock, John mentioned we're getting  
31 started with the design so that we can get the connection made to Harley Knox  
32 Avenue, so that is early in the process, so we've still got some time there to  
33 make that connection more efficient, however there are connections from  
34 Heacock to Harley Knox that this project will use as well as other projects to the  
35 south we'll utilize and that is utilizing Indian Street to connect to Harley, so there  
36 is that avenue to get back to the freeway utilizing Harley Knox. With regards to  
37 Harley Knox, the City of Perris started design on their portion of the road. It is  
38 outside of our control, but again that is the cooperative effort and staying in touch  
39 with each other to know what is happening and that is underway and ongoing. I  
40 think the design is wrapped up at this point and they are pursuing funding just as  
41 we are for Cactus, so the efforts are there. The progress is being made and  
42 again I can't sit here and guarantee that we'll have all these improvements in  
43 place by the time that this development will be completed, however every effort is  
44 being made to make sure they are put in place in a timely manner. That is what I  
45 can update you on.

1 **COMMISSIONER GIBA** – Michael, thank you very much. I’m compelled to ask  
2 those kinds of questions because I didn’t see that and I don’t know what know  
3 what the ramifications; the legal ramifications; maybe you can respond to that,  
4 but I was just thinking that maybe that is one other thing you could do is restrict  
5 all truck traffic to a specific time and I don’t know what the legal ramifications are,  
6 I just throw it out there as a means for you folks to and like you said if you have  
7 another idea, I was thinking is it possible to change the timeframe for these  
8 trucks or at least work with the community; the business at large and say can we  
9 ask you to suggest that you bring your trucks in before 8 and after 9 or whatever  
10 to move the traffic and that is something the City can probably have a  
11 relationship with. There is nothing wrong with having a relationship with your  
12 businesses and us saying help us out. This will help us mitigate this situation as  
13 it continues to build out. That is how I look at it. I mean we’re partners here.

14  
15 You know it is not just them and just us, it is us together you know and so we can  
16 all work together and make it easier for the community and the safety because  
17 we do have schools down there. You are talking about... the people that moved  
18 in down there, if they were like me and I moved here 30 years ago, there was  
19 nothing here. I didn’t know what they were going to build when I bought my  
20 house and I’m quite sure when this big, huge empty lot was there they might  
21 have thought well good I’ll get a supermarket next to my house and not a  
22 warehouse, so a lot of these people don’t even realize what is coming their way  
23 and by the way that 1,000 feet is a good idea.. thank you Mr. Hague... because  
24 they are not always being notified of what is going on and I wasn’t always  
25 involved either with the City, so I think for me I’m compelled to ask those kinds of  
26 questions to keep you kind of Johnny on the spot. For phase one, when did you  
27 intend to finish it? I just want to know.

28  
29 **SPEAKER ZINN** – Okay, just to be clear, I’m not representing the Applicant. I  
30 am the EIR preparer, but I believe phase one is the larger building on the north  
31 side of the property.

32  
33 **COMMISSIONER GIBA** Okay, that’s the big one; right? Maybe my questions  
34 aren’t appropriate.

35  
36 **PLANNING OFFICIAL TERELL** – Well if we can answer them we will, if not we’ll  
37 defer them to the Applicant, but the other thing that is very key about... every  
38 project from a single family house to a big warehouse creates traffic; every new  
39 project and I think we are very fortunate in Western Riverside County that all the  
40 cities in the County got together and created the TUMF; The Uniform Mitigation  
41 Financing which provides for these regional improvements and even local  
42 improvements which the City itself has its Development Impact Fee that takes  
43 the impacts of every project and extracts either an ounce or a pound of flesh,  
44 depending on the size of the project to make up for their fair share of the regional  
45 improvements within the City of Moreno Valley and so every new project both  
46 creates, but we’re fortunate in Western Riverside County and the City of Moreno

1 Valley, they also provide resources to address those impacts relating to  
2 transportation, so there are direct impacts like a traffic signal, because this  
3 project by itself creates the need for a traffic signal...

4  
5 **COMMISSIONER GIBA** – And I noticed the list

6  
7 **PLANNING OFFICIAL TERELL** – Right...then this project creates one percent  
8 at this intersection and a half percent at that intersection and they will pay a very  
9 large fee so that the City and really other communities in Western Riverside  
10 County can incrementally provide those major improvements, so everybody pays  
11 their fair share. The alternative to that would be the last person on the boat  
12 basically has to pay for everything and that has not been proven as very  
13 successful way of doing things and Michael may want to add on to this, that is  
14 why the impact fee payment is seen as addressing those very small pieces of  
15 other regional improvements, because that actually creates the resources to  
16 correct those problems, either concurrent with or hopefully relatively shortly after  
17 a project is built and it may be that the most serious issue is not at Cactus and  
18 the freeway but maybe it is Redlands and the freeway. I'm just using that as an  
19 example and so the money goes there and does the most critical improvement  
20 first and then goes down the list of priorities and there is a rather arcane system  
21 of how projects are picked and things like that, but that is how we get at those...  
22 If more projects are built at the same time that may actually be a good thing  
23 because it will be creating more resources at the same time to address a  
24 particular pressure point.

25  
26 **COMMISSIONER GIBA** – Well this site would be what I would consider the  
27 better site that I've seen so far for this construction, but I was also curious just as  
28 a curiosity why you called it a business site rather than just a warehouse. I mean  
29 it's primarily warehouse.

30  
31 **SPEAKER ZINN** – I can let the Applicant address that...

32  
33 **PLANNING OFFICIAL TERELL** – That's marketing I think

34  
35 **COMMISSIONER GIBA** - That's what I was looking at because if somebody was  
36 to see that or hear that, or they are building a business site; no it's not, it's  
37 primarily warehouse and it would have been nice if would have just said that.

38  
39 **PLANNING OFFICIAL TERELL** – It's a very large business

40  
41 **COMMISSIONER GIBA** – It's a very large business, right... Anyway and then the  
42 other thing was we had just received this information on air quality and I think you  
43 might have mentioned it and they had a list of requiring cleaner burning trucks if it  
44 isn't achievable. I just got this right now, so maybe you can address those.



1 **PLANNING OFFICIAL TERELL** – Yes the one page; I provided that to you... Ian  
2 MacMillan is here from the South Coast Air Quality Management District and  
3 those are actually his remarks, but he did provide a copy so that you would have  
4 it you know when he makes his remarks and certainly Tracy has a copy of those  
5 as well, so she would be able to respond, but that is some additional testimony  
6 you'll receive when you have the public hearing.

7  
8 **COMMISSIONER GIBA** – That's really all I had because this traffic stuff bugs  
9 me.

10  
11 **CHAIR VAN NATTA** – Really

12  
13 **COMMISSIONER GIBA** – Yes really, it does

14  
15 **CHAIR VAN NATTA** – Okay, another other questions from Commissioners?  
16 Commissioner Crothers or Commissioner Baker, is there anything you wanted to  
17 ask? I did have a question or comment about the noticing. When I'm looking at  
18 the amount of vacant land that is around this site, how many residential  
19 properties were noticed when you went with your 300 feet?

20  
21 **PLANNING OFFICIAL TERELL** – I'll ask Mark to get that information out. There  
22 would be some residences to the northeast of the project and that would be the  
23 ones that would be noticed within the 300 feet. Again that is why we use... only  
24 two forms of notice are required. We use all three to hopefully maximize that. As  
25 was mentioned, the State minimum is 300 feet. That is what we have in our  
26 Code and certainly you know that is something that could be discussed, but we  
27 as Staff don't pick and choose from project to project who gets 300 feet and who  
28 gets 500 feet. It is a City standard which we abide by and amazingly sometimes  
29 we notice for 300 feet and everybody knows about it and sometimes we notice to  
30 300 feet and nobody knows about it and I think people are being very genuine  
31 about their comments and why that happens I can't tell you. I think some  
32 projects just generate more buzz and really the buzz if want to get people  
33 involved in the process, it is really the buzz that does that, as when you had your  
34 residential project a couple of weeks ago, we noticed and provided signs to let  
35 certain people know and other people driving by would know, but it was kind of a  
36 game of telephone where people told people and that's how more people got  
37 involved and that is a great thing and one way to do that to maybe change the  
38 standard, but again I think as Staff we are not in a position to do that.

39  
40 **CHAIR VAN NATTA** – I can see in this particular project that a lot of the  
41 residential properties that are nearby that if there was noticing on this project,  
42 they wouldn't necessarily be driving by it because there is no place for them to go  
43 south on Heacock there, but back to my question how many residential  
44 properties were noticed?

1 **SENIOR PLANNER GROSS** – Well in this case there was only about 12 or so. I  
2 think what we captured which was on that... the closest of course to the property  
3 itself.

4  
5 **CHAIR VAN NATTA** – Yes the northeast corner

6  
7 **SENIOR PLANNER GROSS** – Yes and that's what...

8  
9 **CHAIR VAN NATTA** – Would there be a way of rewriting that requirement as far  
10 as the City goes to say from 300 to 1,000 feet until a minimum of x number of  
11 people are notified or something like that, so when you have a project that is  
12 surrounded by a bunch of vacant land and nobody gets noticed because they are  
13 not within 300 feet, it doesn't mean they aren't going to be impacted by it.

14  
15 **PLANNING OFFICIAL TERELL** – Well I guess could you do that? Yes you  
16 could do that. That is kind of interim process because we'd have to continue  
17 running labels until we got to a number and that's a little bit labor intensive. I'm  
18 not sure that just because somebody lives 600 feet across a barren field, they  
19 are not any more impacted than somebody that lives 600 feet across a tract of  
20 homes and I think if you were going to change the standard, I'd encourage you to  
21 just change the standard so it is always 400 feet or it is always 500 feet and not  
22 make a distinction based on the number of people that get noticed because as  
23 an example, if we had a project in the middle of a rural area where there were no  
24 people around, do we really want to notice people that are a mile away to get to a  
25 minimum number, so I think it is a good thing and maybe a point of discussion  
26 you might want to have in a future agenda just to talk about it and we could  
27 certainly do a query of other communities and see what other communities are  
28 doing and give you some perspective on it, but I think it is a good idea.

29  
30 **CHAIR VAN NATTA** – Okay, I think that would be a good thing to do and I'd like  
31 to see some further research on that because the 300 feet on more than one  
32 case that we've that seen just has not been... I mean 300 feet is not very far at  
33 all and people not much further than 300 feet are going to be greatly impacted.  
34 The other question that I had in following what Commissioner Giba was talking  
35 about and that is Heacock north from the project to Cactus abuts a number of  
36 residential neighborhoods there and a number of them that use Heacock to take  
37 their kids to High School or some of the other schools or going to commercial  
38 areas and so forth, other than talking about the possibility of putting in one traffic  
39 signal, I didn't see anything else about what would be done to maybe make traffic  
40 flow a little bit easier along that section from Iris to Cactus along Heacock so that  
41 the residents of those neighborhoods who are using Heacock to reach their  
42 schools or work or whatever would not be severely impacted by the trucks on  
43 that road.

44  
45 **PLANNING OFFICIAL TERELL** – I don't know if Michael had some response to  
46 that but I think that's why we look at the traffic along that area which was looked

1 at and there weren't any direct impacts. There may be cumulative impacts but  
2 that is an area having driven it many times, there is a lot of capacity there right  
3 now and it may in fact be some information that is totally unrelated to this project,  
4 as an example a turning movement or something that might actually relate more  
5 to the commuter traffic of which there is a very large amount on Heacock and  
6 dealing with that; meaning the City looking at something it can do. This project  
7 from what we have; the evidence we have, does not appear to create that  
8 constriction, so I'll defer to either Tracy or Michael on that.

9  
10 **CHAIR VAN NATTA** – Well I think the constriction is definitely there especially  
11 when you are going up and trying to turn left onto Cactus or if you are going up  
12 further to turn onto Alessandro. The constriction is definitely there.

13  
14 **PLANNING OFFICIAL TERELL** – It is usually at the intersections; yes

15  
16 **CHAIR VAN NATTA** – Whether it is a matter of adding another turn lane or  
17 something like that to... Does Mr. Lloyd have any comment on that?

18  
19 **PLANNING OFFICIAL TERELL** – Yes, again I don't know if Michael does, but  
20 that is the type of cumulative larger scale improvements that would be covered  
21 by either the City's Development Impact Fee or the TUMF and those are things  
22 that would be looking at. Obviously adding a third lane on Cactus going east is  
23 going to help as well at the intersection.

24  
25 **SENIOR TRAFFIC ENGINEER LLOYD** – Good evening Chair. I'm Michael  
26 Lloyd with Transportation Engineering. As John alluded to, yes there are  
27 planned improvements for Cactus specifically. The additional third eastbound  
28 lane should provide some additional capacity which will help there. Once that  
29 additional capacity on the ground is provided and we re-time our traffic signals to  
30 more efficiently allot the green times, so that they are not so maxed out because  
31 there is not enough capacity on the ground, so that is one benefit that will come  
32 once those improvements are put on the ground, is a more efficient traffic signal  
33 timing.

34  
35 A second thing that will happen at some point in time is once all our traffic signals  
36 along Heacock are synchronized so that once you get the green light say when  
37 the traffic signal is put in at Iris and you receive a green light at Iris and you travel  
38 north on Heacock towards Cactus or Alessandro, if you travel the speed limit you  
39 should hit it every traffic signal from thereon and get the green light unless you  
40 are wanting to make a left turn you might have to wait to make the left turn, but  
41 that is in the works as well. The Traffic Engineering Division is currently working  
42 on what we call our ITS Master Plan, which is our Intelligent Transportation  
43 System. A component of that is synchronizing the traffic signals within the City;  
44 so that is underway. There is also planned improvements if you kind of expand  
45 the scope as you suggested up to Alessandro, additional lanes are planned  
46 along Alessandro and once those lanes are put in, again signal re-timing will help

1 provide a more efficient green time so that people can get through the  
2 intersection more easily. So that would be my response.

3  
4 **CHAIR VAN NATTA** – Okay thank you. Or there any more questions?

5  
6 **COMMISSIONER BAKER** – I have one question for Michael. Hey on this and I  
7 want to make sure that talking about this street... on Heacock going south where  
8 you know we are doing the bridge expansion there and from what I remember  
9 that Heacock is getting improved north to a certain... Is that beyond Iris or just  
10 up to Iris there or am I mistaken?

11  
12 **SENIOR TRAFFIC ENGINEER LLOYD** – Sure, the most recent capital  
13 improvement project that the City undertook was to install the storm drain bridge  
14 crossing which is actually adjacent to this project, so that is complete and it did  
15 include some new street improvements to get the lanes to line up with the new  
16 bridge and that project is complete. There is a second phase to that project  
17 which the funding; we are still pursuing the funding. That would put in the  
18 additional lanes from Iris south down to San Michele and as you probably noticed  
19 as you drove through there, a lot of the improvements are in but there are  
20 sections where there are some pieces missing and that capital project would fill  
21 out the roadway from curb to curb so that we would have a consistent roadway  
22 through that section. South of San Michele Road is the project that we've talked  
23 about and we recently put it back into our circulation element and we've initiated  
24 designs, so that is lagging, but we are pursuing that project as well.

25  
26 **COMMISSIONER BAKER** – Okay. The area Michael I was talking about just  
27 north of Iris, there is a little jog in the road that is really tough to deal with and I go  
28 through there all the time. Is there anything we can do about that because that  
29 could be a bigger problem than any of that?

30  
31 **SENIOR TRAFFIC ENGINEER LLOYD** – I agree with you and depending on the  
32 action specific to this project they are conditioned to put in a traffic signal at  
33 Heacock and Iris and as part of that improvement they would align the lanes so  
34 that jog would be removed.

35  
36 **COMMISSIONER BAKER** – So that is part of our motion tonight. It makes  
37 sense to me.

38  
39 **SENIOR TRAFFIC ENGINEER LLOYD** – This project would be required to do  
40 that.

41  
42 **COMMISSIONER BAKER** – Yes I think and looking at it from my standpoint and  
43 I agree with what these gentlemen are saying, but you know you have to look at  
44 the finite deal coming out of the shoot there. If you don't have a straight line from  
45 point A to B, it doesn't make any difference on the traffic. We've got to get that  
46 straightened out. The traffic signal there at Iris and Heacock will help a bunch.

1 You know that's just my comment on the traffic; okay, but if that is included and I  
2 don't know if you guys are aware of that or not but we've got a jog in the road  
3 which is real problem right now. Okay, thank you.

4  
5 **CHAIR VAN NATTA** – Okay with no more questions from the Commissioners,  
6 I'm going to open the Public Hearing and do we have a representative of the  
7 Applicant who would like to give us some comments?

8  
9 **PLANNING OFFICIAL TERELL** – Yes the Applicant had asked to do a power  
10 point presentation as well, so we'll lower the screen there so that they can do  
11 that.

12  
13 **CHAIR VAN NATTA** – And will there be popcorn and sodas?

14  
15 **PLANNING OFFICIAL TERELL** – Our budget can't afford theater prices

16  
17 **APPLICANT EDWARDS** – Good evening. My name is Gary Edwards. I'm a  
18 principal with Western RealCo. I can't tell if the slide is open or not. Pam Steel  
19 of Hogle-Ireland is going to give the presentation, but I just wanted to take a  
20 moment and introduce you to Western RealCo, the firm that is the developer on  
21 the project. It is a 40 year old firm. I've been with it for 25 years, so obviously we  
22 have a longevity that is very unusual I think in the development business and  
23 we've enjoyed a lot of success. That success is basically and I think some of the  
24 slide is up now. About 15 million square feet we've built over the last 40 years  
25 throughout California and Nevada; primarily in Southern California where we've  
26 dealt with some of the major cities, which I think are listed up there as well. We  
27 also have; I think it's there; with all the projects we've done and we talked about  
28 the business point term; the Commissioners mentioned it, but we do have a  
29 variety of very high quality tenants in our business parks and I think that goes to  
30 the quality of the projects that we bring into these different cities.

31  
32 As Mr. Gross mentioned, we've been before you three years ago on this very  
33 same similar project... some of the tenants are lost at the bottom I guess and  
34 that was approved through a Mitigated Negative Declaration as we've discussed  
35 as Mrs. Innes talked about. We are before you now with a full, very robust,  
36 highly vetted EIR that looks at this project and significantly more thoroughly and I  
37 guess the last comment that I'll make is as I mentioned, we've developed a lot of  
38 cities in Southern California. We're very excited to be part of Moreno Valley.  
39 We're excited about this project and we're hopeful of your approval on it. I'm  
40 here to answer any questions after the presentation by Pam. We also have the  
41 architect in the audience who can answer any questions as well. Thank you.

42  
43 **SPEAKER STEEL** – Good evening Madam Chair and Commissioners. My  
44 name is Pam Steel with Hogle-Ireland and most of the first part of my  
45 presentation Mark Gross has covered very well, so I'll go through it very quickly,  
46 but just to reiterate the project is in the City's Industrial Area Specific Plan right

1 across the street from March Air Reserve Base and it is zoned for this industrial  
2 use and we think that the City has very wisely kept this industrial zoning across  
3 from the March Air Reserve Base because the impacts of the Base would have  
4 on any other type of development. Next slide... the four buildings are of varying  
5 sizes ranging from 1.1 million square foot large building on the north side to the  
6 very small on parcel 4, under 17 hundred square foot building. This allows for a  
7 variety of use types. You asked why it was called a business center, because  
8 there are a variety of types of businesses that could locate here. Everything from  
9 the large warehouse distribution to the smaller industrial business park type use  
10 on parcel 4, so we don't want to limit our marketing opportunity as you said. Just  
11 roughly throughout the project and with the City and with the EIR, transportation  
12 type uses were studied and of course there are the City's streets and those are a  
13 very important part of the circulation but also sidewalks will be constructed all  
14 around the site on all of the public streets.

15  
16 The project provides 35 spaces for bicycle parking for those employees that live  
17 close enough that they like to bicycle to work and we are providing two bus  
18 turnouts; one on Heacock and I didn't bring a clicker. I apologize and you see  
19 the one on Heacock there and then one down here on Iris, so that there are a  
20 variety of modes of transportation for the project site and for the area. We also  
21 will be providing two electrical vehicle charging stations on the site as well.  
22 Going to the architecture of the buildings from the view from Iris Avenue, as you  
23 can see and was mentioned before, Iris Avenue does not have dock doors facing  
24 it. It has very nice elevations with varied roof heights with a lot of articulation and  
25 color on those elevations on the two highly articulated office areas on the  
26 northeast and northwest corners are an attractive look along Iris. The colors as  
27 Mark mentioned, earth tones with accents in a red oak and the green glazing in  
28 the glass, which frankly was worked through the last time we were here with the  
29 Planning Commission with Staff and then Planning Commission even wanted a  
30 brighter reddish oak color, so that was added to project.

31  
32 Additionally each entry has a silver anodized metal canopy treatment for more  
33 articulation and then the next slide we go to the Heacock elevation and along  
34 Heacock are the dock doors, but they will be screened as Mark Gross mentioned  
35 by the screen walls and the screen walls shown along the bottom, it is also of a  
36 concrete tilt-up construction with the same type of articulation and reveals and  
37 color so that there is a nice façade along Heacock. The architectural theme was  
38 developed with significant input as a I said from the City and the Planning  
39 Commission to develop a show piece in this is a very important corner of these  
40 two streets; these two major streets in the City. The screen wall will be 14 feet in  
41 height to fully screen the truck activities, but that is on the dock side. On the  
42 street side there will be a berm up to so that you only see 8 feet of that screen  
43 wall, so it won't be this monumental screen wall visually. It will be just an 8 foot  
44 screen wall with that landscaping and then the next slide shows the small  
45 building and how the architecture is continued throughout the business park to  
46 show or to have a consistent aesthetic look. The top slide is the side that you'd

1 see from Heacock Street and then the slide in the middle is the view that you  
2 would see if you were travelling north along Heacock.

3  
4 On the next slide, this was mentioned a little bit by John Terell as the  
5 contributions that the project will make to the City; 12.6 million dollars plus in  
6 contributions for impact fees and for beneficial construction in street, sidewalks  
7 and traffic signals as well as property tax to pay for City services. Impacts were  
8 specially noted in the fees and the combined through the City's Development  
9 Impact Fees to the traffic signal contribution that we are making in addition to the  
10 traffic signal that we are constructing and the TUMF fees; the regional wide;  
11 those fees are over 4.08 million dollars, so even though that is not the major topic  
12 that you use for consideration, it just underscores the various significant  
13 mitigation for these types of impacts. The next slide just very briefly covers that  
14 we did an environmental review which Tracy Zinn covered in much more detail.  
15 I'll just go to the final slide and to reiterate the project has four buildings of  
16 varying sizes and it will provide benefits to the community as well as the  
17 company we hope and the project will be designed to meet LEED Silver  
18 standards which include such things as solar panels on the roof, cool roof  
19 technology, recharging stations and energy efficient lighting. We are here to  
20 answer questions should you have any more and we appreciate your attention  
21 and would like to ask for your approval at the end of the public hearing.

22  
23 **COMMISSIONER GIBA** – Do you have any specific tenants already assigned to  
24 those buildings?

25  
26 **APPLICANT EDWARDS** – No we do not

27  
28 **COMMISSIONER GIBA** - Do you have any ideas to whom you may be pursuing  
29 or anything that you would be willing to share so that we can kind of get an idea  
30 what the future might hold for us. You had some really quality organizations that  
31 you've built for in the past, so obviously your marketing is pretty good and I can  
32 appreciate that, so I was curious and I'm sure the City would be curious when  
33 this is built out, what can we expect from the tenants or who we are going to get.

34  
35 **APPLICANT EDWARDS** – I would love to be able to announce that we have a  
36 tenant in tow that we are negotiating with certain tenants. Based on the process  
37 that we have been through without having a more defined delivery time frame it is  
38 hard to be able enter into those negotiations, but as we move through this  
39 process, I think we will be able to entice some early interest, but at this point I do  
40 not have anybody in tow. Those tenants that we represent; some we built  
41 specifically for their use and many of those were speculative projects we built;  
42 high quality projects and attracted those tenants, so while we always love having  
43 a tenant identified if we can, we think if we build a good quality project to use the  
44 vernacular, they will come. We've found that to be true.

45  
46 **COMMISSIONER GIBA** – Thank you

1 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR FOSTER** –

2 Commissioner Giba I'd like to comment on that too as just a follow up to what Mr.  
3 Edwards said, as I mentioned last time, probably 90 percent of all the industrial  
4 buildings are developed on a speculative basis. In Moreno Valley the only two  
5 that we've done that were not spec buildings were Sketchers and Walgreen's, so  
6 there are about 18 users out there looking at opportunities in this area and they  
7 range from 500,000 square feet up to close to 2 million square feet, so there are  
8 definitely users, but as Mr. Edwards said in this environment they want all the risk  
9 taken away, so they want to see a fully approved entitled project before they  
10 really pursue any serious lease negotiations.

11  
12 **COMMISSIONER GIBA** – Thank you Barry for that clarification.

13  
14 **CHAIR VAN NATTA** – Okay, thank you very much. We do have some Speaker  
15 Slips on the subject and the first one we'll hear from is Ian MacMillan

16  
17 **SPEAKER MACMILLAN** – Good evening Honorable Commissioners. My name  
18 is Ian MacMillan and I am a Program Supervisor with the South Coast Air Quality  
19 Management District (AQMD). I'm here tonight to express AQMD Staff concern  
20 with the lack of mitigation measures the City has taken to regards to warehouse  
21 projects within its jurisdiction, including the March Business Center. While these  
22 newer, larger warehouses have the potential to be more efficient than older  
23 facilities and millions of square feet of new warehousing proposed within Moreno  
24 Valley will still need to be served by thousands of heavy duty diesel trucks every  
25 day.

26  
27 The residents in our region currently experience the worst air quality in the Nation  
28 and we have a very serious challenge to meet the Federally required ozone  
29 standards on time Heavy duty diesel trucks emit a variety of harmful pollutants  
30 including ultrafine particles, diesel particulate matter which is a known carcinogen  
31 and nitrogen oxides or NOX. NOX emissions are a primary contributor to ozone  
32 and fine particulate matter and heavy duty diesel trucks are the largest source of  
33 NOX emissions in our region. Even after more stringent State Air Resources  
34 Board tailpipe regulations are met, our region will still need to reduce its total  
35 NOX emissions by an additional 65 percent by 2023. This is not an insignificant  
36 challenge. We note that the March Business Center, NOX emissions are 10  
37 times higher than significant thresholds.

38  
39 What is concerning to AQMD Staff is that while the City is actively expanding its  
40 role of a centre of warehouse operations, it is not advancing any measures to  
41 reduce the air quality impacts from the trucks serving those warehouses. In  
42 responses to recent AQMD Staff comment letters on this project and others the  
43 lead agencies have stated that they have no ability to reduce emissions from  
44 trucks. We disagree. Several other lead agencies in the region have found ways  
45 to either require or incentivize lower emitting trucks faster than are required by  
46 regulation.



1 This is an important and I want to repeat it. Several other lead agencies and  
2 businesses in the region have found ways to either require or incentivize lower  
3 emitting trucks faster than are required by regulation. These measures have  
4 included requiring cleaner burning trucks such as those meeting or exceeding  
5 2010 standards. If this isn't achievable, finding an alternative phase-in schedule  
6 to introduce newer trucks faster than regulatory standards, providing  
7 infrastructure for alternative fuel, for example electric wiring for trucks for  
8 potential future electrical trucks that will be coming on in the next several years or  
9 natural gas fueling stations, implementing advance technology demonstration  
10 and add implementation programs, requiring tenants to apply for funding to  
11 retrofit and replace these older, dirtier trucks.

12  
13 There also appears to be mitigation opportunities onsite that have not been  
14 pursued including requiring all on site houslers to be alternatively fueled,  
15 providing enough electrical hookups for 100 percent of any refrigerated trucks  
16 visiting the site to plug in their transportation refrigeration units which are all  
17 diesel powered and I understand that solar is part of this project, but for many  
18 other projects it has not been included, so providing solar power on roofs helps to  
19 reduce reliance on fossil fuel burning power plants. We understand the need for  
20 more warehousing to meet the growth of trade and the need of trucks to serve  
21 those warehouses, however we must look to find ways to reduce the impact of  
22 this growth, especially given the already unacceptable air quality in our region  
23 today. As a lead agency approving projects that increase heavy duty truck traffic  
24 in our region, we look to you to find ways to encourage and introduce zero and  
25 near zero emission technologies that are needed to achieve our air quality  
26 mandates. We look forward to working with your City to successfully meet these  
27 challenges in an equitable way. I'm available for questions if you have any.

28  
29 **CHAIR VAN NATTA** – Thank you

30  
31 **PLANNING OFFICIAL TEREEL** – I did want to point out I think that the  
32 Commissioners may be aware that certainly for the public at large is that every  
33 new large warehouse has been required to provide either solar power for it's  
34 office, which is a primary electrical need for most of these facilities or by  
35 alternative energy credits, because having no power is generated in Moreno  
36 Valley other than maybe through solar panels, so most of that is coming from  
37 someplace else and that mitigation measure is intend to have that power come  
38 from clean energy as opposed to say a coal power plant in Los Angeles, so there  
39 is that standing mitigation measure that City itself applies to every new large  
40 warehouse project and that has been our policy for the last five years. Very few  
41 have actually chosen to build solar panels on the roof, but they all have been  
42 required to provide the alternative energy credits and they provide evidence to  
43 Staff that they have done that. So I just wanted to provide that clarification  
44 because obviously regionally, air quality is a regional issue and we want to take  
45 that seriously and obviously if we can do more we certainly encourage the  
46 Planning Commission to provide us that direction.

1 **CHAIR VAN NATTA** – Thank you

2  
3 **COMMISSIONER CROTHERS** – I have a question John. In this letter it says  
4 that you know requiring cleaner burning trucks such as those meeting 2010  
5 standards. Is that something that we've ever done or have required of a new  
6 warehouse business coming in?

7  
8 **PLANNING OFFICIAL TERELL** – We have not done that and we do not control  
9 the tenants in these buildings. We are dealing with a developer who is building  
10 these and although I'm not saying it hasn't been or can't be done, it is very  
11 difficult for us to implement a project where we are regulating future tenants and  
12 therefore we have not done it. On certain projects and I believe Sketchers may  
13 be one where the tenant was known, they had agreed to try to use cleaner  
14 burning vehicles from their contractors, so I believe in that project there were  
15 some mitigation measure to that effect, but again we have hesitate to make it a  
16 standard because of the ability for our limited Staff to keep ahead of actually  
17 monitoring that type of mitigation measure. We focused on mitigation measures  
18 that are feasible and feasible has to do with it, it is a negotiation with applicants  
19 and that is feasible to monitor with limited resources.

20  
21 **COMMISSIONER CROTHERS** – Okay and is it possible to offer an incentive for  
22 businesses that come in that are willing to use cleaner burning trucks or you  
23 know to actually install the solar panels instead of just buying the credits, like are  
24 able to do that as a City to encourage greener businesses to come here or  
25 businesses to be greener while they are?

26  
27 **PLANNING OFFICIAL TERELL** – Obviously Edison which services a large  
28 portion of the community and the City's Utility does provide similar incentives to  
29 encourage green energy. As far as the City being able to offer incentives for  
30 further action, the City has a structural deficit in its operating budget, so I don't  
31 believe that that is a feasible measure for the City to pursue. Can we require  
32 others to do it? Again it is the process of how do we monitor that. Again we are  
33 asking a developer basically to require his future tenant to do something and the  
34 ability to monitor that I would think is very difficult to do. There was another point  
35 in your question that I don't think I covered. Oh yes about the solar... building  
36 the solar panels as opposed to buying the credits... I'm not sure why one is  
37 better than the other. Basically we are trying to maximize the amount of  
38 alternative energy in the Southern California region and if it is cheaper to buy  
39 credits, then is it in the best interest of the City to require they build solar panels  
40 or wind power. We are trying to provide opportunities to provide the most  
41 efficient delivery of additional alternative energy.

42  
43 **COMMISSIONER CROTHERS** – Okay and then...

44  
45 **PLANNING OFFICIAL TERELL** – Oh by the way, all of our newer projects that  
46 does the require the structure to built in such a way that it accommodate future

1 solar because I think we all believe that solar will become more and more  
2 feasible as time goes by. It wouldn't be feasible if we didn't build the buildings to  
3 accept those solar panels when it is feasible.

4  
5 **COMMISSIONER CROTHERS** – Okay and I don't know if this is for your or for  
6 the developer, but our standards such cleaner burning trucks and you know the  
7 green requirements or suggestions, are they encouraged in talks when you guys  
8 talk to a business that is coming in. Are those kinds of standards encouraged  
9 you know in the case where we can't give an incentive? Are they encouraged in  
10 the talks when businesses are planning to come here? Are they even discussed  
11 when you know how when businesses are coming in and I don't know if that is a  
12 developer question or a City question?

13  
14 **PLANNING OFFICIAL TERELL** – It is probably both, but again if they are served  
15 by our City Utility there are programs that provide incentives and certainly most  
16 businesses aren't shy about asking about those and our utility is not shy about  
17 making that information available. We also; lots of people, individuals that have  
18 houses all the way to retail businesses and large industrial businesses come in  
19 and want to put solar panels in on what we call after market as they are already  
20 there and they want to put them on. All of our reviews of that in the City of  
21 Moreno Valley are administrative. They are done at our lowest fee category and  
22 therefore we do encourage people who want to come and say they want to do  
23 this so what is necessary. It is a very process here to do that; a review and we  
24 certainly do encourage people to do it. We don't have extraordinary architectural  
25 requirements. We don't require as many places do that solar panels be  
26 screened from public view, so we do try to encourage them and there is more  
27 and more of that activity every day.

28  
29 **COMMISSIONER CROTHERS** – Okay, thank you.

30  
31 **PLANNING OFFICIAL TERELL** – But again it is also a question for the Applicant

32  
33 **CHAIR VAN NATTA** – Okay we'll go onto the next speaker who is...

34  
35 **COMMISSIONER GIBA** – May I ask a question... again a short one.

36  
37 **CHAIR VAN NATTA** – Sure go ahead

38  
39 **COMMISSIONER GIBA** – I did want to ask Mr. MacMillan and you mentioned in  
40 your letter other lead agencies and businesses, could you reveal to us what  
41 those lead agencies and businesses are so I have some references to who and  
42 what you are speaking about.

43  
44 **SPEAKER MACMILLAN** – Sure, the County of Riverside, City of Banning, Port  
45 of Los Angeles, Port of Long Beach, City of LA. Recently there have been a few  
46 businesses that have done clean truck programs including 99 Cent Warehouse.

1 I believe UPS has done some of that as well. I believe there are others, I don't  
2 have a full list right now but those are some off the top of my head.

3  
4 **COMMISSIONER GIBA** – Okay, thank you. I just wanted to know what they  
5 were and just following on what the Commissioner said, has the Applicant... I  
6 started to speak of this letter on the too soon point. Have you considered some  
7 of these concerns and if they're not, have you considered adding them in or  
8 doing something with them on behalf of the concerns from AQMD? I don't know  
9 what you have done on this list. I know you were alluding to some of it has been  
10 done, but I don't want to put you on the spot.

11  
12 **SPEAKER ZINN** – I'll answer in perspective for what is documented in the  
13 Environmental Impact Report and if Mr. Edwards wants to add anything he can.  
14 All of the recommendations that were made by the Air District through their  
15 formal comment letter in the Draft EIR were addressed. The ones that could be  
16 incorporated were added to the EIR and some of those are the 12 that I  
17 mentioned that were added between the Draft and the Final. A few of those that  
18 in discussions with the City, it was clear that the City would not be able to enforce  
19 because they were tenant negotiations or things that the tenants would  
20 implement. There were a few measures that were added to the EIR that requires  
21 in lease agreements that the information about clean fuel technologies etc. is  
22 disclosed to tenants so that they at least are informed of the availability of that  
23 type of technology by the Applicant and that is a City requirement and in the EIR  
24 and it will be done.

25  
26 There are some recommendations in the Air District's formal letter in the Draft  
27 EIR that simply aren't feasible to implement or to enforce, some of which were to  
28 restrict the number of trucks coming to the site to a certain number. Well I mean  
29 practically that is not possible because what do you do when you have reached  
30 the maximum number of trips if it is ever met and is unlikely it would be met.  
31 What would you do? Would you turn the trucks away at the gate and where  
32 would they go. They'd probably park on a street and idle and create more  
33 impacts in the community than if you just let the access the site, but again it is  
34 very unlikely that any cap would be met.

35  
36 I wanted to address the comment about the 2010 standards. As far as I know  
37 the Ports have the requirement for 2007 standards. Probably a regional effort  
38 would be to address truck standards at the Port, so all the trucks accessing every  
39 warehouse would be meeting the same standard. Again my understanding is  
40 that the Port is instituting 2007 standards and not 2010, so to restrict a single  
41 development project in the City of Moreno Valley to 2010 standards that exceed  
42 regulation where trucks coming from the Port don't have to meet that, it really  
43 puts a big limitation on this project that other projects aren't constrained with. So  
44 I don't know if the Applicant wants to add anything, but from EIR perspective that  
45 is what is documented in our responses.

1 **COMMISSIONER GIBA** – Thank you I just wanted to give you the opportunity to  
2 respond to some of these publicly.

3  
4 **SPEAKER ZINN** – Thank you

5  
6 **CHAIR VAN NATTA** – Okay Mr. MacMillan did you want to respond to that?

7  
8 **SPEAKER MACMILLAN** – Just very quickly... One point I think you really should  
9 consider and we didn't mention anything here tonight. It was going to be in a  
10 written comment letter we were going to submit tomorrow is this issue about the  
11 number of trucks visiting the site. If you believe or if the Applicant believes that  
12 the number of trucks has a possibility to exceed what is in the EIR analysis, then  
13 this EIR is deficient, but if there is a thought that the environmental impact would  
14 be greater than what is analyzed here then CEQA requires you analyze that  
15 maximum impact. I understand that if it is a reasonable thought that maybe there  
16 is a reasonable analysis in here, then that is great, but if there is a possibility as  
17 was being argued here and it was argued in our response to comments, that the  
18 environmental impact might be greater than what is being disclosed, in our view  
19 at least that is a deficient analysis. So that's all, I'm sorry.

20  
21 **CHAIR VAN NATTA** – Thank you. Okay we are going on to our next Speaker;  
22 George Hague.

23  
24 **SPEAKER HAGUE** – George Hague, resident of Moreno Valley speaking on  
25 behalf of the Sierra Club. I appreciate you very much giving Mr. MacMillan the  
26 time you did and allowing him to come back and answer questions. That is very  
27 important for this City and for the health of the residents and the health of the  
28 workers that are at the warehouse and the fact that our County is doing this;  
29 neighboring City of Banning is doing this, shows that when you decide to vote in  
30 favor of overriding considerations, that you really truly understand that there are  
31 other things that could and should be done on this project to make it better for the  
32 residents of this City and hopefully you will take that into your thoughts as you do  
33 this. It is also possible for one of you to vote no, even though you know the other  
34 four or maybe the other three will vote yes. It is something that you should  
35 seriously consider and pass along the word that there are residents in this City  
36 very concerned about this City not doing everything possible with these projects  
37 to protect the health, safety and welfare of the residents and it would show that at  
38 least there are some people representing residents of this City that sometimes do  
39 not feel they are being represented.

40  
41 Solar... this entire roof should be covered with solar. They are industrializing the  
42 desert...Right now just covering the habitat. Right now huge transmission lines  
43 are being built all over the place. We don't need a lot of that. If we could cover  
44 all these warehouses with solar and have what you call distributed energy, this  
45 City would be so far ahead and it is something to seriously consider and make it  
46 happen. Also solar will keep the price where it is. They talk about comparing the

1 price between now and also purchasing it elsewhere. It will keep it at this price. I  
2 mentioned in my letter the Elementary School being south. That's incorrect, it is  
3 north, but it is along a truck route. Heacock is not just a truck route within this  
4 business park; it goes all the way up to State Route 60. You've got three  
5 Elementary Schools and one Middle School along that path and there are within  
6 1,000 feet. They are going to be realizing the impacts of not only this project but  
7 other projects you have approved and will approve in this park unless you  
8 somehow change that and their playgrounds are right next to Heacock in some  
9 cases. Their classrooms are within the 1,000 feet. Hopefully you will take that  
10 into consideration. I was glad he was here and made a presentation because his  
11 letter last time was basically in many ways the same thing and yet there was no  
12 response to that.

13

14 **CHAIR VAN NATTA** – You have 30 seconds sir

15

16 **SPEAKER HAGUE** – Well let me just say I hope you enjoyed the pictures of the  
17 Burrowing Owls if you clicked on that link. Those are critters that are in our  
18 community. We are very fortunate to have Burrowing Owls in this area. In San  
19 Jacinto Wildlife if you have never visited there, please do. You don't always get  
20 to see them but you are very fortunate when you do, so do everything you can to  
21 protect the Habitat. This is a raptor foraging habitat. We are in a very special  
22 valley that is known worldwide for 20 plus species of raptors in our area and we  
23 continually nickel and dime their foraging habitat and it is making it very difficult  
24 on these special critters. Thank you very much.

25

26 **CHAIR VAN NATTA** – Thank you. We have one final speaker slip here and it is  
27 for Tom Thornsley.

28

29 **SPEAKER THORNSLEY** – I get three minute, right?

30

31 **CHAIR VAN NATTA** – Yes

32

33 **SPEAKER THORNSLEY** - It means 30 seconds a topic. Okay I picked on you  
34 last week because of the variance, this week I want to pick on you about parking  
35 first for just a moment. If you go to page 10, paragraph 3, there is an analysis  
36 about the parking as to whether or not they meet the parking. Now forgive me, I  
37 didn't have a good size plan to look at but I didn't know whether each site alone  
38 can meet its parking standards. You technically can't fudge what your Code  
39 says. If your Code says you can have x number of parking stalls for x number of  
40 square feet, you are obligated to design for it. If you maybe not want to have all  
41 of them put in but you have space reserved to accommodate it, that I can see as  
42 an acceptable thing as long as it is in the conditions that when they are needed  
43 they are made. But in your truck bays here you are deficient about 50 parking  
44 spaces away from the bays according to this and there is a reference to 181  
45 spaces were provided in the old plan. The old plan is out the window and this is  
46 the only plan that applies. I don't know whether the old 181 number related to

1 just the size of those buildings at that time or whether or not there was a  
2 deficiency back then, so you've got to stop not doing what your Code says you  
3 should do.

4  
5 Another issue I have with the project and a lot of other ones and forgive me, I  
6 have to accept this project because it is meeting what minimal standards we  
7 have for this area, but I want you guys to start being aware of things because  
8 there are other projects that I think need to be better addressed. But like all of  
9 your driveway access points coming in off of the streets, every one of them  
10 comes in straight towards cars where they are parked and so those are typical  
11 conflict points for people entering all the driveways. Most of those when you  
12 design a site you should be trying to leave that area devoid of parking stalls so  
13 you don't have people trying to back out at the same time people are coming into  
14 stalls and as part of one of the few things in the Specific Plan that does address  
15 watching out for circulation conflicts. Because these are spec buildings, they are  
16 always built at a minimal. The plaza points for the entry of this are just to me  
17 very insufficient. If this was a known user and they were coming in, they would  
18 showcase themselves. They make a grand entry. They would have a plaza that  
19 gets you to the front door. Here you got a pavement area no bigger than from  
20 me to you and the width of about eight or ten parking stalls. That's it. It is not at  
21 all a statement for these buildings and it is being consistent on everything I've  
22 seen for quite a long time in the City.

23  
24 **CHAIR VAN NATTA** – You have 30 seconds.

25  
26 **SPEAKER THORNSLEY** – Okay, things like you're landscaping, there is not  
27 really a good standard in the City. The combined total of landscaping meets a  
28 certain percentage but some sights are very, very woefully short because they  
29 are the sites that don't have detention basins. Another thing about some of your  
30 perimeter landscaping; any landscaping on the north side of these giant walls,  
31 knowing they are so narrow, they are so heavily shadowed it will be very hard for  
32 most plants to grow.

33  
34 **CHAIR VAN NATTA** – Thank you very much for your comments.

35  
36 **SPEAKER THORNSLEY** – Thanks

37  
38 **CHAIR VAN NATTA** – Okay seeing no other Speaker Slips and no one else at  
39 the podium, I'm going to close the Public Hearing...

40  
41 **PLANNING OFFICIAL TERELL** – Oh before you do that, the Applicant does  
42 have the ability or the opportunity to a rebuttal should they want to.

43  
44 **CHAIR VAN NATTA** – Oh I'm sorry... Okay, I'm going to undo that and does the  
45 Applicant want to respond to any of the comments that were made?  
46

1 **APPLICANT EDWARDS** – No we're fine thanks.

2  
3 **CHAIR VAN NATTA** – Okay, thank you. The Public Hearing is closed. Okay do  
4 we have comments from our Commissioners regarding the presentations that  
5 you heard this evening?

6  
7 **COMMISSIONER GIBA** – I just wanted to say that I really appreciated all  
8 feedback and input because the community at large needs to understand how  
9 these projects are put together and I appreciate the applicant going into the detail  
10 they did. I appreciate Mr. Hague with what he has to say and it doesn't fall on  
11 deaf ears. Neither does it fall on deaf ears Tom for your information. Thank you  
12 MD. Thank you very much and any other people that would have come out, it  
13 would have been very nice, so maybe we can find a way to communicate to the  
14 rest of the people in areas as Meli brought up, but other than that to me this is  
15 one of the better sites I've seen, especially because of the proximity to the  
16 airport, there is nothing on the other side. It is designed for that specific purpose  
17 and I think with the exceptions of other peoples exceptions, the Environmental  
18 Impact Report was very detailed and believe it or not, I looked through a lot of it  
19 and so there are some things in life that we can't always mitigate, but jobs are  
20 something that is also important in the City too, so that's only what I had to share.

21  
22 **COMMISSIONER BAKER** – One question Ian and I'm not trying to harp on this,  
23 but you mentioned the City of Banning and I've got a friend that works in the City  
24 of Banning and I want to look into this. Do you have a name so that I could  
25 contact the City of Banning? I want to find out what these guys are doing to  
26 mitigate this and then the City of Long Beach. I've got a friend that works there.  
27 Is that one of your other deals? And the Port Authority I know a guy there.

28  
29 **SPEAKER MACMILLAN** – Sure, I can give them now or after

30  
31 **COMMISSIONER BAKER** - So I'm trying to... it is so easy to self serve this stuff  
32 and I want to know some fact and figures of what is going on. I mean I don't  
33 know if it applies here in the City of Moreno Valley and I'm not picking on you at  
34 all but it is so easy self serving to come out with that kind of information and no  
35 way to back it up and I'm getting to the point here that I'm going to start backing  
36 some of this stuff up. That's my job.

37  
38 **SPEAKER MACMILLAN** – I'd be more than happy to provide any of those  
39 details to you either tonight or another time.

40  
41 **COMMISSIONER BAKER** – Okay, I appreciate that; okay.

42  
43 **CHAIR VAN NATTA** – Commissioner Ramirez, any comments or debate?

44  
45 **COMMISSIONER RAMIREZ** – Just my biggest concern is the traffic; trucks  
46 headed either east or west again or Krameria or Iris. I know a truck can very



1 easily say I'm going to take Iris and then take that all the way to Redlands or  
2 Moreno Beach and go that route. Secondary; keeping trucks off of Heacock  
3 going north of Cactus as well. I think if we can eliminate that, like Commissioner  
4 Giba said, we need jobs in Moreno Valley. The site is ideal for something like  
5 this and yes we do need to improve our standards. Perhaps we should have a  
6 study session on what we can do to improve on what it is that we are approving  
7 or disapproving here, but aside from that, I think the project is suitable for the  
8 area, so I'm going to go ahead and vote for it.

9  
10 **COMMISSIONER BAKER** – You know I've got one other comment I'd like to  
11 make. Real quick on this... the jobs is a big deal, but the big thing here for City is  
12 we need to increase this tax base. We are in a deficit going on and you know  
13 residential parcels and roof tops are not getting it. Like it was pointed out to me  
14 on house, the tax I pay, it doesn't even cover the fire protection for my parcel that  
15 I own, so then it has to come from somewhere else, so that is an issue we need  
16 to look at here and whether we like these large rooftops or businesses or not,  
17 unfortunately the way the economic situation is right now, I see no way of getting  
18 around it and the other thing that kind of bothers me on this is when we put the  
19 Master Plan together and I was here 28 years ago or 25 when you did that, no  
20 one seemed to real be concerned about the traffic there. We've known that is  
21 going to be an Industrial Park from the get go, so like the other Commissioner  
22 says, it is set to go, so we've just got to work through the traffic deal. I live along  
23 Perris Boulevard and we've been 25 years getting that major arterial done; right  
24 Michael? I mean it has been a big project and you can't just go down there  
25 indiscriminately; I imagine we are charging that at large to the City; the  
26 improvements; right, and you have to watch the mill rate and that too from my  
27 background in City Government; correct?

28  
29 **SENIOR TRAFFIC ENGINEER LLOYD** – The Perris project that you are  
30 referring to is south of Cactus to southerly the City limits and it is currently funded  
31 with TUMF funding, so it is our mutual funding at work.

32  
33 **COMMISSIONER BAKER** – And that money is not going to be there forever;  
34 right?

35  
36 **SENIOR TRAFFIC ENGINEER LLOYD** – That is correct

37  
38 **COMMISSIONER BAKER** – Okay, good enough. The other thing that I want to  
39 state is when I worked for a city in Central Kansas; we used a lot of industrial  
40 revenue bonds to lure like people like Reynolds Aluminum in what we did there to  
41 get them into a small town like that is we had to wipe the taxes off for 10 years. I  
42 don't know if that happens here in California; maybe not, but the incentive was  
43 that to come into town, to get them to show up, you had to give them a tax  
44 incentive. We are not doing that here; right; okay, so I think we are just darn  
45 fortunate these companies and developers want to show up in Moreno Valley  
46 and want to do business.

1 I think we still need like George Hague says, we still need to set the standard  
2 pretty high, but you know the deal is we have a Planning Department here that  
3 handles that. They are trained to do that. We're not trained Planners up here.  
4 All we are is lay people. Some of us have the ability to have some experience in  
5 construction or whatever, but you know my point is the four years I've been up on  
6 this Planning Commission, I've always kind of put that in the Planners corner; not  
7 trying to second guess what they are doing and I'm not trying... it's like preaching  
8 to a choir here really, but this is what we pay those boys or guys and gals, so that  
9 is my opinion and I am in favor of this project. I think we need to move forward  
10 with it and let it be so. That's all I've got Meli.

11  
12 **CHAIR VAN NATTA** – Okay, now I get to talk. Well I think once; with all due  
13 respect of what you just said I think our job up here as Planning Commissioners  
14 is to oversee the Planning Department and to make sure that they are doing their  
15 job and that they are responsive to what the needs of the community is and  
16 everything like that. There'd be no reason for us up here if all we were going to  
17 do was rubber stamp what they have come up with and there have been times  
18 we have sent them back to the drawing board and said we don't like that; fix it  
19 and that is what we are here for.

20  
21 But I have a couple of comments on things that were said earlier today.  
22 Someone mentioned, well this was supposed to be more of a business park with  
23 smaller buildings and so forth and they commented on what was done with  
24 Sketchers and that they preferred the look of when you driving down the 91  
25 freeway the series of buildings that are there around the Tyler Mall area where  
26 you have got different individual businesses and they all have the freeway  
27 frontage. Well I'm sorry, I don't think that is any more attractive than what we  
28 have with Sketchers out on the east end of town, but the main thing that we are  
29 looking at here is we are looking at land use and we're looking at the economic  
30 needs of what is going on in our area here and now and we have people who are  
31 willing to build these larger warehouses because that's what they feel they are  
32 going to be able to get tenants for and believe me if there were tenants out there  
33 where you could build those 50,000 square foot warehouses one after an another  
34 or businesses in a business park one after another and you had tenants for those  
35 and tenants were lined up looking for that type of properties, that is what the  
36 developers would be building. They are building to where there is a demand and  
37 the demand at this point is for this type of building. What we would like to see  
38 and what we've seen here is a very attractive set of buildings, built in an area of  
39 town that is ideally suited for this type of building.

40  
41 Now as far as the truck traffic; yes, there is going to be truck traffic and yes we all  
42 know diesel fumes in great amounts can be harmful to our health and so forth  
43 and there are mitigation factors in there and the State and Federal Government  
44 are coming down on the new trucks being built and there are emission standards  
45 and everything else like that. I don't think we can solve all of the problems with  
46 emissions in regulating what happens on one building here. We can look at it as

1 has been done in the Environmental Impact Report in a cumulative effect of what  
2 is going to happen with all the projects that are on the boards to be approved or  
3 have already been approved and to make whatever arrangements we have to  
4 make and the traffic flow to accommodate that and so forth, but I don't think it  
5 would make any sense at all to come to this developer and say we want you to  
6 put some stringent regulations on whoever your future tenant is and tell them that  
7 they have to replace all their trucks. Notwithstanding the fact that when you do  
8 have a tenant for this type of a property, it is isn't their trucks necessarily that are  
9 bringing and delivering and taking away product from the warehouse, it is trucks  
10 that belong to subcontractors and other companies who are delivering product to  
11 them and they don't always have control over what trucks are being used.

12  
13 So that is my little ramp there. All in all, I think this is a well thought out project.  
14 It is attractive. It is in an area of town that it needs to be in. I'm satisfied with the  
15 information that we got about what is being done for the traffic flow. I'm not  
16 concerned about the trucks driving where they are not supposed to because that  
17 is going to be an enforcement issue afterwards that is out of our control and the  
18 approval at this point and I think it is a good project and I don't see any reason  
19 why not to certify and approve it. So does somebody want to make a motion?

20  
21 **COMMISSIONER GIBA** – I'll make a motion.

22  
23 **CHAIR VAN NATTA** – Okay

24  
25 **COMMISSIONER GIBA** – So, I make a motion that we **APPROVE** Resolution  
26 No's 2012-33, 2012-34, 2012-35 and 2012-36 and thereby **RECOMMEND** that  
27 the City Council:

- 28  
29 **1. CERTIFY** the Environmental Impact Report, including Statement of Overriding  
30 Considerations and the required Mitigation Monitoring Program (P11-005) for  
31 P11-004 (Specific Plan Amendment), PA11-0001 (General Plan Amendment),  
32 PA11-0002-PA11-0006 (Master Plot Plan and Individual Plot Plans) and  
33 PA11-0007 (Tentative Parcel Map No. 35879) pursuant to the California  
34 Environmental Quality Act (CEQA) Guidelines; and,  
35  
36 **2. APPROVE** PA07-0151 (Tentative Parcel Map 35879), PA07-0152 (Master  
37 Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans),  
38 PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan  
39 Amendment) to subdivide a 75.05 gross acre (66.93 net acres) portion of land  
40 into four separate parcels to include four (4) individual industrial buildings  
41 totaling 1,484,407 square feet within the I (Industrial) Land Use District as  
42 well as a General Plan Amendment and Specific Plan Amendment to amend  
43 the Circulation Element of the General Plan to realign Krameria Avenue,  
44 subject to all mitigation measures within the EIR, as well as findings included  
45 in the attached Resolutions and Conditions of Approval, attached as Exhibits  
46 A and B to the Map and Plot Plan Resolutions.

1 **COMMISSIONER BAKER** – Okay I'll second that

2  
3 **CHAIR VAN NATTA** – Okay, we have a motion and a second. All in favor?

4  
5 Opposed – 0

6  
7 **Motion carries 5 – 0, with one absent (Vice Chair Salas)**

8  
9 **CHAIR VAN NATTA** – Can we have Staff wrap up please?

10  
11 **PLANNING OFFICIAL TERELL** – Yes due to the inclusion of a Specific Plan  
12 Amendment and a General Plan Amendment for Circulation, this item shall  
13 automatically be forwarded to the City Council for final review and action.

14  
15 **CHAIR VAN NATTA** – Okay, we're going to take a five minute break right now...

16  
17 Welcome back from break.

18  
19  
20 **2. Case Number: P12-102 Amended Master Plot Plan**  
21 **P12-103 Amended Plot Plan**  
22 **P12-130 Amended Plot Plan**

23  
24 **Case Planner: Julia Descoteaux**

25  
26 **CHAIR VAN NATTA** – We're now going to look at the second item on our  
27 Agenda. The Applicant is Kaiser Permanente and the Case Planner is Julia  
28 Descoteaux. Go ahead.

29  
30 **ASSOCIATE PLANNER DESCOTEAUX** – Good evening Chair Van Natta and  
31 members of the Planning Commission. I'm Julia Descoteaux, Associate Planner  
32 and before you this evening is Application P12-102, an Amended Master Plot  
33 Plan and P12-103, an Amended Plot Plan. Application P12-130 was an  
34 Amended Plot Plan that we have removed from the item. It is on the Agenda but  
35 we have removed it from the Item as we are still in discussions with the Applicant  
36 regarding that Application. So the projects before you are an Amended Plot Plan  
37 which will allow an 8,229 square foot expansion to the existing Hospital at the  
38 Emergency Room entrance. The expansion will include not only an interior  
39 remodel, but the location of a MRI facilities trailer providing diagnostic services in  
40 addition to those provided in the existing Hospital. The Master Site Plan is  
41 required to update the Hospital Campus to include the expansion and the MRI  
42 trailer. The project is located within the Community Commercial Zone within the  
43 Medical Use Overlay District. The purpose of the Medical Use Overlay District is  
44 to implement the General Plan goal of creating a Medical Corridor by limiting land  
45 uses to those that support and/or are compatible with the City's two Hospitals.

1 The project as designed and conditioned meets the objectives of the  
2 requirements of the Community Commercial Zone and the Medical Use Overlay  
3 District. Access for the expansion will be from the existing driveways along Iris  
4 with a minor modification to the existing parking lot to accommodate the building  
5 expansion. Due to the size of the site, the removal of the parking stalls should  
6 not affect the project as the resulting number of parking stalls in the existing lot  
7 meets the parking requirement for the Hospital. The design of the proposed  
8 modification is in conformance with the Office Commercial Design Standards and  
9 is consistent and complimentary with the existing Hospital. The building is a  
10 contemporary design using glass and metal hovered sun shades to accent the  
11 front and side of the building. The colors include earth tones will match the  
12 existing Hospital's color palette.

13  
14 The Applicant submitted the project on August 1<sup>st</sup>, 2012 and has addressed all  
15 the comments and resubmitted the revised plans for review and approval. All  
16 relevant issues were adequately corrected to the satisfaction of all parties. The  
17 project is exempt from the provisions of the California Environmental Quality Act  
18 as a Minor Alteration to an Existing Facility, Class 1, and Categorical Exemption  
19 CEQA Guidelines Section 15301. Notice was sent to all property owners within  
20 300 feet and to date I have not received any phone calls or inquiries regarding  
21 the project. And just one point of clarification for the Applicant, the conditions of  
22 approval if approved tonight are based on the area within the scope of the work  
23 for this Application, so they don't expand to any of the rest of the property. This  
24 concludes Staff's presentation and if I can answer any questions for you I'm  
25 available as well as the Applicant is here. Thank you.

26  
27 **CHAIR VAN NATTA** – Any questions? I just have a question. This is called  
28 emergency room interim expansion, so is there another expansion that is  
29 anticipated or is this just in the interim until they do something else?

30  
31 **PLANNING OFFICIAL TERELL** – Yes that would be a great question for the  
32 Applicant, but yes this is not the end of new facilities for this Hospital.

33  
34 **CHAIR VAN NATTA** – Okay. I mean I know it isn't. There are other things  
35 planned but as far as this emergency room expansion is there going to be an  
36 additional expansion of the emergency room. I'm just wondering why it is called  
37 interim.

38  
39 **PLANNING OFFICIAL TERELL** – Yes, we'll ask the Applicant to include that as  
40 part of their presentation.

41  
42 **CHAIR VAN NATTA** – Okay you can address that when you come up. Okay any  
43 other questions? Okay then now we are going to into Public Comments and we  
44 will begin with the Applicant's presentation.

1 **APPLICANT DENNISON** – Good evening Commissioners and Staff. My name  
2 is Skyler Dennison, Kaiser Permanente, 825 Colorado Boulevard, Los Angeles.  
3 We didn't really prepare for presentation. I think Julia Descoteaux actually called  
4 out you know what we are proposing; this 8,300 square foot expansion quite  
5 clearly, but to talk to your point. This is an interim expansion. There are future  
6 plans and I can't really get into that actual phasing and timing at this moment, but  
7 at this location the scope of work that won't be the impact, it will be in another  
8 part of the facility, but there are future plans in the capital plan for the site.

9  
10 **CHAIR VAN NATTA** – Okay

11  
12 **COMMISSIONER CROTHERS** – So not strictly for the emergency room but for  
13 the rest of the Hospital and that is why you are calling it an interim.

14  
15 **APPLICANT DENNISON** – That's correct

16  
17 **COMMISSIONER CROTHERS** – Okay

18  
19 **APPLICANT DENNISON** – There might be minor modifications to it in the future;  
20 more interior, but then there'll be a larger expansion to the Community Hospital  
21 itself.

22  
23 **COMMISSIONER CROTHERS** – Okay, thank you.

24  
25 **COMMISSIONER RAMIREZ** – So there is going to be a separate trailer for the  
26 MRI's. Is that correct?

27  
28 **APPLICANT DENNISON** – Well there is no MRI in the facility now and so a lot of  
29 our facilities... actually I would say all of our Hospitals do have... some have  
30 MRI's in the building themselves and then we have a secondary MRI on what we  
31 call the tech dock. Actually this is a cost saving measure. That way we kind of  
32 deliver health care more affordably because the actual... what it takes to actually  
33 locate these inside facilities because of lead and setbacks you need from other  
34 uses, it is quite expensive and it takes up a lot of space, so it is kind of a cost  
35 savings measure. At the same token that if there is a greater demand, maybe in  
36 a time of emergency, it can be moved to another facility.

37  
38 **COMMISSIONER RAMIREZ** – Okay

39  
40 **CHAIR VAN NATTA** – Interesting, okay any other questions. I see no Speaker  
41 Slips for any other speakers, so I'm going to close the Public Comment Section  
42 here and thank you very much.

43  
44 **APPLICANT DENNISON** – Thank you

45  
46 **CHAIR VAN NATTA** – Do we have any discussion?

1 **COMMISSIONER CROTHERS** - I just wanted to say that I've actually been in an  
2 MRI trailer. It was kind of odd that I got wheeled out of the Hospital and into the  
3 trailer, but I understand why it is necessary and I think it is vital in case of  
4 emergency in a different area that it be available. It is definitely a life saving tool  
5 for the Hospital to have and I think it is a good project and I'm happy that it is  
6 here.

7  
8 **CHAIR VAN NATTA** – Okay, anything else? I too am happy that Kaiser is part  
9 of our community and in going back a little in history, I applaud the fact that  
10 Kaiser was able to work out a way of having all of their services and still  
11 providing a community Hospital for Moreno Valley. Thank you. Okay would  
12 someone like to read the motion?

13  
14 **COMMISSIONER BAKER**- I'll do that. I move to **APPROVE** Resolution No.  
15 2012-27 and thereby:

- 16  
17 **1. RECOGNIZE** that P12-102 Amended Master Plot Plan and P12-103  
18 Amended Plot Plan qualifies as an exemption in accordance with CEQA  
19 Guidelines, Section 15301 Existing Facilities; and,  
20  
21 **2. APPROVE** P12-102 Amended Master Plot Plan and P12-103 Amended Plot  
22 Plan subject to the attached conditions of approval included as  
23 Exhibit A.

24  
25 **COMMISSIONER BAKER** – Do we need to spell those out or is that good  
26 enough?

27  
28 **CHAIR VAN NATTA** – Good enough

29  
30 **COMMISSIONER CROTHERS** – I'll second

31  
32 **CHAIR VAN NATTA** – Okay we have a motion and a second... all in favor?

33  
34 Opposed – 0

35  
36 **Motion carries 5 – 0, with one absent (Vice Chair Salas)**

37  
38 **CHAIR VAN NATTA** – Okay may we have the Staff wrap up please?

39  
40 **PLANNING OFFICIAL TERELL** – Yes this action shall become final unless  
41 appealed to the City Council within 15 days.

1 **COMMISSIONER COMMENTS**

2  
3 **CHAIR VAN NATTA** – Okay that concludes our Hearing portion and does any  
4 Commissioner wish to make any kind of comment or statement before we close?

5  
6 **COMMISSIONER RAMIREZ** – I would just like to first of all congratulate ex-  
7 Commissioner Tom Owings on his victory for District 3 City Council. In addition  
8 to that I would like to wish all of our viewers and all of our residents and all of our  
9 Staff and everybody here Happy Holidays. Merry Christmas and Happy  
10 Hanukkah; whatever you celebrate have a happy time. Thank you.

11  
12 **CHAIR VAN NATTA** – Okay ditto from me and make it a safe one. Okay,  
13 motion to adjourn?

14  
15  
16  
17 **STAFF COMMENTS**

18  
19 **PLANNING OFFICIAL TERELL** - Oh before you... just one quick... Your next  
20 meeting and I don't know if you've got your calendars for next year yet?

21  
22 **CHAIR VAN NATTA** – Yes

23  
24 **PLANNING OFFICIAL TERELL** – Your next meeting is on the 17<sup>th</sup> of January  
25 and we do have one item currently scheduled for that Agenda. It is on Brodiaea  
26 east of Moreno Beach. It is a 159 lot tract; residential tract and it does include a  
27 Zone Change and a General Plan Amendment because they are proposing to  
28 reduce the density in that area as part of their project. So that will be coming  
29 forward to you. Also two or three of the Commissioners... our standard practice  
30 and this is based on prior Planning Commissions is to provide you these very  
31 large plans so you can rustle them around and dance on them at home... I don't  
32 know what... but it's really to provide you with a large scale plan so you can read  
33 then. Obviously with computers now we can send some of that information to  
34 you on the computer and you can blow it up to your heart's content, but I did  
35 want to ask the Commissioners if they would like to receive those any more or if  
36 you would like to receive a smaller size that we can send you... maybe an 11 x  
37 17 or something like that, that is easier to handle at the meetings, so I wanted to  
38 pose that question to you and certainly if any of you do want the larger size, we  
39 can provide that, but if you don't need it or want it we're wasting our resources as  
40 well as the resources of the Applicant's to ask them to give it to you and so I just  
41 wanted to pose that question so in the future we can provide you what you need  
42 or what you want.

43  
44 **CHAIR VAN NATTA** – I think Commissioner Giba will want the large ones and  
45 the rest of us can do with the 11 x 17.



1 **COMMISSIONER GIBA** – Wait a minute. I think I’m the one that keeps. This is  
2 easier on the dais John and I really appreciate it because I can take this little  
3 packet and everything you have and lay it down here and go through it. I know  
4 I’m half blind but I don’t really need the huge one as much because you guys do  
5 a wonderful job of these especially when I get them in color. It is really cool.

6  
7 **CHAIR VAN NATTA** – Yes I think the 11 x 17 is easier to handle.

8  
9 **COMMISSIONER BAKER** – Right, it is an easier format

10  
11 **COMMISSIONER CROTHERS** – I prefer the paper saving... absolutely

12  
13 **COMMISSIONER BAKER** - I’ve got one other question for John. This notice  
14 deal keeps coming up, what do you figure that costs the City to send those  
15 notices out. I know you’ve at least 45 cents in postage plus the envelopes and  
16 everything else that goes with it; right? Is it approaching a dollar a notice or not,  
17 by the time you put the labor in it and everything or not?

18  
19 **PLANNING OFFICIAL TERELL** – I would think it is easily approaching a dollar.  
20 Obviously that is a cost of doing business, so if we expanded the number of  
21 notices, we would pass that through to the Applicant.

22  
23 **COMMISSIONER BAKER** – What do we do now? Do we absorb that now?

24  
25 **PLANNING OFFICIAL TERELL** – We have a noticing fee, so we do it based on  
26 averages, so it is a couple of hundred dollars for noticing because obviously you  
27 know on a project like this when there is not much around it there might be 15 or  
28 20 notices. In the middle of the one that you had, the project last time I think that  
29 had closer to over a hundred, so it depends on the area, but I did write it down  
30 and it is an item to bring up at a future meeting and we’ll, you know, again query  
31 other folks around here and see what they do to provide you some examples of  
32 what others might do, so you can discuss it and then you can make a  
33 recommendation to the City Council on something so they could discuss it or you  
34 could ask us to bring forward something and do a formal Ordinance and then it  
35 would go formally to the City Council. There a couple of ways to do it, but it is on  
36 the list here and we’ll try to do that. I think probably if we end up having only the  
37 one item next time, we’ll probably have some time to talk about other things.

38  
39 **COMMISSIONER GIBA** – John can I... this is the second time for me this issue  
40 has come up. We talked about it separately but I just want to bring it up. The  
41 noticing with the notice boards and I know that you mentioned to me that you  
42 have an outside group or something that makes the determinations, but I  
43 remember you only had the one notice on the corner of Cactus and Frederick  
44 and now this one when I went out to the site, you had the one notice on the  
45 corner of Heacock and Iris, which was down on the Heacock side and then the  
46 other one was by the wash on Heacock itself, which means most of the residents

1 and stuff, if they don't travel that way they are not going to see that. Is there any  
2 way you can review where those signs get placed so that the residents have a  
3 view. Remember we had the discussion with the residents that they didn't see  
4 where the apartment complexes were going to be built by the College and they  
5 couldn't see those either. Is there any way to review where we can really put  
6 those so that the residents can see it and we know they are going to find them  
7 rather than hunt for them.

8  
9 **PLANNING OFFICIAL TERELL** – Right, hopefully we're attempting to do that  
10 anyways. We can have a conversation with our contractor on that as well as to  
11 just provide direction. Our intent is always to provide one notice per major street  
12 frontage, so that is our intent on any project. The only limitation is we can't put  
13 notices on somebody else's project, so it has to be on the project site, so that is  
14 the only limitation, but yes and that is what we try to do. We try to do... usually at  
15 an intersection is the best place because people are stopped there and they  
16 might look over, either coming or going from wherever they... because either  
17 coming or going from what their original site is.

18  
19 **COMMISSIONER GIBA** – Actually I came down Heacock and I didn't see the  
20 one at the intersection of Heacock and Iris when I came down that way and I just  
21 happened to notice the one by the wash because I looked over to look at the  
22 wash and I went oh, that looks like a sign and I pulled over to read it. When I  
23 went back up the other way, as I made a right hand turn onto Iris then I went oh,  
24 there is the other one, so I don't know that they were really that obvious to be  
25 honest with you and most of the residents may not have gone down that way, so  
26 when I say kind of a review of that, you look at not because it is an intersection,  
27 but is it a viable intersection where people might actually see it at that point.  
28 That's all.

29  
30 **PLANNING OFFICIAL TERELL** – Sure I appreciate that and we certainly can do  
31 better.

32  
33 **UNKNOWN SPEAKER IN AUDIENCE** – Could I add something to that?

34  
35 **CHAIR VAN NATTA** – We're really not at Public Comment portion here.

36  
37 **PLANNING OFFICIAL TERELL** – You can talk to me about it

38  
39 **CHAIR VAN NATTA** – Yes, as a matter of fact we were right about the motion to  
40 adjourn. Would somebody do that?

41  
42  
43  
44 **ADJOURNMENT**

45  
46 **COMMISSIONER BAKER** – I motion to adjourn

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**CHAIR VAN NATTA** – Okay

**COMMISSIONER BAKER** – Second

**CHAIR VAN NATTA** – All in favor to get up and leave? Good night.

\_\_\_\_\_  
John C. Terell  
Planning Official  
Approved

\_\_\_\_\_  
Date

\_\_\_\_\_  
Meli Van Natta  
Chair

\_\_\_\_\_  
Date

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1 CITY OF MORENO VALLEY  
2 PLANNING COMMISSION  
3 REGULAR MEETING  
4 JANUARY 17<sup>TH</sup>, 2013

5  
6 **CALL TO ORDER**

7  
8 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley  
9 Planning Commission on the above date in the City Council Chamber located at  
10 14177 Frederick Street.

11  
12  
13 **ROLL CALL**

14  
15 Commissioners Present:

16 Chair Van Natta  
17 Vice Chair Salas  
18 Commissioner Baker  
19 Commissioner Crothers  
20 Commissioner Giba  
21 Commissioner Ramirez

22  
23 Staff Present:

24 John Terell, Planning Official  
25 Mark Sambito, Land Development Division Manager  
26 Paul Early, Deputy City Attorney  
27  
28  
29

30 **PLEDGE OF ALLEGIANCE**

31  
32  
33 **APPROVAL OF AGENDA**

34  
35 CHAIR VAN NATTA – Okay we have the Agenda in front of us and I trust you've  
36 all had an opportunity to review it. Do we have a motion to approve the Agenda?  
37

38 COMMISSIONER GIBA – I motion to approve the Agenda  
39

40 COMMISSIONER BAKER – I'll second  
41

42 CHAIR VAN NATTA – Okay we have a motion and a second... all those in  
43 favor?  
44

45 Opposed – 0

1 **Motion carries 6 – 0**

2  
3  
4  
5 **PUBLIC HEARING ITEMS**

6  
7 **CHAIR VAN NATTA** – At this point I would like to note that the Public is advised  
8 that procedures to be followed in this meeting are posted in the back of the room.  
9

10  
11  
12 **PUBLIC COMMENTS**

13  
14 **CHAIR VAN NATTA** – We will begin with comments by any member of the  
15 public on any matter which is not listed on the Agenda but which is within the  
16 subject matter jurisdiction of the Commission and we have a couple of requests  
17 to speak for items not on the Agenda. We will begin with Cheryl Brady. Would  
18 you like to come up and give your name and address?  
19

20 **SPEAKER BRADY** – My name is Cheryl Brady and I live at 22859 Mesa Springs  
21 Way in the Hidden Springs area. I am a member of the Hidden Springs  
22 Residents Committee and we met last night to discuss a proposal of change in  
23 our landscaping services. In the process of that discussion we were told that our  
24 plant choices would be limited due to the current plant palette plan which has  
25 been in use here in the City since 1983. Now our Committee would really like to  
26 make the best choices possible and really institute change up there towards  
27 more water efficiency and all that and we feel as though the current plant palette  
28 does not allow us to do that. We need the City of Moreno Valley's help in order  
29 to do this. It is not something we can do on our own and our next Committee  
30 meeting is February 13<sup>th</sup>. We would love some information from you before that  
31 meeting so that we can continue in our discussion and choices. We believe that  
32 changing the plant palette plan would not only benefit us here in Hidden Springs,  
33 but the entire City because as it is right now, we are very limited and I think we all  
34 know the availability since 1983 has totally changed as far as plant availability,  
35 more drought tolerant plants are now available and who doesn't want to be more  
36 water efficient and as a committee we would really like to make the best choices  
37 and we really need your help and we just wondered if we could count on some  
38 information from you as far as changing this plant palette?  
39

40 **PLANNING OFFICIAL TEREEL** – The quick answer I think is yes we could  
41 certainly provide some information that could go to the committee in some format  
42 certainly before February 13<sup>th</sup>.  
43

44 **COMMISSIONER GIBA** – John is this change to the actual Specific Plan up  
45 there. That is an old Specific Plan and so that would give the Hidden Springs

1 Committee time to actually review that Specific Plan and may be make some  
2 adjustments that would benefit them in the future.

3  
4 **PLANNING OFFICIAL TERELL** – My understanding is and I don't know all the  
5 details that it is a point in time that they put a plant palette in there and included it  
6 in the Specific Plan, so in order to change it you need to amend the Specific  
7 Plan.

8  
9 **SPEAKER BRADY** – Yes

10  
11 **PLANNING OFFICIAL TERELL** – That is not the plant palette that we use any  
12 place else in town; it is only specific in Hidden Springs, so I need to look into it a  
13 little more detail, but the basic process it would have to be amended and there is  
14 a process for that and it would have both input from the residents committee as  
15 well as any other member of the public that was interested.

16  
17 **COMMISSIONER GIBA** – And so you would get some feedback as to a cost  
18 analysis or how long it would take and how much time it would take and the time  
19 line for that process...

20  
21 **PLANNING OFFICIAL TERELL** – I certainly can get a rough idea what it  
22 typically takes; yes

23  
24 **COMMISSIONER GIBA** – Okay good

25  
26 **SPEAKER BRADY** – Thank you

27  
28 **CHAIR VAN NATTA** – Thank you for comments. I have another request to  
29 speak; Mr. Kirk Elder.

30  
31 **SPEAKER ELDER** – Yes, I'm Kirk Elder. I live at 22521 Country Gate Road in  
32 Moreno Valley. It is up in the Hidden Springs area and again we both came here  
33 today to talk about plant palette and the thing that you said it kind of caught me  
34 by surprise was that this palette was only for Hidden Springs area?

35  
36 **PLANNING OFFICIAL TERELL** – Yes, if it is in the Specific Plan, that is only for  
37 that area and I think and I wasn't working here at the time but the legend or lore  
38 that I heard about it was that they changed it to have what was considered at that  
39 time, native or drought tolerant plants as they knew them back then. Obviously  
40 as the earlier speaker said, a lot has been learned since then, but yes that plant  
41 palette if it is in the Specific Plan, only applies to Hidden Springs. We have  
42 another plant palette that is Citywide.

43  
44 **SPEAKER ELDER** – Can the Citywide plant palette supersede the Moreno  
45 Valley plant palette?  
46

1 **PLANNING OFFICIAL TERELL** – I don't know. That is something that I can look  
2 into.

3  
4 **SPEAKER ELDER** – Okay, because rather than spending a lot of time changing  
5 it, if the current one you have is more up to date and has the more drought  
6 tolerant plants, maybe it just needs to supersede the older one.

7  
8 **CHAIR VAN NATTA** – I think there is more involved in that for Hidden Springs  
9 because when that area was developed there was a specific emphasis on  
10 maintaining as much of the natural landscape that was there and not destroying  
11 that, so I don't think what was developed for the City as a whole would really  
12 apply to that. I think it is still has to be specific to that particular neighborhood. It  
13 is unique and people like it because of its natural look.

14  
15 **SPEAKER ELDER** – Yes the problem there is we've cut back the water usage  
16 and so what was natural is all dying up there, so it is not working anymore, so if  
17 we are going by an older palette and we have a newer one that the City is using  
18 that does have all the latest you know drought... we'd have to change because it  
19 would be... one of the reasons we came is because we afraid we'd end up  
20 putting in the same stuff back that is not living there right now because we can't  
21 get more water and we don't intend to ask for more water. The whole thing is to  
22 get the proper plants there.

23  
24 **CHAIR VAN NATTA** – Yes it is

25  
26 **PLANNING OFFICIAL TERELL** – Yes as the Chair said, the Citywide list is a  
27 very long list and that might not be appropriate for that specific area, but again I  
28 will certainly look into that and see if that makes sense.

29  
30 **SPEAKER ELDER** – Okay, thank you

31  
32 **CHAIR VAN NATTA** – I think what you don't want to do is just say I'll plant  
33 anything you want; it still has to be specific to that area.

34  
35 **SPEAKER ELDER** – Yes I think the more emphasis with the drought tolerant  
36 plants we could get would look nice.

37  
38 **VICE CHAIR SALAS** – Do you guys have a plant palette in mind? Do you have  
39 some plants that you guys you think would be good for the area or are you...?

40  
41 **SPEAKER ELDER** – The way this kind of came about was when we started  
42 talking about the choices, we were told we had to stay with the plant palette that  
43 was already existing and nobody knew what was on the plant palette and I think  
44 it was honeysuckle we were using a lot and it takes a lot more water than  
45 anything and it is dying all over.



1 **VICE CHAIR SALAS** – No I understand that but what I’m saying is if there is  
2 going to be a procedure to change this landscape palette it is going to take time  
3 and you need to do the procedures to do it. I’m just saying with you guys  
4 recommendation to bring to the City and you know saying we think these plants  
5 will work in this area for whatever reason, give us something to work with instead  
6 of just saying...

7  
8 **SPEAKER ELDER** – I don’t think you’ll have any problem with getting some  
9 people to step forward and do that. We didn’t know what the process was, so  
10 this is our first attempt to get this going.

11  
12 **CHAIR VAN NATTA** – Well we’ll give it to John at this point or Mr. Terell to look  
13 at where we need to go from here.

14  
15 **PLANNING OFFICIAL TEREELL** – And I don’t know how I transmit this. Should I  
16 transmit it through Special Districts or ...

17  
18 **COMMISSIONER GIBA** – That might not be a bad idea to do through Candace  
19 and through the Special Districts Supervisor because we have to coordinate with  
20 them I’m quite sure with the change of that palette and the types of plants to be  
21 planted there. Currently they have a lot of white elder which are flood plain trees.  
22 They can’t handle the reduction and there are a lot of dead trees up there;  
23 literally dead that they need to take down and that is a safety issue too at that  
24 point, so that is what brought all that about and that plant palette was explored  
25 about a year and a half ago and Community Service District had that listing and  
26 said we are limited to this and that is why the honeysuckle and other stuff was  
27 being planted up there because that was all they could do, so I think this is a  
28 good direction you guys have chosen.

29  
30 **SPEAKER ELDER** – Well thank you very much

31  
32 **PLANNING OFFICIAL TEREELL** – Great, thanks, I’ll just follow-up with Candace  
33 Castle and provide some direction she can share about how and how much that  
34 might cost. From what I hear, I think it is going to be relatively painless. It won’t  
35 be quick but it might be real quick.

36  
37 **COMMISSIONER GIBA** – I think it’s a good precedent because the City as old  
38 as it is, they are talking the lead on this and there might be other Specific Plans  
39 that do need some upgrading now with the changes of the times, so it might set a  
40 good precedent for the City.

41  
42 **CHAIR VAN NATTA** – You might have to consult with a plant specialist as to  
43 what would be the best plants to go in there.

1 **PLANNING OFFICIAL TERELL** – Oh definitely, the Planners aren't going to pick  
2 new plants for you, but it sounds like you might have some... there might be  
3 some resources in the area committee that would be helpful and...

4  
5 **VICE CHAIR SALAS** – Yes

6  
7 **COMMISSIONER GIBA** – George Riechers lives there

8  
9 **PLANNING OFFICIAL TERELL** – George would definitely know some of the...

10  
11 **VICE CHAIR SALAS** – We just went through this at the Metrolink Stations; all  
12 brand new plants for all the landscaping and everything with drought tolerant and  
13 all that stuff and it does take time... but I mean there are a bunch of them out  
14 there so...

15  
16 **CHAIR VAN NATTA** – Okay, we're still on items not on the Agenda and I don't  
17 have any other Speakers. Was there anyone else who had something to bring  
18 forward at this time. If not we are going to close that portion of the Hearing and  
19 go on to the Public Hearing Items.

20  
21  
22  
23 **PUBLIC HEARING ITEMS**

- 24  
25 1. **Case Number:** PA12-0004 **Conditional Use Permit PUD**  
26 PA12-0005 **Tentative Tract Map for PUD**  
27 PA12-0029 **Change of Zone**  
28 PA12-0030 **General Plan Amendment**  
29 P12-129 **Variance**

30  
31 **Case Planner:** Julia Descoteaux

32  
33 **CHAIR VAN NATTA** – Our first item; it looks like we have an applicant who  
34 wishes to continue that to a later date.

35  
36 **PLANNING OFFICIAL TERELL** – Yes we have a request to continue that to the  
37 28<sup>th</sup> of February which is your next meeting and so that is the request and there  
38 are just a few loose ends we need to tie up on that project that the Applicant and  
39 the Staff agree that would be helpful to have a continuance.

40  
41 **CHAIR VAN NATTA** – There are still some things you are working on?

42  
43 **PLANNING OFFICIAL TERELL** – Yes

44  
45 **CHAIR VAN NATTA** – Okay

1 **VICE CHAIR SALAS** – Do we vote on it?

2  
3 **CHAIR VAN NATTA** – First we need a motion

4  
5 **VICE CHAIR SALAS** – That’s what I was going to say. I’ll motion that we go  
6 ahead and allow the continuance until next February 28<sup>th</sup>, 2013 at the request of  
7 the Applicant.

8  
9 **COMMISSIONER GIBA** – I’ll second that

10  
11 **CHAIR VAN NATTA** – All those in favor?

12  
13 Opposed – 0

14  
15 **Motion carries 6 – 0**

16  
17  
18  
19 **2. Case Number: P13-0001      Expanded Planning Review of**  
20 **Mariposa Avenue Street Vacation**

21  
22 **Case Planner: Mark Sambito**

23  
24 **CHAIR VAN NATTA** – Going on to our next item... The Expanded Planning  
25 Review of Mariposa Avenue Street Vacation and the Planner on this is Mark  
26 Sambito. Would you like to tell us what it is about?

27  
28 **PLANNING OFFICIAL TERELL** – Apparently Mark has gotten a promotion.

29  
30 **CHAIR VAN NATTA** – Well it says Case Planner Mark Sambito.

31  
32 **LAND DEVELOPMENT DIVISION MANAGER SAMBITO** – Good evening  
33 Honorable Chair and members of the Planning Commission. I’m Mark Sambito  
34 the Land Development Division Manager. I’ll be making the presentation tonight.  
35 The item before you is a request by the Applicant to perform a street vacation of  
36 Mariposa Avenue in accordance with the Conditions of Approval on a previously  
37 approved project. Normally street vacations would not come to you here at the  
38 Commission and as a stand alone item they are typically performed as part of a  
39 Final Map so as part of any number of events that are occurring with that map,  
40 the vacation would typically be part of that, but because this Applicant has asked  
41 that this move forward in advance of the design drawings it does find its way to  
42 you. It is required by the State Highway Code that you review and approve it  
43 prior to it going to City Council.

44  
45 The project is located between Perris Boulevard and Kitching to the east and  
46 from the Perris LA Channel south, bounded both by the channel and by I guess

1 Modular Way would be the nearest major street. To the east of the project is the  
2 EMWD treatment plant. To the north of the project is the channel as I mentioned  
3 earlier and then on the other side of the channel are residential developments.  
4 Both to the west and the south of the project the zoning there is Industrial.

5  
6 Land Development and Planning Staff have reviewed the request for the vacation  
7 and we find that it is consistent with the zoning and the General Plan as well as  
8 the Subdivision Map Act and the Streets and Highway Code. It is not required;  
9 Mariposa is not required as a street in the general circulation and it is not needed  
10 to provide access to any of the proposed development projects at this time.  
11 There are no existing street improvements on Mariposa but there are two existing  
12 utilities, both lying within an existing ten foot wide easement and there is a flood  
13 control channel and maintenance road for that channel and all falling within the  
14 area of the vacation. The utilities will remain within the easement and flood  
15 control will continue to provide oversight on their maintenance road and that  
16 portion of the channel, so we are reserving for them what they need. It will allow  
17 them to continue to operate and provide access to their utilities or their facilities  
18 as they are today and it won't hinder access for that.

19  
20 A notice was published the newspaper. A public display was placed on the site  
21 and we also contacted everyone within a 300 foot radius of the project site, so we  
22 think we've done a good job on noticing it. The only response we received was  
23 from AT&T who indicated they had no facilities within that area and no objection  
24 to the requested vacation, so with that Staff recommends that the Planning  
25 Commission finds that the proposed vacation of Mariposa Avenue is in  
26 conformance with the General Plan and the zoning and forwards the item to City  
27 Council for their review and action. I'm available for questions if you have any.

28  
29 **COMMISSIONER CROTHERS** – I'm looking at the map from the Public Hearing  
30 Notice... the homes that are above Mariposa, do they have access to Mariposa?  
31 Currently do they use Mariposa? Can they exit from their housing tract onto  
32 Mariposa?

33  
34 **LAND DEVELOPMENT DIVISION MANAGER SAMBITO** – No they cannot.  
35 Mariposa is separated from that residential area by the Perris Valley Channel, so  
36 there is a physical barrier there and Kitching Street does not cross the Channel.

37  
38 **COMMISSIONER CROTHERS** – Thank you

39  
40 **CHAIR VAN NATTA** – Are there any other questions?

41  
42 **VICE CHAIR SALAS** – I have one; real quick. What is the purpose to vacate the  
43 street? What is the main purpose? Why are we doing this? Why are they  
44 asking for this?

1 **LAND DEVELOPMENT DIVISION MANAGER SAMBITO** – At one point the  
2 street was offered for road and utility purposes, so it is what we call a paper  
3 street. It is on the map but it doesn't exist yet. This developer is looking to  
4 improve the area; create his development, an industrial building and in doing  
5 such he could very well utilize that area and since it serves no purpose for a  
6 roadway, he asked us and we have conditioned him as part of the project that he  
7 must remove that. It cleans up the area and normally again this would occur  
8 when he does his Final Map to clean up his project site, but this developer is  
9 asking to do it early so they can have nice clean design drawings and also as  
10 part of their purchase and sale agreement. They want to basically clean house  
11 before they do the sale of the property.

12  
13 **VICE CHAIR SALAS** – Okay, it's a paper street. Okay thank you.

14  
15 **CHAIR VAN NATTA** – Are there any other questions?

16  
17 **COMMISSIONER GIBA** – A quick one here... so if they choose not to go forward  
18 with their project, your condition says that that is no longer vacated it goes back  
19 in reverse to where it was supposed to be in the event that we could maintain the  
20 paper street if they choose to not go forward with the project. Is that the  
21 condition you are speaking of?

22  
23 **LAND DEVELOPMENT DIVISION MANAGER SAMBITO** – The condition states  
24 that as the condition of the approved entitlements, whether it is this developer or  
25 any other, they must vacate Mariposa. It is more of a hindrance almost if you  
26 would to the project than it is an asset, so if this developer were to perform the  
27 vacation and then decide not to build his project that vacation would still  
28 accomplish it and could remain that way. Either he or the next owner, sometime  
29 in the future when they develop, one of their conditions will already be satisfied.  
30 So even if they don't build, it would be a condition of ours in order for whomever  
31 to build that they do this housekeeping and remove Mariposa.

32  
33 **COMMISSIONER GIBA** – So that when they do their maps and stuff, it doesn't  
34 show up on any of their mapping or anything like that.

35  
36 **LAND DEVELOPMENT DIVISION MANAGER SAMBITO** – Yes sir that is  
37 correct.

38  
39 **COMMISSIONER GIBA** – We don't have a need for that street. For all intents  
40 and purposes it is just a paper; useless, because of the culvert and the drain and  
41 so it effectively has no impact on our City in any way, shape or form other than to  
42 allow a bit more room for them to build what they want to build.

43  
44 **LAND DEVELOPMENT DIVISION MANAGER SAMBITO** – That is correct and  
45 the City has not expended any maintenance funds to take care of it. There are

1 no hard public improvements on the ground, so with that it lends itself nicely to  
2 just again be a housekeeping item for the project.

3  
4 **PLANNING OFFICIAL TEREELL** – Yes it should be noted that the original  
5 dedication of this street was on the Bear Valley Map which was recorded in 1891,  
6 a little while before they even had the channel there; maybe 60 or 70 years, so it  
7 has been around a long time, so it doesn't meet any current...

8  
9 **CHAIR VAN NATTA** – I don't even remember that far back.

10  
11 **PLANNING OFFICIAL TEREELL** – You might recall it in a past life.

12  
13 **VICE CHAIR SALAS** – One thing about paper streets in a development; they  
14 can be a real deterrent to that because you know they were done a long time  
15 ago. I've run into many where you wish they weren't there but I understand.

16  
17 **CHAIR VAN NATTA** – Any more questions for the Engineer? Okay at this point  
18 I'm going to open it for any Public Comment. Does anybody have anything they  
19 want to say; Applicant, public... I have no Speaker Slips. I'm going to close  
20 Public Comment and open Commissioners Discussion. Does anybody have  
21 anything to say about it? Okay can I hear a motion?

22  
23 **VICE CHAIR SALAS** – I recommend ... what do I read?

24  
25 **CHAIR VAN NATTA** – This part right here

26  
27 **VICE CHAIR SALAS** – Okay...I **FIND** that the proposed vacation of Mariposa  
28 Avenue is in conformance with the General Plan and current zoning.

29  
30 **COMMISSIONER BAKER** – I'll second that

31  
32 **CHAIR VAN NATTA** – We have a motion and a second.... All those in favor?

33  
34 Opposed – 0

35  
36 **Motion carries 6 – 0**

37  
38 **CHAIR VAN NATTA** – Okay... Other Business... Overlay Zones and Studies

39  
40 **PLANNING OFFICIAL TEREELL** – Before we do that...

41  
42 **CHAIR VAN NATTA** – Oh, you have to wrap it up... sorry

43  
44 **PLANNING OFFICIAL TEREELL** – Before we do that...

45

1 **CHAIR VAN NATTA** – I always forget you want to say something at the end of  
2 these...

3  
4 **PLANNING OFFICIAL TERELL** – I don't want to, but I get to... so, this  
5 Recommendation shall be forwarded to the City Council for final review and  
6 action.

7  
8 **CHAIR VAN NATTA** – Thank you.

9  
10 **VICE CHAIR SALAS** – Good luck

11  
12  
13  
14 **OTHER BUSINESS**

15  
16 **Overlay Zones and Studies**

17  
18 **CHAIR VAN NATTA** – Okay, so now we are going to discuss this overlay zones  
19 and studies.

20  
21 **PLANNING OFFICIAL TERELL** – Yes, I know I'm pushing it but I'm placing  
22 another item on this busy Agenda, but...

23  
24 **CHAIR VAN NATTA** – I don't know how much longer we can stay here

25  
26 **PLANNING OFFICIAL TERELL** – But in a prior meeting, it was raised that you  
27 wanted, one or more of you wanted, to talk about overlay zones and get more  
28 familiar with them because we have a few of them here in town and I do  
29 apologize I did put it on the Agenda kind of just before the Agenda went out  
30 because of the continuance of the major item for tonight and I gave you a packet  
31 of information at your desk tonight. The first is a memo that I provided to the City  
32 Council because they raised this issue a while back. It looks like a little over a  
33 year ago and it provides a little description of overlay zones and then I provided  
34 you an example of one that exists.

35  
36 We actually have three existing overlay zones in Moreno Valley. The first one is  
37 the AICUZ, which is the Air Installation Compatibility Use Zone which is related to  
38 the over flight area for March Air Reserve Base and that's been in place since the  
39 City incorporated; since we had our first Zoning Ordinance and that limits uses  
40 within that area, so we don't endanger the long term viability of the airport; the  
41 second one was this Medical Use Overlay, which has been in place about 10  
42 years and it is around and in between the two Hospitals in town and it was meant  
43 to preclude incompatible uses around the Hospitals and also allow some  
44 additional uses around the Hospitals; and then the third and final one was the  
45 PAKA; not the Alpaca but the PAKA and it is the Animal Keeping Use Zone and  
46 that covers most of our animal keeping residential zones that allow people to

1 keep animals from everything from horses to chickens to whatever and that was  
2 put in place about six or eight years ago in order to provide notice to people  
3 within those areas and also to protect those areas because there was some  
4 interest from certain developers to put what was considered incompatible uses  
5 and non-animal keeping uses in the middle of an animal keeping area and that  
6 was setting some areas up for conflict.

7  
8 But the basic concept of an overlay zone under State Law is you keep the  
9 existing zoning, so you overlay the existing zoning and then you take the  
10 permitted uses table, which is in most zones. In residential zones the list is rather  
11 short, but in commercial zones the list is very long and you add or subtract uses  
12 based on specific findings, so the Medical Use Overlay for example, we removed  
13 auto repair as a permitted use around the Hospital because it was viewed to be  
14 incompatible and then we added medical labs which was one we added because  
15 that is compatible, so regardless of what the limitations of the underlying zone  
16 are, those uses are added on. Around the Hospital, all the zones that affected  
17 are non residential zones, so we weren't adding a medical lab as a allowed use  
18 in a residential zone, but we limited it to non residential zones, community  
19 commercial, office commercial, neighborhood commercial and one or more of  
20 those zones auto repair and other items considered incompatible were taken off  
21 the list and others.

22  
23 So I also gave you the list of the excerpt from the Municipal Code. It is actually  
24 relatively short and it shows you exactly what was added and what was  
25 subtracted and we did a process of checking and doing public outreach and then  
26 finally getting input from the Planning Commission and the City Council before  
27 this was adopted.

28  
29 I am going to stop there and see if you have any questions at this point in time,  
30 but this has come up most recently in conjunction with what we call the East SR  
31 60 Corridor Study which was authorized by the City Council at their last meeting  
32 on the 8<sup>th</sup> of January and they allocated some money to go out and do that and  
33 there is a very specific area which I am sure you will see soon. I mean the map  
34 is not done yet; the map of the area that is affected is not done yet, so I'll bring  
35 that to a future meeting, but they were looking at that as conceptually something  
36 we could do there. We've got to do the study first because one thing an overlay  
37 zone can't do is it can't change the zone. It can't change the underlying zone, so  
38 we can't change a residential zone to a commercial zone to an overlay zone, but  
39 we could for example, one of the areas that is being considered for the study is  
40 the Auto Mall, so we could take the Auto Mall which has a very restrictive list of  
41 uses and we could add or subtract based on public outreach, a study of what is  
42 economically viable in there long term and what is compatible with the Auto Mall  
43 and assisting in its future success.

44  
45 **VICE CHAIR SALAS** – So is the Auto Mall basically just auto dealers? I mean is  
46 it that type of a specific...?



1 **PLANNING OFFICIAL TERELL** – It's a little bit looser than that. They have  
2 some parcels that allow support commercial but they don't allow a very long list  
3 of commercial uses there.

4  
5 **VICE CHAIR SALAS** – Okay

6  
7 **CHAIR VAN NATTA** – What would be a typical additional commercial use just as  
8 an example?

9  
10 **PLANNING OFFICIAL TERELL** – Let's say it was considered supporting the  
11 Auto Mall to have drive-thru restaurants. That is not permitted there now, but  
12 that might be an item that makes sense to add.

13  
14 **VICE CHAIR SALAS** – How about Pep Boys... can Pep Boys go in there?

15  
16 **PLANNING OFFICIAL TERELL** – Pep Boys... it is really specific. There are a  
17 couple of lots there where you might be able to do a Pep Boys

18  
19 **VICE CHAIR SALAS** – Okay, so in other words, it is pretty restrictive. I mean  
20 that's associated with automobiles so I thought...

21  
22 **PLANNING OFFICIAL TERELL** – Right, as I recall the original Specific Plan  
23 had; it was as you said, it was pretty much auto dealers and then there was an  
24 amendment to the Specific Plan that was done and by the owner of some of the  
25 vacant parcels; it added a relatively short list of uses at that time and none of that  
26 has happened, so apparently those uses are really not the ones they want

27  
28 **VICE CHAIR SALAS** – So the overlay would just expand the usage for that area,  
29 so we could go to fast food restaurants and accessory stores and stuff to support  
30 the Auto Mall?

31  
32 **PLANNING OFFICIAL TERELL** – They could; that is one of the possibilities and  
33 there might be another...

34  
35 **CHAIR VAN NATTA** – An insurance office maybe?

36  
37 **PLANNING OFFICIAL TERELL** – Possibly, yes... and on the flip side...

38  
39 **VICE CHAIR SALAS** – A Real Estate office... it's a joke...

40  
41 **PLANNING OFFICIAL TERELL** – If you go east from the Auto Mall, that area is  
42 currently zoned Business Park, so as an example there might be some thought  
43 that we would add auto dealerships as a permitted use in a Business Park zone.  
44 So we could look at that. We couldn't go all the way from Business Park uses to  
45 shopping centers because that would be too different, but auto dealers is not  
46 your typical retail use, it more heavier than an industrial use, so those might be

1 some options to look at. If we determine that more auto dealers along the  
2 freeway is a desirable thing...

3  
4 **CHAIR VAN NATTA** – So like what is Business Park now? It might be expanded  
5 to include things like a specialty shop or accessories shop of something like that,  
6 that might not otherwise be considered Business Park.

7  
8 **PLANNING OFFICIAL TERELL** – It probably wouldn't be... well it would have to  
9 be...if it's a retail use like a specialty shop, it would have to be considered  
10 compatible with other uses in the zone. Business Park allows...

11  
12 **COMMISSIONER GIBA** – An auto body...

13  
14 **PLANNING OFFICIAL TERELL** – Yes, it allows some pretty heavy uses in it, so  
15 you typically wouldn't put as an example and I'm guessing this is not what you  
16 were referring to but you wouldn't put a dress shop there because it wouldn't be  
17 compatible with auto body.

18  
19 **VICE CHAIR SALAS** – Or auto rental

20  
21 **CHAIR VAN NATTA** – Auto accessories

22  
23 **VICE CHAIR SALAS** – An auto rental...

24  
25 **PLANNING OFFICIAL TERELL** – And that might be because auto rental is  
26 actually one of permitted uses in the Auto Mall

27  
28 **CHAIR VAN NATTA** – Well there is already a rental place there

29  
30 **PLANNING OFFICIAL TERELL** – They actually have permits; they do permits

31  
32 **VICE CHAIR SALAS** – My question is what we're doing basically is right now for  
33 information purposes. Is this something that is planned that we're going to this?  
34 Did City Council recommend this?

35  
36 **PLANNING OFFICIAL TERELL** – We will be doing a study. The study will  
37 provide recommendations. We will be doing public outreach. Part of that public  
38 outreach will certainly include additional discussion at a Planning Commission  
39 meeting or at a Joint Study Session or some other way to get input from Council,  
40 Planning Commission as well as the property owners and the public in general.

41  
42 **VICE CHAIR SALAS** – Oh okay

43  
44 **COMMISSIONER GIBA** – At the Council Meeting it was discussed that there  
45 would be a Study Session involved in this. My personal feelings on the topic are  
46 very straightforward. I think the public and the Commission and the Council and

1 everybody; what you're doing right now basically is almost like a mini Study  
2 Session; a lot of questions and that is good and it can be better covered for the  
3 whole entire community if we all get together on those and all those questions  
4 could be answered; all those questions could be asked and then we could all  
5 work that out together prior to.

6  
7 I find it interesting when I'm reading Barry's letter in here... first of all he didn't  
8 mention anything in here for the potential for the Study Session and I know that  
9 the Mayor mentioned that can we include that prior to any decision making and  
10 so I would like to make sure that point is very clear. We should be having a  
11 Study Session for everybody involved including the community at that point like  
12 we had discussed before.

13  
14 The other thing is that the comments in here are very interesting in that he said  
15 that the other zones did not require an outside consultant. The advantage of  
16 doing some kind of a Study Session and working together with the community  
17 and all of us together could flush out the fact of whether we need to spend 50  
18 thousand dollars on a consultant. When I was in research we would all get  
19 together and develop a product or decide to develop a product and we  
20 determined that do we need outside help, but that didn't happen until all the  
21 departments were brought together and say can you handle that; can you do  
22 that; do we really need to go outside and get outside help to do it.

23  
24 So I think a session prior to and I know we have appropriated the funds for it.  
25 We haven't appropriated the consultant and that what he is recommending; staff  
26 recommends engaging an outside real estate consultant to access the existing  
27 zone and the corridor to provide an independent third party assessment. Is that  
28 really necessary and I think the Study Session could really answer that because  
29 we'd have input from a variety of people at one time. We're getting bits and  
30 pieces here right now, but I think to me that would be the most value of actually  
31 having a Study Session prior to any hiring of a consultant of any kind.

32  
33 **PLANNING OFFICIAL TERELL** – Yes and I could have a conversation with  
34 Barry about that. I'd suggest that at a minimum we'll need an economic  
35 consultant because we don't have anybody on staff that can do that, but yes it  
36 might be relatively limited in scope and not 50 thousand dollars in scope.

37  
38 **COMMISSIONER GIBA** – Right and that's what I think is what my concern is and  
39 plus the community at large are the comments that I hear from a lot of the  
40 community. Right or wrong, they have a perception of what these are used for  
41 and in his letter one would think that by doing the overlay, there is no ecological  
42 report going on; an ecology report on the property; you know the EIR for it and  
43 they are going to build on that property then something like that must be required  
44 for certain construction and so the community at large would have that  
45 opportunity to hear that fact; those truths and then if they want to argue we could

1 say hey look, we gave you every opportunity to... and I like it because the  
2 Mayor's attitude is that openness to the community.

3  
4 So that's kind of where I stand on it. I think it's great. I think it's good to go  
5 forward but I myself even would like all these questions we are all asking about;  
6 just a couple of things of what could go there and what can't go there; what are  
7 we moving; what we aren't moving; why are we moving that. We could go on for  
8 another half an hour and still not answer all those questions and now all the other  
9 people don't have those answers and we'd have to repeat that again, so it is kind  
10 of a way almost of wasting a lot of different time when we could do it all together.  
11 That's my position on this.

12  
13 **PLANNING OFFICIAL TERELL** – And I understand that. I believe probably  
14 what Barry might have been referring to and are you referring to the Staff  
15 Report?

16  
17 **COMMISSIONER GIBA** – Yes the Staff Report that you gave us

18  
19 **PLANNING OFFICIAL TERELL** – If we do an Overlay Zone and I kind have  
20 given you an idea... an Overlay Zone can add or delete compatible uses and  
21 therefore in 99 times out of 100, that type of an exercise is exempt from CEQA  
22 because the changes are minor enough that they don't change the environment  
23 and you're not building anything. As you pointed out, once somebody builds  
24 something, they always have to do an environmental on that.

25  
26 **COMMISSIONER GIBA** – But that's my point too, is that the community at large  
27 doesn't understand that most likely and so there are misperceptions which cause  
28 mistrust and I think the current Mayor is trying to build that trust within the  
29 community and I support that wholeheartedly and I think that having this outreach  
30 as an invited Study Session for all involved is a much better way to approach it.  
31 Do that first and with respect to the Mayor, my comments are put the cart before  
32 the horse was in my context in fact that let's do the Study Session first to see if  
33 we really do need to invest in that much of a... like you say, maybe we only need  
34 a certain consultant and we don't need to spend as much money because I know  
35 there are a lot of the community were concerned about spending 50 thousand  
36 dollars for a consultant if we don't have to do that and it would be great for the  
37 input that everybody understands, this is how it goes.

38  
39 **VICE CHAIR SALAS** – You're kind of preaching to choir on that

40  
41 **COMMISSIONER GIBA** – I realize that but I want it on...

42  
43 **PLANNING OFFICIAL TERELL** – Yes and that's why I'm saying the economic  
44 consultant at a minimum. There are some timing constraints, so obviously a part  
45 of it is whether and even if we had staff that can do it, do they have the time to do

1 it? So that's another consideration. The other three Overlay Zones that I  
2 mentioned were in fact done by Staff, but ...

3  
4 **VICE CHAIR SALAS** – Those were a little simpler; like the one at March was a  
5 no brainer

6  
7 **PLANNING OFFICIAL TERELL** – Yes the area was already identified

8  
9 **VICE CHAIR SALAS** – The medical center was kind of different parameters

10  
11 **PLANNING OFFICIAL TERELL** – But I mean the analysis... we didn't need to  
12 get into economic analysis which is a skill set we don't have. It's not that we  
13 don't know things, but we don't have that skill set.

14  
15  
16  
17 **STAFF COMMENTS**

18  
19 **CHAIR VAN NATTA** – Okay do we have any final Staff Comments before  
20 adjourn?

21  
22 **PLANNING OFFICIAL TERELL** – Well you do have your next meeting all the  
23 way to the 28<sup>th</sup> of February. As always happens, it is getting crowded as we're  
24 getting closer to that we'll know if it is actually crowded, but the item you  
25 continued I'm pretty sure is going to be going that day, so you'll have that. There  
26 are a couple of smaller retail building projects that are probably going to be on  
27 that Agenda and then we've got a couple of bigger planning studies. One is  
28 related; is a follow on to the Energy Efficiency document you already  
29 recommended and then Council approved. We have a grant with Southern  
30 California Edison and it requires things to be tweaked around to meet the grant,  
31 so that will be coming forward.

32  
33 Hopefully that is pretty straightforward and then the other is a pretty substantial  
34 Zoning Study that has been going on; we are marrying two substantial items into  
35 one because they are related. They've been in play for quite a while, so we will  
36 be having an outreach meeting, so we'll let you know about that, but it is both to  
37 implement the R30 which is 30 units per acre, which is a requirement of the  
38 approved Housing Element. It is actually zoning the properties R30 and the  
39 other one is as part of the Alessandro Boulevard Master Plan Study Grant that  
40 we got from Southern California Association of Governments, they have specific  
41 recommendations for Mixed Use Overlay Zone, which adds mixed uses as a  
42 policy goal in certain properties along Alessandro Boulevard, so both those are  
43 actually pretty exciting and so that is the big item, so if everything gets crowded,  
44 maybe calling you to set up another meeting, maybe in early March so we don't  
45 overwhelm you at one meeting. Hopefully we won't do this again; so light an  
46 Agenda, but we don't want to have it the other way either.

1 **VICE CHAIR SALAS** – So is the Alessandro some of the recommendations from  
2 the study that we started a few years ago? Are they going to get back to us with  
3 some of that?  
4

5 **PLANNING OFFICIAL TERELL** – Correct... yes, it is the actual text of the  
6 zoning for mixed use and it's the actual identification of the parcels where it  
7 would apply.  
8

9 **VICE CHAIR SALAS** – That should be interesting  
10

11  
12  
13 **PLANNING COMMISSIONER COMMENTS**  
14

15 **CHAIR VAN NATTA** – Okay, do we have any comments from our Planning  
16 Commissioners? Commissioner Ramirez...no; Commissioner Giba... no;  
17 Commissioner Crothers...no...  
18

19 **VICE CHAIR SALAS** – I have one  
20

21 **CHAIR VAN NATTA** – You have one. Go ahead  
22  
23  
24

25 **ADJOURNMENT**  
26

27 **VICE CHAIR SALAS** – I move to adjourn  
28

29 **CHAIR VAN NATTA** – Okay, do I hear a second to that?  
30

31 **COMMISSIONER CROTHERS** – I second  
32

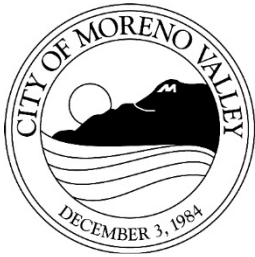
33 **CHAIR VAN NATTA** – Okay, all in favor? We are adjourned.  
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35  
36

37 \_\_\_\_\_  
38 John C. Terell  
39 Planning Official  
40 Approved  
41  
42

\_\_\_\_\_  
Date

43 \_\_\_\_\_  
44 Meli Van Natta  
45 Chair  
46

\_\_\_\_\_  
Date



## **PLANNING COMMISSION STAFF REPORT**

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Cases: PA12-0028 Municipal Code Amendment  
P12-117 Specific Plan Amendment

Date: April 25, 2013

Applicant: City of Moreno Valley

Representative: Planning Division

Location: City-wide

Proposal: To amend the Moreno Valley Industrial Area Specific Plan (SP 208) and municipal code regulations including the introduction of Emergency Shelters, Farm Worker Housing, and Single Room Occupancy Units (SRO).

Recommendation: Approval

### **SUMMARY**

The proposal would amend the Moreno Valley Industrial Area Specific Plan (SP 208) and zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code to include Emergency Shelters, Farm Worker Housing, and Single Room Occupancy Units (SRO). There are also some minor technical clean ups to the Municipal Code. The amendment will provide the necessary consistency with the City of Moreno Valley's certified Housing Element.

**PROJECT DESCRIPTION**

The proposed amendments would modify the Moreno Valley Industrial Area Specific Plan (SP 208) and various provisions of the Municipal Code, including the introduction of Emergency Shelters, Farm Worker Housing, and Single Room Occupancy Units (SRO). Proposed deletions are shown as stricken text and additions are in *italic*.

**Background – Specific Plan Amendment (P12-117)**

Prior to enactment California State Senate Bill 2 (SB 2), housing element law required local governments to identify zoning to encourage and facilitate the development of emergency shelters. SB 2 strengthened these requirements. Most prominently, housing element law now requires the identification of a zone(s) where emergency shelters are permitted without a conditional use permit or other discretionary action. To address this requirement, a local government may amend an existing zoning district, establish a new zoning district or establish an overlay zone for existing zoning districts. For example, some communities may amend one or more existing commercial zoning districts to allow emergency shelters without discretionary approval. The zone(s) must provide sufficient opportunities for new emergency shelters in the planning period to meet the need identified in the analysis and must in any case accommodate at least one year-round emergency shelter.

Approval of the 2008-2014 Housing Element included the creation of Program 8.26, which stated that Specific Plan 208 (the Moreno Valley Industrial Area Specific Plan at the southern end of the City) was to be amended to add emergency shelters as a permitted use in compliance with SB 2 and adopt development standards for the use.

The Moreno Valley Industrial Area Specific Plan (SP 208) was identified for this use due to the fact while homeless shelters are a permitted use in the public zone; there are no longer publicly zoned sites in the city that are available and/or appropriate for housing and shelter uses. Consequently, during the planning period, the City of Moreno Valley will amend Specific Plan 208 to add homeless shelters as a permitted use and adopt development standards for that use. There was a total of 447 vacant acres in 60 parcels in Specific Plan 208 at the time the 2008-2014 Housing Element Update was approved.

Specific Plan Amendment (P12-117) proposes to amend Chapter III of the Moreno Valley Industrial Area Specific Plan (SP 208) under the Development Standards and Guidelines. Section D of the Development Standards and Guidelines includes the Industrial Land Use Table, which will be revised to include “Emergency Shelters” as a permitted use under “COMMERCIAL/SERVICE” as shown below:

<b><i>INDUSTRIAL AREA USES</i></b>	<b><i>Industrial</i></b>	<b><i>Ind. Support Areas</i></b>	<b><i>300' From Residential</i></b>
<b><i>COMMERCIAL/SERVICE</i></b>			
<b><i>Emergency Shelters</i></b>		<b><i>P</i></b>	

(Emergency Shelters will be added alphabetically between “Eating & Drinking Establishments and Rentals” and “Food & Beverage Sales” on Page III-4).

Section F - Land Use Definitions (begins on Page III-5) will be revised to include the following definition of “Emergency Shelters”:



***Emergency Shelters (California Health and Safety Code Section 50801(e))*** means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

(Emergency Shelters will be added alphabetically between “Eating & Drinking Establishments and Rentals” and “Food & Beverage Sales” on Page III-10).

## **PA12-0028 – Municipal Code Amendment**

### **ANALYSIS**

#### **Issue 1 – Emergency Shelters**

##### **A. Definitions (Municipal Code)**

The purpose of the definitions chapter is to ensure precision in interpretation of the City of Moreno Valley’s Municipal Code. The meaning and construction of words and phrases defined in this chapter applies throughout the Municipal Code. The current definition of “homeless shelter” will be removed and replaced by “emergency shelter” to match the description given in the California Health and Safety Code Section 50801(e).

Chapter 9.15.030 will be revised as shown below with the strikethrough font defining what will be deleted and the new definition of “emergency shelter” added into the section in alphabetical order:

~~“Homeless shelter” means a facility operated by a provider, other than a “community care facility,” as defined in the California Health and Safety Code Section 1502, which provides temporary emergency shelter and/or an intake office for homeless persons. An intake office is a facility where homeless persons contact the provider and make arrangements for obtaining shelter. A provider is a government agency or a private nonprofit organization which provides temporary emergency shelter for the homeless and that meets all of the applicable requirements contained in the California Health and Safety Code and the California Administrative Code.~~

***Emergency Shelters (California Health and Safety Code Section 50801(e))*** means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

The definition of “Emergency shelters” will be consistent with the Moreno Valley Industrial Area Specific Plan (SP 208).

##### **B. Development Standards**

With approval of the 2008-2014 Housing Element, the City of Moreno Valley committed itself to establishing development standards that ensure quality emergency shelters, if proposed for development. SB 2 requires that emergency shelters only be subject to those development and management standards that apply to residential or commercial use within the same zone. For example, a commercial zone might permit a range of wholesaler, service repair and

business services subject to buildable area and lot area requirements. In this case, the emergency shelter may be subject only to the same buildable area and lot area requirements. The same zone might permit residential uses subject to certain development standard (i.e., lot area, heights, and setbacks) requirements. In this case, emergency shelters should only be subject to the same development standards.

Staff reviewed specific use development standards for emergency shelters from Riverside, Temecula, Cathedral City and other cities for perspective and ideas regarding how the State regulations could be implemented. The results are included in the proposed specific use development standards to ensure the development of quality emergency shelters in Moreno Valley.

Chapter 9.09 Specific Use Development Standards will be revised to include “emergency shelter development standards as followed:

**9.09.170 Emergency homeless shelters**

*A. Purpose and Intent. The purpose of this section is to permit emergency shelters and to ensure that they do not adversely impact adjacent properties and surrounding neighborhoods consistent with the goals, objectives and policies of the general plan.*

*B. Applicability. Emergency shelters shall be permitted in the Community Commercial (CC), Office Commercial (OC), Office (O), Public (P), Industrial (I), and Business Park-Mixed Use (BPX) zoning districts subject to a conditional use permit, the property development standards of the underlying district, and all applicable local, state and federal laws, including the standards in subsection D of this section.*

*Emergency shelters shall be permitted without a conditional use permit or other discretionary action within the Moreno Valley Industrial Area Specific Plan (SP 208).*

*C. Any additional requirements imposed by the State Department of Housing and Community Development through its oversight; and*

*D. Additional development standards, which shall take precedence should they be in conflict with those found in Sections 9.04.040 and 9.05.040:*

- 1. The maximum number of clients permitted to be served (eating, showering, and/or sleeping) nightly shall not exceed one per one hundred twenty-five square feet of floor area,*
- 2. Off-street parking shall be provided based on one space for every six clients and one space for every employee, manager, and/or supporting staff member on site at the same time. Off-street parking shall be developed per Chapter 9.11.040 of the Moreno Valley Municipal Code.*
- 3. The interior intake waiting area for a facility shall include a minimum of ten square feet per bed,*
- 4. The exterior intake waiting area shall be screened from public and/or private view by a six-foot block wall and landscaping,*
- 5. A storage area shall be provided at a rate of five square feet for each bed. Such storage area need not be provided adjacent to client sleeping area,*
- 6. At least one toilet and one shower shall be provided for each fifteen beds,*
- 7. No portion of any emergency homeless shelter shall be located within three hundred feet of another emergency homeless shelter that is currently built, or that is approved to be built,*

- 8. *No portion of an emergency homeless shelter shall be located within five hundred feet of property zoned for residential use,*
- 9. *No portion of an emergency homeless shelter shall be located within one-quarter mile of a “soup kitchen” or other similar congregate meal facility, measured property line-to-property line, and*
- 10. *Lighting shall be provided in all parking, exterior (outside) intake and/or waiting areas, outside common areas and along the periphery of the building and facility. Such lighting shall be in conformance with Chapter 9.08.100 of the Moreno Valley Municipal Code.*

Staff also recommends amending the Permitted Uses Table (Table 9.02.020-1) of Section 9.02.020 by replacing the term “Homeless Shelter” with “Emergency Shelter” in the permitted use table as follows:

	HR	RR	R1	RA2	R2	R3	R5	RS 10	R10	R15	R20	R30	NC	CC	VC	OC	O	P	I	L I	BP	BPX	OS	
<i>Homeless Shelter</i>														C		C	C	X	C				C	
<i>Emergency Shelter 14</i>																								

With the above change to the Permitted Uses Table, the following will be added to the “Notes” section at the end of Table 9.02.020-1:

(14) Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)

**Issue 2 – Farm Worker Housing**

**A. Definitions (Municipal Code)**

The purpose of the definitions chapter is to ensure precision in interpretation of the City of Moreno Valley’s Municipal Code. The meaning and construction of words and phrases defined in this chapter applies throughout the Municipal Code.

Chapter 9.15.030 will be revised as shown below with the strikethrough font defining what will be deleted and the new definition of “farmworker housing” added into the section in alphabetical order:

“Farmworker housing” means housing that is occupied by farmworkers or farmworkers and their households. Farm worker housing is allowed in all multiple-family zones (R-10, R-15, R-20, and R-30).

## **B. Development Standards**

Approval of the 2008-2014 Housing Element included the need to amend the municipal code to codify what is currently the City of Moreno Valley's practice of permitting, by right, farm worker housing in all multiple family zoning districts. Government Code Section 65583 requires the housing element to shall identify adequate sites for a variety of housing types including housing for agricultural employees.

The California Department of Housing and Community Development (HCD) states that the housing element should also ensure that local zoning, development standards and permitting processes comply with Health and Safety Code Section 17021.5 and 17021.6 which requires that "any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use designation. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted occupancy in employee housing in an agricultural zone shall include agricultural employees who do not work on the property where the employee housing is located."

According to the HCD, there are no farm worker housing units in the City of Moreno Valley. Comparatively, Riverside County has 1,000 farm worker units with 400 of those units currently permitted and in use. Prior to 1950, the area that is now the City of Moreno Valley was primarily used for agricultural production. Land once utilized for farming has been developed. Farming is no longer a leading industry in the city.

All affordable housing in the City of Moreno Valley is available to farm workers. Since all affordable housing units in the city are available to farm worker households, at this time it is not necessary for the City to allocate any of its limited housing funds to farm worker housing.

However, it was noted in the 2008-2014 Housing Element Update that Chapter 9 of the Development Code would be amended to permit, by right, farm worker housing in all multi-family zones (R-10, R-15, R-20, and R-30), to more fully address the housing needs farm worker households.

Chapter 9.09 Specific Use Development Standards will be revised to include "Farm worker housing as followed:

### **9.09.180 Farm worker housing**

*A. Purpose and Intent. The purpose of this section is to permit farm worker housing and to ensure that it does not adversely impact adjacent properties and surrounding neighborhoods consistent with the goals, objectives and policies of the general plan.*

*B. Applicability. Nothing in this code shall prohibit the use of a Multiple Family unit from housing farm workers in the same manner as a family defined within Chapter 9.15.030 of this code.*

Staff also recommends amending the Permitted Uses Table (Table 9.02.020-1) of Section 9.02.020 by adding "Farm worker housing" to the permitted use table as follows:

	HR	RR	R1	RA2	R2	R3	R5	RS 10	R10	R15	R20	R30	NC	CC	VC	OC	O	P	I	L	BP	BPX	OS
<i>Farm worker housing</i>									X	X	X	X											

**Issue 3 - Single Room Occupancy**

**A. Definitions (Municipal Code)**

With approval of the 2008-2014 Housing Element, the City of Moreno Valley committed itself to establishing Single room occupancy (SRO) facility zones in the multiple family and specified commercial zones and related development standards. The first step is to add the definition of a “Single room occupancy (SRO) facility” to Chapter 9.15.030 (Definitions) to ensure precision in interpretation of the City of Moreno Valley’s Municipal Code. The meaning and construction of words and phrases defined in this chapter applies throughout the Municipal Code.

SROs can provide a valuable form of affordable private housing for lower- income individuals, seniors, and persons with disabilities. An SRO unit usually is small, between 200 to 350 square feet. These units provide a valuable source of affordable housing and can serve as an entry point into the housing market for formerly homeless people. SB 2 clarified and strengthened Housing Element law to ensure local zoning ordinances would encourage and facilitate the development of SROs as well as emergency shelters.

Chapter 9.15.030 will be revised as shown below to include the new definition of “Single room occupancy (SRO) facility” into the section in alphabetical order:

*“Single room occupancy (SRO) facility” means a structure consisting of six or more units, each of which is designed for occupancy by no more than two persons, which also has bathing facilities, that may or may not have partial kitchen facilities, and which is occupied as a primary residence by its occupants. The definition of SRO does not include residential care homes, senior housing projects, rooming and boarding houses, hotels and motels, bed and breakfast lodging, extended care facilities or hospitals.*

**B. Development Standards**

Approval of the 2008-2014 Housing Element included the need to amend the municipal code to establish Single room occupancy (SRO) facility zones in the multiple family and specified commercial zones and related development standards.

Chapter 9.09 Specific Use Development Standards will be revised to include “Single room occupancy (SRO) facility as followed:

**9.09.190 Single room occupancy (SRO) facility**

*A. Purpose and Intent. The purpose of this section is to permit Single room occupancy (SRO) facilities and to ensure that they do not adversely impact adjacent properties and surrounding neighborhoods consistent with the goals, objectives and policies of the general plan.*

*B. Applicability. Single room occupancy (SRO) facilities shall be permitted in the Community Commercial (CC) zoning district and are subject to the property development standards of the underlying district, and all applicable local, state and federal laws, including the standards in subsection D of this section.*

*Single room occupancy (SRO) facilities shall be permitted in the Mixed Use Districts Overlay and Residential 30 (R30), subject to a conditional use permit, the property development standards of the underlying district, and all applicable local, state and federal laws, including the standards in subsection D of this section.*

*C. Tenant occupancy and income restrictions.*

*1. Length of tenancy. Rental units shall be established for weekly and monthly tenancies only. Deposit requirements shall be specified for each type of tenancy.*

*2. Tenant income restrictions. SRO developments shall be restricted to low and very low-income individuals as defined by the general plan housing element. This restriction shall not apply to an SRO project's twenty-four-hour resident manager.*

*D. Property Development Standards. The following standards shall apply to Single room occupancy (SRO) facilities:*

*1. A single room occupancy facility shall have only one ingress/egress for residents, except for required emergency exit(s).*

*2. Each single room occupancy unit shall contain a minimum of two hundred twenty square feet, including a minimum ten square feet of storage space.*

*3. Each single room occupancy unit shall contain a bathroom consisting of, at a minimum, one commode, one lavatory and one shower.*

*4. Each single room occupancy unit shall contain kitchen facilities consisting of, at a minimum, a microwave oven, a sink and a refrigerator. If stoves are not provided in each unit, then stoves shall be provided in a common kitchen area accessible to the entire SRO project.*

*5. Off-street parking must be provided at a rate of one space per three rooming units plus one space per two employees on the largest shift, but not less than two spaces plus one space per vehicle used in the operation of the SRO.*

*6. Each single room occupancy facility shall provide one-half secure bicycle parking facilities for each unit. Any partial spaces in this calculation shall be rounded up to the next whole facility.*

*7. SRO projects shall have at least 10 square feet of common usable open space per unit; however, no SRO project shall provide less than 200 square feet of common outdoor open space and 200 square feet of common indoor open space. Maintenance areas,*

*laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space. Landscape areas that are less than eight feet wide shall not be included as outdoor common space.*

*8. Laundry facilities that have a minimum of two washers and two dryers must be provided in a separate room. Additional washers and dryers must be provided for any development that has more than 20 units at the ratio of one washer and one dryer for every additional 20 units.*

*9. Twenty-four-hour on-site management must be provided at an SRO with seven or more units and shall include a dwelling unit designated for the manager.*

*10. All SRO projects must have a management plan approved by the City of Moreno Valley Planning Director. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.*

*11. A mailbox shall be provided for each SRO unit.*

*12. Each SRO project shall provide a centralized trash area.*

Staff also recommends amending the Permitted Uses Table (Table 9.02.020-1) of Section 9.02.020 by adding “Single room occupancy (SRO) facilities” to the permitted use table as follows:

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	
<i>Single Room Occupancy (SRO) Facility</i>												C		X										

	MUI	MUC	MUN
<i>Single Room Occupancy (SRO) Facility</i>	C	C	C

**Issue 4 - Renumbering of Chapter 9.09**

The additions of emergency shelters, farm worker housing and single room occupancy (SRO) facilities to Chapter 9.09 – Specific Use Development Standards has impacted the numbering. Staff recommends amending Chapter 9.09 as follows:

## **Chapter 9.09 SPECIFIC USE DEVELOPMENT STANDARDS**

- 9.09.010 Purpose and intent.
- 9.09.020 Applicability.
- 9.09.030 Adult businesses.
- 9.09.040 Communication facilities, antennas and satellite dishes.
- 9.09.050 Arcades and video machines.
- 9.09.060 Automobile dealerships, automobile rental and the display of vehicles, vessels and other personal property.
- 9.09.070 Vehicle repair facilities.
- 9.09.080 Drive-in, drive-through, fast food and take-out restaurants.
- 9.09.090 Agricultural and animal uses.
- 9.09.100 Outdoor recreational facilities.
- 9.09.110 Recycling facilities.
- 9.09.120 (Space Reserved)
- 9.09.130 Second dwelling units.
- 9.09.140 Self-storage warehouses.
- 9.09.150 Senior and handicapped housing.
- 9.09.160 Residential care facilities.
- 9.09.170 *Emergency shelters*
- 9.09.180 *Farm worker housing*
- 9.09.190 *Single room occupancy (SRO) facilities*
- 9.09.470 .200 Service stations.
- 9.09.480 .201 Sidewalk cafés.
- 9.09.490 .202 Swimming pools, spas and recreational courts.
- 9.09.200 .203 Mobile home parks.
- 9.09.210 .204 Wind energy systems.
- 9.09.220 .205 Model homes.
- 9.09.230 .206 Monument signage.
- 9.09.240 .207 Indoor malls.

### **Issue 5 – Reasonable Accommodation Procedures**

Approval of the 2008-2014 Housing Element included the need to amend the municipal code to adopt reasonable accommodation procedures. The purpose of the reasonable accommodation procedures will be to provide a procedure under which a disabled person may request a reasonable accommodation in the application of zoning requirements.

Chapter 9.02 (Permits and Approvals) identifies permitted uses and prescribe the procedures for filing applications for permits, variances, appeals, amendments, approvals and the like, and the procedures for processing and consideration when required or permitted by the City of Moreno Valley's Municipal Code.

Staff recommends revising Chapter 9.02 to include reasonable accommodation procedures as follows:

#### **9.02.320 Reasonable accommodation procedures**

*A. Purpose and Intent. It is the purpose of this section to provide reasonable accommodations in the city's zoning and land use regulations, policies, and practices when needed to provide an individual with a disability an equal opportunity to use and enjoy a dwelling.*



*B. Definitions. The following terms as used in this section shall, unless the context clearly indicates otherwise, have the following meanings:*

*“Applicant” means a person, business, or organization making a written request to the city for reasonable accommodation in the strict application of the city’s zoning and land use laws, rules, policies, practices and/or procedures.*

*“Disabled person” or “person with a disability” means an individual who has a physical or mental impairment that limits one or more of that person’s major life activities; anyone who is regarded as having such impairment; or anyone who has a record of having such an impairment. Such an impairment shall not include an individual’s current, illegal use of a controlled substance.*

*“Fair Housing Laws” means the “Federal Fair Housing Act” (42 U.S.C. Section 3601, et seq.), the Americans with Disabilities Act, and the “California Fair Employment and Housing Act” (California Government Code Section 12900, et seq.), as these statutes now exist or may be amended from time to time, and each Act’s implementing regulations.*

*“Reasonable accommodation” means any deviation requested and/or granted from the strict application of the city’s zoning and land use laws, rules, policies, practices and/or procedures.*

*C. Authority of the Planning Official. The planning official is hereby designated to approve, conditionally approve, or deny, without public hearing, all applications for a reasonable accommodation.*

*D. Procedure for Application Review.*

*1. Applicant. A request for a reasonable accommodation may be made by any person with a disability, his or her representative, or a developer or provider of housing for individuals with a disability.*

*2. Application. An application for a reasonable accommodation shall be made on a form provided by the planning department. No fee shall be required for a request for reasonable accommodation, but if the project requires another discretionary permit, then the prescribed fee shall be paid for all other discretionary permits. If an individual needs assistance in making the request for reasonable accommodation, the city will provide assistance to ensure that the process is accessible.*

*3. Other Discretionary Permits. If the project for which the request for reasonable accommodation is made requires another discretionary permit or approval, the applicant may file the request for reasonable accommodation together with the application for the other discretionary permit or approval. The processing procedures of the discretionary permit shall govern the joint processing of both the reasonable accommodation and the discretionary permit.*

*4. Required Submittals. An application for a reasonable accommodation shall include the following:*

- a. Documentation that the applicant is: (i) a person with a disability, (ii) applying on behalf of one or more persons with a disability, or (iii) a developer or provider of housing for one or more persons with a disability;*

- b. *The name and address of the individual(s) requesting the reasonable accommodation;*
- c. *The name and address of the property owner(s);*
- d. *The address of the property for which accommodation is requested;*
- e. *A description of the reasonable accommodation requested by the applicant;*
- f. *An explanation of how the specific reasonable accommodation requested by the applicant is necessary to provide one or more persons with a disability an equal opportunity to use and enjoy the residence;*
- g. *Where applicable, documentation that the requested accommodation is designed and constructed pursuant to Title 24 of the California Code of Regulations to allow access, circulation and full use of the building and facilities by persons with disabilities.*

5. *The planning director may request additional information from the applicant if the application does not provide sufficient information for the city to make the findings required in subsection E.*

*E. Basis for Approval or Denial of a Reasonable Accommodation.*

1. *Findings. The written decision shall be based on the following findings, all of which are required for approval:*

- a. *The requested accommodation is requested by or on behalf of one or more persons with a disability protected under the Fair Housing Laws;*
- b. *The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling;*
- c. *The requested accommodation will not impose an undue financial or administrative burden on the city;*
- d. *The requested accommodation will not result in a fundamental alteration in the nature of the city's zoning program;*
- e. *The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.*

2. *In determining whether the requested reasonable accommodation is necessary to provide one or more disabled persons an equal opportunity to use and enjoy a dwelling, the city may consider, but is not limited to, the following factors:*

- a. *Whether the requested accommodation will affirmatively enhance the quality of life of one or more individuals with a disability;*
- b. *Whether the individual or individuals with a disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation;*
- c. *In the case of a residential care facility, whether the requested accommodation is necessary to make facilities of a similar nature or operation economically viable in light of the particularities of the relevant market and market participants;*



*granting of an extension, the planning director shall ensure that conditions of the administrative approval comply with all current development code provisions.*

*b. Notice. Notice of the planning director's decision on a time extension shall be provided in writing. All written decisions shall give notice of the right to appeal and to request reasonable accommodation in the appeals process.*

*c. Appeal of Determination. A time extension for a reasonable accommodation shall be final unless appealed to the city council within fourteen calendar days of the date of mailing of the determination. An appeal shall be made in writing and shall be noticed and heard pursuant to the procedures established in Section 9.02.240 of this code.*

*3. Discontinuance. If the disabled persons for whom the reasonable accommodation was originally granted vacate the residence to which the reasonable accommodation applies, the reasonable accommodation shall remain in effect only if the planning director determines that: (a) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with the Municipal Code; or (b) the accommodation is necessary to give another disabled individual an equal opportunity to enjoy the dwelling. The planning director may request that the applicant, or his or her successor-in-interest, provide documentation that subsequent occupants are persons with disabilities. Failure to provide such documentation within thirty days of the date of a request by the city shall constitute grounds for discontinuance by the city of a previously approved reasonable accommodation.*

*4. Revocation. Procedures for revocation shall be as prescribed by Section 9.02.260. Any reasonable accommodation approved in accordance with the terms of this code may be revoked if any of the conditions or terms of such reasonable accommodation are violated, or if any law or ordinance is violated in connection therewith.*

*H. Amendments. A request for changes in conditions of approval of a reasonable accommodation, or a change to plans that would affect a condition of approval shall be treated as a new application. The planning director may waive the requirement for a new application if the changes are minor, do not involve substantial alterations or addition to the plan or the conditions of approval, and are consistent with the intent of the original approval.*

### **Issue 5 - Correction**

The rear yard setback for RS10 (Residential Single-Family 10 District) was mistakenly changed from 15 feet to 50 feet in the Residential Site Development. Table 9.03.040-6 (Residential Site Development Standards, Single-Family Standards) will be revised as shown below:

**Table 9.03.040-6**

**Residential Site Development Standards**

**Single-Family Standards**

<b>Requirement</b>	<b>R1</b>	<b>R2</b>	<b>RA2</b>	<b>R3</b>	<b>R5</b>	<b>RS10</b>
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
a. Interior side yard						
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	<b>15</b>
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

\* The term “DUs” means dwelling units.

\*\* The term “K” means thousands.

\*\*\* See Section 9.08.030 regarding accessory structures and room additions.

The note to the Residential Site Development Standards Table 9.03.040-6 stating the minimum front yard setback from private streets was mistakenly deleted in a previous update and needs to be replaced. Table 9.03.040-6 (Residential Site Development Standards, Single-Family Standards) will be revised as shown below:

Notes to Residential Site Development Standards Table 9.03.040-6.

4. *The minimum front yard setback from private streets within the R1, R2 and R3 districts shall be fifty-five (55) feet measured from the center line of the street. The minimum front yard setback from private streets within the R5 district shall be fifty (50) feet measured from the center line of said street.*

**ENVIRONMENTAL**

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

**NOTIFICATION**

A 1/8 page public notice was published in the local newspaper.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission take the following action:

**APPROVE** Resolution No. 2013-16 and thereby **RECOMMEND** that the City Council:

1. **RECOGNIZE** that PA12-0028 (Municipal Code Amendment) and P12-117 (Specific Plan Amendment), qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378; and,
2. **APPROVE** PA12-0028 (Municipal Code Amendment) and P12-117 (Specific Plan Amendment).

Prepared by:

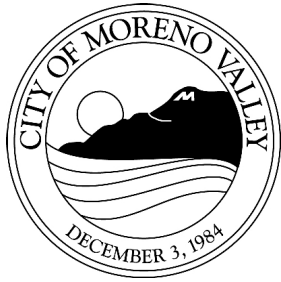
Claudia Manrique  
Associate Planner

Approved by:

John C. Terrell, AICP  
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2013-16
3. Permitted Uses Table (items to be removed/added)



## **NOTICE OF PLANNING COMMISSION PUBLIC HEARING**

THE PLANNING COMMISSION WILL CONSIDER A SPECIFIC PLAN AMENDMENT (P12-117) TO ADD EMERGENCY SHELTERS TO THE MORENO VALLEY INDUSTRIAL AREA SPECIFIC PLAN (SP 208) AND A MUNICIPAL CODE AMENDMENT (PA12-0028) TO ADD THE FOLLOWING REGULATIONS: EMERGENCY SHELTERS, FARM WORKER HOUSING, SINGLE ROOM OCCUPANCY UNITS (SRO) AND MINOR TECHNICAL CLEAN UPS TO THE MUNICIPAL CODE.

This is a proposal to amend the Moreno Valley Industrial Area Specific Plan (SP 208) and a range of zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code including the introduction of Emergency Shelters, Farm Worker Housing, and Single Room Occupancy Units (SRO). The amendment to the Moreno Valley Industrial Area Specific Plan (SP 208) and Title 9 of the City of Moreno Valley Municipal Code will provide consistency with the City's certified housing element.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Claudia Manrique, Associate Planner at (951) 413-3225 or at the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

**Thursday, April 25, 2013  
7:00 P.M. or thereafter  
City Council Chambers  
14177 Frederick Street  
Moreno Valley, CA 92552-0805**

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**PLANNING COMMISSION RESOLUTION NO. 2013-16**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF P12-117 (SPECIFIC PLAN AMENDMENT) ADDING EMERGENCY SHELTERS TO THE MORENO VALLEY INDUSTRIAL AREA SPECIFIC PLAN (SP 208) AND PA12-0028 (MUNICIPAL CODE AMENDMENT) ADDING THE FOLLOWING REGULATIONS: EMERGENCY SHELTERS, FARM WORKER HOUSING, SINGLE ROOM OCCUPANCY UNITS (SRO) AND AMENDING THE MUNICIPAL CODE TO INCLUDE MINOR TECHNICAL CLEAN UPS.**

**Section 1:**

**WHEREAS**, the City of Moreno Valley has filed an application for the approval of P12-117 (Specific Plan Amendment), as described in the title of this Resolution.

**WHEREAS**, on April 25, 2013, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED**, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

**FACT:** Housing element law requires the identification of a zone(s) where emergency shelters are permitted without a conditional use permit or other discretionary action. To address this requirement, a local government may amend an existing zoning district, establish a new zoning district or establish an overlay zone for existing zoning districts. For example, some communities may amend one or more existing commercial zoning districts to allow emergency shelters without discretionary approval. The zone(s) must provide sufficient opportunities for new emergency shelters in the planning period to meet the need identified in the analysis and must in any case accommodate at least one year-round emergency shelter.

Approval of the 2008-2014 Housing Element included the creation of Program 8.26, which stated that Specific Plan 208 (the Moreno Valley Industrial Area Specific Plan

at the southern end of the City) was to be amended to add emergency shelters as a permitted use in compliance with SB 2 and adopt development standards for the use. Specific Plan Amendment (P12-117) proposes to amend Chapter III of the Moreno Valley Industrial Area Specific Plan (SP 208) under the Development Standards and Guidelines.

All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

**FACT:** The proposed amendment to the Moreno Valley Industrial Area Plan (SP 208) does not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

## **Section 2:**

**WHEREAS**, the City of Moreno Valley has filed an application for the approval of PA12-0028 (Municipal Code Amendment), as described in the title of this Resolution.

**WHEREAS**, on April 25, 2013, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED**, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
  1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

**FACT:** All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. Approval of the 2008-2014 Housing Element included the need to amend the municipal code in regards to Emergency Shelters, Farm Worker Housing, Single Room Occupancy Units (SRO) and adoption of reasonable accommodation procedures. The approval of the code amendment is necessary for the City to meet its Housing Element requirements.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

**FACT:** The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

3. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purposed and intent of Title 9.

**FACT:** The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. As such, it furthers the specific purpose and intent of Title 9 to “implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2013-16, recommending that the City Council approve P12-117 (Specific Plan Amendment) and PA12-0028 (Municipal Code Amendment), as described in the title of this resolution.

**APPROVED** this 25<sup>th</sup> day of April, 2013.

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Mary E. "Meli" Van Natta  
Chair, Planning Commission

ATTEST:

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John C. Terell, Planning Official  
Secretary to the Planning Commission

APPROVED AS TO FORM:

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City Attorney

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Permitted Uses Table 9.02.020-1

	Residential Zones										Mixed Use Overlay							Commercial & Office Zones							Industrial Zones				
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	L	BP	BPX	OS			
X - Indicates stated use is permitted subject to district requirements.																													
C - Indicates stated use is allowed with a conditional use permit.																													
◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.																													
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.																													
Clubs																													
Commercial Radio or Television Stations																													
With on-site antenna																													
Without on-site antenna																													
Communications Facilities (See Section 9.09.040 of this title)																													
Computer Sales and Repairs																													
Contractors Storage Yard																													
Convalescent Homes/Assisted Living																													
Convenience Stores																													
With drive-through																													
Without drive-through																													
With alcohol sales																													
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services																													
Copy Shops																													
Country Club																													
Dancing, Art, Music and Similar Schools																													
Day Care Centers																													
Delicatessens																													
Diaper Supply Service																													
Laundry with fleet																													







Permitted Uses Table 9.02.020-1

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	Residential Zones										Commercial & Office Zones						Industrial Zones								
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	L1	BP	BPX

Liquor Stores																											
Live/Work Unit (12)																											
Locksmith Shops																											
Lodge Halls and Similar Facilities																											
Lumberyards																											
Mail Order House																											
Manufacturing and Assembly																											
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																											
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																											
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																											
d. Retail sales of goods produced or																											

Permitted Uses Table 9.02.020-1

	Residential Zones										Mixed Use Overlay						Commercial & Office Zones					Industrial Zones				
	HR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10,11)	NC	CC	VC	OC	O	P	I	L1	BP	BPX	OS	
X - Indicates stated use is permitted subject to district requirements.																										
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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.																										
warehoused on-site <sup>3</sup>																										
Medical Clinics/Medical Care																										
Inpatient care												X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Urgent care											X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Medical device services and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices													X	X	X	X	X	X	X	X	X	X	X	X		
Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment													X	X	X	X	X	X	X	X	X	X	X	X		
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C																
Mobile Home Sales or Rentals (outdoor display)																C										
Mortuaries																										
With cremation services																							X	X		
No cremation services		C	C	C	C	C	C	C	C	C													X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Newspaper and Printing Shops											X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Nursery, (Plant), Wholesale and	X	X	X																			X	X		X	

Permitted Uses Table 9.02.020-1

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	Residential Zones										Commercial & Office Zones						Industrial Zones											
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	L	BP	BPX	OS		
Distribution																												
Offices (administrative and professional)																												
Open Air Theaters																												
Orphanages	C	C	C	C	C	C	C	C	C	C	C																	
Painting Contractor																												
Parcel Delivery																												
Terminals																												
Parking Lot																												
Parks and Recreation Facilities (public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)																												
Pharmacy*																												
Photo Studios																												
Plumbing Shops																												
Plumbing Supply Stores for Contractors																												
Pool Hall																												
Postal Services																												
Pottery Sales with Outdoor Sales																												
Public Administration, Buildings and Civic Centers																												
Public Utility Stations, Yards, Wells and Similar	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	

Permitted Uses Table 9.02.020-1

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	Residential Zones										Mixed Use Overlay						Commercial & Office Zones					Industrial Zones			
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	L1	BP	BPX

Facilities, Excluding Offices																											
Racetracks																											
Record Store												X	X	X	X	C	X	X	X	X							
Recording Studio												X	X	X	X		X	X	X	X							
Recreational Facilities (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	◆	◆	◆							
Recycling, Large Collection Facility <sup>5</sup>																											
Recycling, Small Collection Facility												X	X	X	X	X	X	X	X	X							
Recycling Processing Centers																											
Refreshment Stands												X	X	X	X	X	X	X	X	X							
Rental Service																											
Within an enclosed structure (furniture, office, party supplies)												X	X	X	X	X	X	X	X	X							
With outdoor storage and display (vehicles, equipment, etc.)																											
Research and Development												X	X	X	X	X	X	X	X	X							
Residential																											
Single-Family	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X							
Multiple-Family												X	X	X	X	X	X	X	X	X							
Manufactured home																											

Permitted Uses Table 9.02.020-1

	Residential Zones										Mixed Use Overlay						Commercial & Office Zones						Industrial Zones						
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	L1	BP	BPX	OS			
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.																												
park (see mobile home parks)																													
Residential Care Facility (for seven or more persons)	C	C	C	C	C	C	C	C	C	C	C	C	C	C															
Restaurants (Eating and Drinking Establishments)																													
With entertainment												C	C	C															
Without entertainment												X	X	X															
With alcoholic beverage sales												X	X	X															
With outdoor seating <sup>1,3</sup>												X	X	X															
Restaurants (fast-food)																													
With drive-through																													
Without drive-through												X	X	X															
Retails Sales												X	X	X															
Support Retail Sales												X	X	X															
Sandwich Shops <sup>6</sup>												X	X	X															
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆															
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	◆	◆	◆															
Shoe Shine Stands												X	X	X															
Shoe Repair Shop												X	X	X															
Sign Shop												X	X	X															
Single room occupancy (SRO) facility												C	C	C															
Skating Rinks													X	X															
Stationery Stores												X	X	X															

**Permitted Uses Table 9.02.020-1**

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 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	Residential Zones										Mixed Use Overlay						Commercial & Office Zones						Industrial Zones				
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	L	BP	BPX	OS	
Statue Shop -Outdoor display																◆						X					
Storage Lots and Mini-Warehouses																											
Indoor																											
Outdoor																C							X				
Swim Schools/Center with Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C					X											
Taxidermist																X											
Theaters (excludes open air)																X											
Tire Recapping																X											
Trade and Vocational Schools																X											
Transfer, Moving and Storage Facilities																X											
Truck Wash																											
Upholstery Shops																											
Vehicle Storage Yards																											
Indoor																											
Outdoor																											
Vending Machine Service and Repair																											
Veterinarian (including animal hospital)																											
All activities within an enclosed structure																											
With outdoor activities																											
Weight Reduction																											



**Permitted Uses Table 9.02.020-1**

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 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	Residential Zones										Mixed Use Overlay						Commercial & Office Zones					Industrial Zones				
	HR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	L	BP	BPX	OS	
Center																										
Wholesale, Storage, and Distribution																										
All activities indoors (50,000 square feet or less)																						X		X		X
All activities indoors (more than 50,000 square feet)																						X				X
All activities outdoors																						X				
Retail sale of goods warehoused on-site <sup>7</sup>																						X		X		
Wrecking Yard																						◆				

**Notes:**

- (1) Do not consider residential use per distance requirement.
- (2) The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.
- (3) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
- (4) Permitted in the OC and VOR districts only as a support medical office facility.
- (5) Large collection facilities may be established within an existing building through the “tenant improvement” process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.
- (6) Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.
- (7) Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
- (8) In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
- (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
- (10) See Section 9.07.40 (Medical Use Overlay District)

**Permitted Uses Table 9.02.020-1**

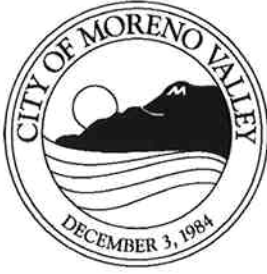
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	Residential Zones										Mixed Use Overlay						Commercial & Office Zones					Industrial Zones					
	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	R30	MUN (9.11)	MUC (9.11)	MUI (8.10.11)	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS	

- (11) See Section 9.09.260 (Mixed Use Development)
- (12) See Section 9.09.250 (Live-Work Development)
- (13) See Section 9.09.270 (Outdoor Dining)
- (14) Use is also permitted in the Moreno Valley Industrial Area Plan (SP 208)**

**Zoning District Key**

HR	Hillside Residential District	MU	Mixed Use Overlay District
RR	Rural Residential District	MUN	Mixed-Use Neighborhood Overlay District
R1	Residential 1 District (40,000 square feet minimum lot size)	MUC	Mixed-Use Community Overlay District.
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)	MUI	Mixed-Use Institutional Anchor Overlay District
R2	Residential 2 District (20,000 square feet minimum lot size)	NC	Neighborhood Commercial District
R3	Residential 3 District (10,000 square feet minimum lot size)	CC	Community Commercial District
R5	Residential 5 District (7,200 square feet minimum lot size)	VC	Village Commercial District
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)	OC	Office Commercial District
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)	O	Office District
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)	P	Public District
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)	I	Industrial District
R30	Residential 30 District (Up to 30 Dwelling Units per net acre)	LI	Light Industrial
		BP	Business Park District
		BPX	Business Park-Mixed Use District
		OS	Open Space District



**CITY OF MORENO VALLEY**  
**Community & Economic Development Department**  
**Planning Division**

## **MEMORANDUM**

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To: Chair Van Natta and Members of the Planning Commission  
From: Grace Espino-Salcedo, Administrative Assistant *GES*  
Date: April 25, 2013  
Subject: 2012 Annual Report of the Planning Commission

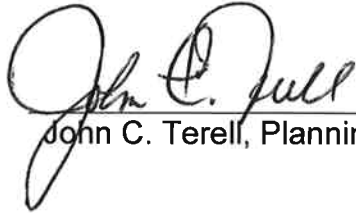
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An Annual Report is required to be forwarded to the California State Office of Planning and Research in accordance with Government Code Section 65040.5. The purpose of the Annual Report is to highlight the Planning Commission's major accomplishments in the implementation of the City's General Plan.

The attached Report highlights the major development applications and modifications to City documents that were processed in 2012.

Staff recommends that the Planning Commission:

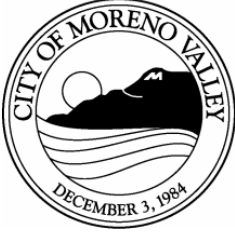
- 1) **ACCEPT** the 2012 Annual Report of the Planning Commission; and,
- 2) **DIRECT** Staff to forward the 2012 Annual Report of the Planning Commission to the City Council.

Approved by:   
John C. Terrell, Planning Official

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Attachment: 2012 Annual Report of the Planning Commission

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**CITY OF MORENO VALLEY**  
Community & Economic Development Department  
Planning Division

Planning Commission  
**ANNUAL REPORT**  
To the City Council

***JANUARY – DECEMBER 2012***

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## ***ACKNOWLEDGEMENTS***

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# ACKNOWLEDGEMENTS

## CITY COUNCIL (Elected)

	DISTRICT	TERM EXPIRES
Richard A. Stewart, Mayor	2	November 2014
Jesse L. Molina, Mayor Pro-Tem	1	November 2012
Robin Hastings	3	November 2012
William H. Batey II	5	November 2012
Marcelo Co	4	November 2014

## PLANNING COMMISSION (Appointed)

	TERM EXPIRES
Mary E. Van Natta, Chairperson	March 31, 2015
George Salas, Jr., Vice-Chairperson	March 31, 2013
Jeffrey Giba	March 31, 2013
Amber Crothers	March 31, 2015
Carlos Ramirez	March 31, 2013
Thomas Owings	March 31, 2015
Ray L. Baker	March 31, 2013

## CITY MANAGER

Henry Garcia

## ASSISTANT CITY MANAGER

Michelle Dawson

## COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Barry Foster, Director

### Planning Division

John Terell, AICP Planning Official  
Darisa Vargas, Senior Administrative Assistant  
Grace Espino-Salcedo, Administrative Assistant  
Chris Ormsby, AICP Senior Planner  
Mark D. Gross, AICP Senior Planner  
Claudia Manrique, Associate Planner  
Gabriel Diaz, Associate Planner  
Jeffrey Bradshaw, Associate Planner  
Julia Descoteaux, Associate Planner  
Leticia Esquivel, Senior Permit Technician  
Yahnel Bishop, Permit Technician  
Summer Looy, Permit Technician



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## ***MAJOR ACCOMPLISHMENTS***

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# MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission has been working on during the 2012 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

## **Major Accomplishments in 2012 were:**

Major development projects reviewed by the Planning Commission in 2012 were as follows:

- PA11-0042 (Conditional Use Permit) Conditional Use Permit for a family entertainment center to be located within the existing Moreno Valley Mall providing bowling, arcade games, party rooms with karaoke, billiard tables, ping pong and a food and beverage area serving beer and wine. Located at 22500 Town Circle, 2<sup>nd</sup> Floor in the Moreno Valley Mall.
- PA12-0001 (Heacock Street Extension Circulation Element) Modification of the Circulation Plan of the General Plan to designate Heacock Street as an arterial street extending south of San Michele Road to the southerly City boundary. This modification is also proposed for the Moreno Valley Industrial Area Circulation exhibit in Specific Plan 208. Located between San Michele Road and the southerly City boundary.
- P10-050 (Specific Plan Amendment), PA10-0026 (General Plan Amendment) and PA10-0027 (Change of Zone) Specific Plan Amendment to repeal the Cactus Corridor Specific Plan and in its place rely on existing General Plan land use designations and newly established City zoning districts. Except for a minor change to a portion of a proposed City Park site from Open Space (OS) to Residential 10 (R10), existing General Plan Land Use designations will remain in place; establish City zoning districts for all properties within the Specific Plan boundaries with City zoning districts that are compatible with existing Specific Plan land use designations. Cactus Corridor Specific Plan, located generally, between Moreno Beach Drive and Sinclair Street and Brodiaea Avenue and Cactus Avenue.
- PA11-0038 (Conditional Use Permit), P11-098 (Amended Plot Plan) and P12-012 (Administrative Variance) Conditional Use Permit and an Amended Plot Plan for a 3,838 square foot fast food restaurant with drive-thru within the Moreno Valley Plaza commercial shopping center on a shared 18.20 acre site within the Community Commercial (CC) land use district and Village Specific Plan (SP 204); Administrative Variance for a building trellis encroaching two (2) feet into the front yard setback and the demolition of a 6,636 square foot retail building. Located at 23831 Sunnymead Boulevard, south side of Sunnymead, between Graham and Heacock Streets.

- PA10-0030 (Municipal Code Amendment) Amendment to various municipal code regulations to encourage site plan and energy efficiency. Location: Citywide.
- PA12-0007 (Tentative Parcel Map No. 36449) and PA11-0041 (Plot Plan) Tentative Parcel Map No. 36449 to subdivide 6.84 acres into 5 lots for commercial purposes and a Plot Plan to develop one parcel into a retail store. The retail store will be on a one acre parcel and be approximately 8,320 square feet. The zoning is Neighborhood Commercial (NC). Located at the southwest corner of Perris Boulevard and John F. Kennedy Drive (APN: 485-081-034).
- PA12-0002 (Conditional Use Permit) A Conditional Use Permit to expand the use of the existing bowling alley to include an arcade area. The bowling center will include a 20 lane bowling alley, arcade games, billiard tables, skating or remote control car areas, a banquet room, sports area, and a food and beverage service area serving beer and wine. Located at 23750 Alessandro Boulevard, Suite K.
- PA12-0008 (Municipal Code Amendment) Municipal Code Amendment to Section 9.12.060.D to increase maximum sign copy area for drive-through restaurant pre-menu and menu boards from 36 square feet to 48 square feet or a maximum of 64 square feet for a single menu board. The maximum height for menu boards to increase from 6 feet to 8 feet inclusive of the sign base. Location: Citywide
- PA08-0033 (General Plan Amendment), PA08-0034 (Change of Zone) and PA08-0035 (Conditional Use Permit) Conditional Use Permit for a Smog Inspection Station and Tire Sales commercial business, which requires a General Plan Amendment and Change of Zone. Located at 22184 Alessandro Boulevard.
- PA12-0018 (Conditional Use Permit) Conditional Use Permit for a full service sports bar and grill (restaurant) with entertainment to be located within the existing Lakeshore Village shopping center. The entertainment will include karaoke, billiards, a jukebox, and a DJ with dancing. Full bar alcoholic beverages will be served. The project is within the Specific Plan 168 Scenic Highway Commercial. Located at 23579 Sunnymead Ranch Parkway, Suite 119-122.
- P11-090 (Environmental Impact Report), PA09-0004 (Plot Plan) and PA09-0022 (Tentative Parcel Map No. 36162) Plot Plan for development of a 1,616,133 square foot warehouse distribution building on a 71.13 net acre site. The building includes 268 dock high doors and 44,000 square feet of office area in four potential office locations; Tentative Parcel Map No. 36162 to combine four existing parcels into a single parcel for development of the 1.6 million square feet warehouse distribution facility. Certification of an Environmental Impact Report is required for approval of this project.
- PA11-0013 (Municipal Code Amendment) Modify Title 9 of the Municipal Code for energy efficiency measures equal to and above current 2011 California Green Building code standards necessary to adopt Reach Codes, including the modification of Section 9.05.040, "Industrial Site Development Standards", Section 9.17.030 "Landscape and Irrigation Design", Section 9.11.040 "Off Street Parking Requirements", Section 9.03.040 "Residential Site Development Standards", Section 8.80.020 "Waste Diversion Requirements" and Section 8.80.030 "Waste Management Plan." Location: Citywide.

- PA12-0026 (General Plan Amendment to the Circulation Plan) Modification of the Circulation Plan of the General Plan to provide the following cross-section for Nason Street. A 4-lane divided arterial with 120 foot right-of-way and an 86 foot roadway width. The existing cross-section identified this segment of Nason Street as a 4-lane divided arterial with a 100 foot right-of-way and a 76 foot roadway width between Alessandro Boulevard and Dracaea Avenue, and a 110 foot right-of way and 86 foot wide roadway width between Dracaea Avenue and Fir Avenue. Located between Nason Street between Alessandro Boulevard and Fir Avenue.
- P08-053 (Tentative Tract Map 35931) and PA08-0054 (Plot Plan) Tentative Tract Map for condominium purposes and a Plot Plan to build 135 condominium units on 10.41 acres of land. The site is located on the southwest corner of Iris Avenue and Via del Lago within the Specific Plan 193 Medium Residential zone which allows for multi-family units.
- PA12-0027 (Development Code Amendment) To adopt an Energy Efficiency and Climate Action Strategy Document. Includes potential programs and policies to reduce overall energy use, increase the use of renewable energy, and identify the life cycle costs of future City projects. Location: Citywide.
- PA11-0025 (Plot Plan), PA11-0026 (Tentative Tract Map No. 36401), PA11-0027 (Conditional Use Permit) Tentative Tract Map to subdivide 19.4 acres into 41 lots and 9 common areas lots to build three types of residential units; Conditional Use Permit for lots 1-40 for 36 detached single-family units on lots 1-36 with an additional 56 clustered units on lots 37-40; Plot Plan for a 125 unit multiple family apartment project with a recreation building and tot lot on the 7.25 acres of Lot 41 parcel; Variance to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography). This project will replace the 227 unit condominium project previously approved by the Planning Commission for this site in April 2005 (PA04-0151 and PA04-0152). Located at the northeast corner of Lasselle Street and Krameria Street in the Moreno Valley Ranch Specific Plan (SP 193).
- P12-057 (Environmental Impact Report), PA12-0019 (Plot Plan), PA12-0020 (Plot Plan), PA12-0021 (Plot Plan), PA12-0022 (Change of Zone) Plot Plan for either a 164,720 SF warehouse building or an enclosed truck storage area on 7.6 acres at the northeast corner of Cactus Avenue and Frederick Street (APN 297-170-027); Plot Plan to add 507,720 SF to an existing 779,016 SF warehouse building for a total of 1,286,736 SF on an 18.6 acre site located at the northwest of Cactus Avenue and Graham Street (this project requires the vacation of existing Joy Street between Brodiaea Avenue and Cactus Avenue - APN 297-170-067, -075, and -076); Plot Plan for a new 607,920 SF warehouse facility on approximately 30 acres located at the northwest corner of Graham Street and Brodiaea Avenue (this project requires the vacation of existing Joy Street north of Brodiaea Avenue - APN 297-170-064, -065, and -082); Change of Zone from Business Park Mixed-Use (BPX) to Light Industrial (LI) for the 7.6 acres located at the northeast corner of Cactus Avenue and Frederick Street (APN 297-170-027). Approval of project to require certification of EIR. Located near or at the northeast corner of Frederick Street and Cactus Avenue.

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- PA11-0001 (General Plan Amendment), PA11-0002 (Master Plot Plan), PA11-0003 (Plot Plan), PA11-0004 (Plot Plan), PA11-0005 (Plot Plan), PA11-0006 (Plot Plan), PA11-0007 (Tentative Parcel Map), P11-004 (Specific Plan Amendment) and P11-005 (Environmental Impact Report) General Plan Amendment, Specific Plan Amendment, Tentative Parcel Map, Master Plot Plan and Four Plot Plans to amend the Circulation Element of the General Plan and Moreno Valley Industrial Area Plan (SP 208) to realign Krameria Street and subdivide a 75.05 gross acre (66.91 net acre) portion of land into four separate parcels to include four (4) individual industrial buildings totaling 1,484,407 square feet within the Industrial (I) land use district. Located at the southeast corner of Iris Avenue and Heacock Street.

**Other Development Projects reviewed by the Planning Commission in 2012 as follow:**

- P12-077 (Amended Conditional Use Permit) An Amended Conditional Use Permit (CUP) for a two phase 98,700 square foot 138-unit (150 bed) senior assisted living and memory care facility on 7.33 acre parcel of land within the Residential 15 (R15) land use district. Located at the southwest corner of Brodiaea Avenue and Moreno Beach Drive.
- P12-102 (Amended Master Plot Plan) and P12-103 (Amended Plot Plan) Amended Master Plot Plan to revise the current Master Site Plan and an Amended Plot Plan to accommodate a 8,220 first floor expansion of the emergency room area of the existing hospital building; includes a revision to the interior of the existing building. Located in the Office Commercial (OC) zone within the Medical Office Overlay District (MOU) at 27300 Iris Avenue (APN: 486-310-023, -024).

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## ***GENERAL PLAN IMPLEMENTATION***

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# GENERAL PLAN IMPLEMENTATION

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2012:

- PA12-0001 (Heacock Street Extension Circulation Element) Modification of the Circulation Plan of the General Plan to designate Heacock Street as an arterial street extending south of San Michele Road to the southerly City boundary. This modification is also proposed for the Moreno Valley Industrial Area Circulation exhibit in Specific Plan 208. Located between San Michele Road and the southerly City boundary.
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## ***PROJECT ACTIVITY***

# PROJECT ACTIVITY

## SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY FOR THE PERIOD JANUARY 2012 THROUGH DECEMBER 2012

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	3
Conditional Use Permit	6
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Environmental Impact Report	3
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	11
Plot Plan Amendment	2
Reversion to Acreage	0
Sign Program Amendment	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	3
Tentative Parcel Map Amendment	0
Tentative Tract Map	2
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	2
Master Plot Plan and Related	2
10 Year Capital Plan Amendment (CIP)	0
<b>TOTAL PROJECTS</b>	<b>46</b>

\* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **743** Administrative Approvals and **424** plan check reviews in 2012.