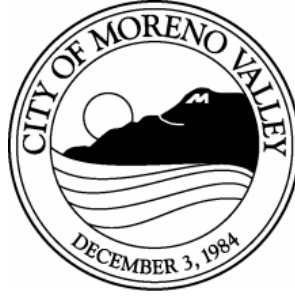

PLANNING COMMISSIONERS

MELI VAN NATTA
Chair

JEFFREY GIBA
Vice-Chair

RAY L. BAKER
Commissioner



JEFFREY BARNES
Commissioner

CARLOS RAMIREZ
Commissioner

BRIAN LOWELL
Commissioner

JEFFREY SIMS
Commissioner

PLANNING COMMISSION AGENDA

February 27, 2014

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 Commissioner:
- JEFFREY BARNES

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. October 24, 2013
2. November 14, 2013
3. December 12, 2013
4. January 16, 2014

PUBLIC HEARING ITEMS

1. Case Description: PA13-0018 - Conditional Use Permit
Applicant: Verizon Wireless
Owner: Sheila and Cornell Davis
Representative: Smartlink, LLC
Location: 24556 Eucalyptus Avenue (north side of Eucalyptus Avenue and east of Indian Street)
Proposal: Conditional Use Permit for a new 67 foot tall monopine located at the rear of the Covenant Christian Church site. The proposed use includes support equipment to be housed inside a modular building and an emergency generator to be screened by an 8 foot tall enclosure of decorative block construction. The project site is zoned SP 204 VCR.

Case Planner: Jeff Bradshaw

Recommendation: **APPROVE** Resolution No. 2014-06 and thereby:
 1. **RECOGNIZE** that the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, New Construction, per CEQA Guidelines Section 15303; and
 2. **APPROVE** PA13-0018 (Conditional Use Permit) based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

2. Case Description: PA13-0065 - Conditional Use Permit
Applicant: Robert Aikin
Owner: Formosa Rentals
Representative: Robert Aikin
Location: 13373 Perris Blvd. Suite B104
Proposal: A Conditional Use Permit application for a proposed Ambulance Comfort Station within an existing commercial center. Zone: CC

Case Planner: Gabriel Diaz

Recommendation: **APPROVE** Resolution No. 2014-07 and thereby:

1. **RECOGNIZE** that this project is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities; and,
2. **APPROVE** PA13-0065 (Conditional Use Permit), based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

3. Case Description: P13-127 - Amended Plot Plan Tract 31618
Applicant: FH II, LLC
Frontier Communities, Moreno Valley 55
Owner: FH II, LLC
Frontier Communities, Moreno Valley 55
Representative: Shane Bouchard
Location: Tract 31618, SWC Moreno Beach Drive and Bay Avenue
Proposal: An Amended Plot Plan to modify Conditions of Approval for PA03-0106 Tract Map 31618, including Land Development, Planning, Transportation, Special Districts and Fire conditions.

Case Planner: Julia Descoteaux

Recommendation:

APPROVE Resolution No. 2014-03 and thereby:

1. **RECOGNIZE** that P13-127 (Amended Plot Plan) is within the scope of the Negative Declaration adopted with PA03-0106; and,
2. **APPROVE** P13-127 (Amended Plot Plan) subject to the attached conditions of approval included as Exhibit A.

OTHER BUSINESS

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 OCTOBER 24TH, 2013

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
15 **ROLL CALL**

16
17 Commissioners Present:

18 Chair Van Natta
19 Vice Chair Giba
20 Commissioner Baker
21 Commissioner Lowell
22 Commissioner Sims
23

24 Excused Absence:

25 Commissioner Ramirez
26

27 Staff Present:

28 John Terell, Community and Economic Development Director
29 Chris Ormsby, Interim Planning Official
30 Julia Descoteaux, Associate Planner
31 Michael Lloyd, Transportation Division Engineer
32 Clement Jimenez, Land Development Engineer
33 Randy Metz, Fire Marshall
34 Suzanne Bryant, City Attorney
35
36
37

38 **PLEDGE OF ALLEGIANCE**
39
40

41 **APPROVAL OF AGENDA**
42

43 **CHAIR VAN NATTA** – I'm going to take a little break from what we normally do
44 at this point and I'm to ask if there is a member of the Church who would like to

1 give us an invocation this evening to start our meeting off. Is there a leader,
2 pastor, whatever or priest? Thank you

3
4 **SPEAKER** – Thank you Ms. Chair. May we all rise? Loving and merciful God,
5 we thank you for this evening. We ask you to be present and to bless us and to
6 guide us and to open our hearts and minds to see what you want us to see.
7 Bless all those who will make important decisions; open their hearts and their
8 ears and their minds. Bless our gathering this evening and may we be humble
9 always. We ask this through Christ our Lord. Amen.

10
11 **CHAIR VAN NATTA** – Thank you. We have the Agenda in front of us. Has
12 everyone had a chance to look at the brief Agenda we have for this evening. Do
13 we have a motion to approve this?

14
15 **COMMISSIONER BAKER** – I move that we approve the Agenda as submitted.

16
17 **VICE CHAIR GIBA** – I'll second it

18
19 **CHAIR VAN NATTA** – Moved and seconded. All those in favor?

20
21 Opposed – 0

22
23 **Motion carries 5 – 0, with one absent (Commissioner Ramirez)**

24
25
26
27 **PUBLIC HEARING ITEMS**

28
29 **CHAIR VAN NATTA** – The public is advised that there are procedures to be
30 followed in this meeting and they are posted... where did they post them now? I
31 think they moved them? They are still over at the side of the room.

32
33
34
35 **PUBLIC COMMENTS**

36
37 **CHAIR VAN NATTA** – At this point we are going to open the meeting for any
38 matter which is not listed on the Agenda and which is within the subject matter
39 jurisdiction of the Commission. I don't see that anyone has submitted a Speaker
40 Slip.

41
42 **INTERIM PLANNING OFFICIAL ORMSBY** – I didn't have any Speaker Slips.

43
44 **CHAIR VAN NATTA** – No Speaker Slips; fine. Then we are going to close that
45 portion of the meeting and go to on to our first Public Hearing Item.

1 **PUBLIC HEARING ITEMS**

2
3 **1. Case Description: PA13-0002 Tentative Parcel Map 36522**
4 **P12-051 Master Site Plan**
5 **(Conditional Use Permit)**

6
7 **Case Planner: Julia Descoteaux**

8
9 ***(Continued from September 26th, 2013 Hearing)***

10
11 **CHAIR VAN NATTA** – Case number PA13-0002, Tentative Parcel Map 36522
12 and P12-051, Master Site Plan, Amended Conditional Use Permit. The Applicant
13 is Lord Architecture Incorporated and can we have the Staff Report please.

14
15 **ASSOCIATE PLANNER DESCOTEAUX** – Good evening Planning
16 Commissioners. I'm Julia Descoteaux, the Case Planner and I have before I
17 start a couple additional comments that I'm going to pass up there to you. The
18 Applicant, Lord Architecture has submitted an application for a Tentative Parcel
19 Map 36522 to combine all the five lots into one 9.5 acre parcel and a Master Site
20 Plan, Amended Conditional Use Permit to develop the site into five phases for
21 the future plans for the site.

22
23 This project was continued from the September 26th, 2013 Planning Commission
24 Hearing. The Tentative Parcel Map 36522 again will combine all the five lots into
25 one parcel for future expansion of the site. There is no development associated
26 with the Tentative Parcel Map. The Master Site Plan, Amended Conditional Use
27 Permit provides for five phases of development incorporating the existing
28 structures and the construction of additional structures, site improvements and
29 off-site improvements until ultimate build out of the site is complete. The project
30 is conditioned to submit all the additional buildings and site plans for review and
31 approval and any modifications would require an amendment to the Master Site
32 Plan.

33
34 Phase one will include a new retention basin at the end of St. Christopher Lane.
35 There will be existing street improvements on St. Christopher Lane; renovating of
36 existing single family residence into a meeting room and the construction of a
37 new multi-purpose building, providing for some additional parking on the site,
38 landscape and circulation improvements to the off-site improvements on
39 Cottonwood.

40
41 Phase two will include the construction of a new multi-purpose parish hall,
42 parking and landscaping with off-site improvements to Cottonwood, which will
43 include a bus bay, revisions to the existing driveways and a landscape median
44 along Perris Boulevard.

1 Phase three will replace the old sanctuary with a new administrative center, with
2 additional landscaping and site improvements associated with that structure.

3
4 Phase four will remove the existing office/school buildings and the single family
5 home located on the northeast portion of the site and construct education
6 buildings, parking and sports facilities.

7
8 Phase five includes the construction of two educational buildings.

9
10 The site is currently zoned Office with the two parcels to the east zoned R5,
11 which is residential. The surrounding areas include Community Commercial to
12 the north, Office Commercial, Residential 10 and R5 and several homes and
13 some vacant land. To the east and west is zoned R5 and properties to the south
14 is zoned RS10 with existing single family residences. Access to the site will be
15 from the existing driveways along Cottonwood and St. Christopher Lane. The
16 existing easterly driveway on St. Christopher Lane will be extended north. There
17 will be increased parking in Phase one and the driveways will be modified per
18 each individual phase.

19
20 Again I mentioned that phase two improvements will include a raised median
21 along Perris Boulevard from St. Christopher Lane to Cottonwood and the
22 improvement is in line with the ultimate design of the major arterial street. The
23 addition of the median will result in improved levels of service and improve safety
24 at the intersection. Southbound motorists wishing to turn left onto St. Christopher
25 Lane will be able to go to Perris Boulevard and Bay Avenue intersection and
26 make a U-turn, so it will be a right in and right out street. The site will be
27 developed per the approved Master Site Plan with landscaping and modified
28 parking per phase and again all buildings will require a separate review and
29 approval.

30
31 The site is considered an infill development project, as the site is mostly
32 developed with existing buildings, parking areas and existing access to both
33 Cottonwood and St. Christopher Lane. An Initial Study was completed with the
34 determination that there will be no significant impacts to the environment from the
35 proposed Tentative Parcel Map and the Master Site Plan. Based on the
36 information within the Initial Study a Negative Declaration was recommended to
37 be prepared. Notification was sent to all property owners within 300 feet, posted
38 on the site and published in the local newspaper and again this was done prior to
39 the meeting of September 26th.

40
41 With that Staff has provided you some revised conditions of approval. Planning
42 Condition P10 has been modified to read Church services and assembly
43 meetings may be held in only one building at a time to ensure adequate parking
44 and a new condition of approval will be added stating there shall be a minimum
45 of 361 parking stalls on the site at all times and at phase four the parking number
46 shall increase to 395. I've received quite a few comments from the surrounding

1 public relating to parking both on site as well as offsite, the drainage to the site
2 on St. Christopher Lane, the block wall on the east property line, the traffic
3 concerns, environmental concerns and with that concern the applicant has
4 initiated a phase one environmental assessment that they are currently working
5 on.

6
7 **CHAIR VAN NATTA** – Okay Commissioners do you have any questions of
8 Staff?

9
10 **COMMISSIONER SIMS** – (microphone is not working – inaudible)

11
12 **ASSOCIATE PLANNER DESCOTEAUX** – I will let Michael Lloyd discuss the
13 Traffic Study because yes there was one done. Regarding the parking, the
14 church itself as it is today, for all intents and purposes is legal non-conforming in
15 the parking area. The original church or the church facility that is there now; the
16 second church if you will was constructed in 1984 and with the conditions of
17 approval for that project 209 parking stalls were required. In approximately 1991
18 there was an addition done to the church building of a little over 2300 square
19 feet. We don't have the records for that project to determine what they might
20 have calculated the parking at, so the parking standards that we have today are
21 different than what they were back then, so it is legal non-conforming in the
22 sense that we can't go back and use today's parking standards on an existing
23 building. So for the 2300 square feet that was added in 91 it is not fixed seating
24 in that area, so we did use our current parking analysis or requirements and took
25 that square footage and divided it by 35, which gives you 68 more parking
26 spaces, which is still less than what they have currently on site today. Does that
27 help and I'll let Michael discuss the Traffic Study.

28
29 **TRANSPORTATION DIVISION ENGINEER LLOYD** – Good evening Chair and
30 Commissioners. My name is Michael Lloyd with Transportation Engineering.
31 Where there any specific questions or concerns you wanted me to address or
32 just provide a general overview?

33
34 **COMMISSIONER SIMS** – I'd like a general overview to understand how...
35 (Microphone cuts out – inaudible)

36
37 **TRANSPORTATION DIVISION ENGINEER LLOYD** – Okay Traffic Engineering
38 performed the study, went out and counted vehicles entering and exiting the
39 church on a Sunday afternoon I believe in September of 2012, developed a trip
40 projection rates based upon the proposed expansions and then evaluated current
41 conditions as they are today as they are out on the street versus what the future
42 conditions would be with the expansion. Current conditions in the Traffic Study
43 identify the level of service at Perris and Cottonwood to be I believe at a level of
44 service C, which is an acceptable level of service.

45

1 The Traffic Study also found existing conditions at Perris Boulevard and St.
2 Christopher to be a level of service F, which is unacceptable, which I think is the
3 existing current condition. With the addition of the projected or proposed traffic
4 the level of service at Perris and Cottonwood would remain at a level of service C
5 and because level of service F is as low as it gets unfortunately on our scale,
6 there was no change obviously at Perris and St. Christopher with the additional
7 traffic, so we assessed; Staff assessed what would be a possible resolution at
8 the Perris and St. Christopher intersection to make things better. We've looked
9 at the possibility of a traffic signal. Unfortunately the street is only 500 feet south
10 of Cottonwood. We typically want signal space at the quarter mile, which is
11 approximately 1300 feet, so 500 feet would not provide adequate stacking
12 distance back to back for left turns wanting to turn left in the northbound direction
13 of Cottonwood compared with the southbound left turn movement onto St.
14 Christopher. There wouldn't be enough stacking space to allow for left turn
15 vehicles to maneuver out of the thru movements along Perris Boulevard, so
16 potentially if we did allow that left turn onto St. Christopher, left turning vehicles
17 would back up into the thru lanes and block traffic, so that is a condition that we
18 don't want obviously. So the thought was well would just extend the raised
19 median that is part of this project across the intersection of Perris and St.
20 Christopher and force the intersection to operate as a right in and right out
21 intersection. Those would be the allowed movements. So that was the thought
22 process and the findings of the Traffic Study.

23

24 **COMMISSIONER SIMS** – (Microphone is not working – inaudible)

25

26 **ASSOCIATE PLANNER DESCOTEAUX** – The onsite parking is currently 361
27 spaces and the requirement will be 361. I guess I'm not understanding your
28 question.

29

30 **COMMISSIONER SIMS** – To use the term would ...

31

32 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
33 Existing, non-conforming

34

35 **ASSOCIATE PLANNER DESCOTEAUX** – Existing, non-conforming

36

37 **COMMISSIONER SIMS** – So what would...? (Microphone cuts out – inaudible)

38

39 **ASSOCIATE PLANNER DESCOTEAUX** – Well the parking until phase five will
40 still be 361 spaces. It wouldn't increase until Phase... actually phase 4, so the
41 parking won't change.

42

43 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – It
44 would remain non-conforming based on and Julia correct me if I am incorrect, but
45 this application would not increase the capacity of the church. We typically
46 calculate parking on the largest assembly area and that would be sanctuary. The

1 sanctuary is not increasing in size and further there has been an additional
2 condition of approval which limits that building, so they can only use that building
3 at one time, so there is no increase in capacity. There are other activities that
4 are going to occur on site, but those would occur in what we would call non-peak
5 hours.

6
7 **COMMISSIONER SIMS** – (Microphone is not working – inaudible)

8
9 **TRANSPORTATION DIVISION ENGINEER LLOYD** – As I mentioned the Traffic
10 Study identified a level of service F which is unacceptable at Perris and St.
11 Christopher. That’s an existing today condition.

12
13 **COMMISSIONER SIMS** – I guess just... (Microphone cuts out – inaudible)

14
15 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah I
16 think the traffic issue is related to people getting in and out of a particular
17 intersection at St. Christopher and Perris, so I’d ask Michael Lloyd if the condition
18 to add the median would change that condition for the better.

19
20 **TRANSPORTATION DIVISION ENGINEER LLOYD** – The answer is yes. Once
21 the raised median is put in place the level of service would be improved because
22 it removes the left turn movements which cause conflicts within intersection and
23 so people would only have the opportunity to make a right turn out of the
24 driveway. Currently what is pushing the intersection to the poor or level of
25 service F is the left turns out from St. Christopher Lane onto Perris Boulevard, so
26 by removing that movement and forcing people to turn right, therefore the level of
27 service becomes acceptable.

28
29 **COMMISSIONER SIMS** – I have one more. What happens with the overflow
30 parking if it is illegal but conforming status right now? So when you say 394
31 spaces now and I have no idea what the real number should be today if it was in
32 current code to be legal conforming. What would that... you know so let’s say it
33 is 20 extra cars. Where do those extra cars go? Do they go and trespass onto
34 private property or where do they go?

35
36 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
37 Obviously there are speakers tonight that have firsthand knowledge of that but
38 my understanding is the additional parking occurs on the street; on the public
39 street, so those are in addition to parking spaces in the parking lot. There has
40 also been what I’d call temporary parking installed on sight by the Church and
41 that would be removed and there would be new permanent parking, so the
42 overflow that can’t be accommodated on the site currently and would flow onto
43 the public street; basically on-street parking.

44
45 **CHAIR VAN NATTA** – But the additional parking isn’t going to be added until
46 phase four?

1 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
2 there won't be more spaces than there are today until phase four

3
4 **CHAIR VAN NATTA** – So the issue with the street parking and parking in the
5 vacant lot across the street and all that stuff, that is not going to be addressed
6 with this until we get to phase four.

7
8 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
9 Correct. To the extent there is overflow and why that exists, it may be because
10 of people staying on site after they go to service or other reasons that is not
11 being addressed by...

12
13 **CHAIR VAN NATTA** – And basically we're removing the traffic jam that is at
14 Perris and St. Christopher and we're splitting it into up into U-turns on Bay and
15 Cottonwood.

16
17 **ASSOCIATE PLANNER DESCOTEAUX** – Correct

18
19 **TRANSPORTATION DIVISION ENGINEER LLOYD** – That's correct

20
21 **CHAIR VAN NATTA** – And that's considered to be an improvement?

22
23 **TRANSPORTATION DIVISION ENGINEER LLOYD** – Yes because we're
24 removing left turns at an uncontrolled intersection to two signalized intersections
25 which accommodate U-turns which would be a controlled and protected
26 movement versus the current condition where the left turn from St. Christopher
27 onto Perris is uncontrolled.

28
29 **CHAIR VAN NATTA** – Now you mentioned the original Traffic Study which was a
30 little over year ago and you said that the traffic count was done on a Sunday
31 afternoon. Would that not be the typical time when they are having the most
32 people going in and out of that location.

33
34 **TRANSPORTATION DIVISION ENGINEER LLOYD** – The counts were
35 conducted I believe and I can check the Traffic Study, but if I recall correctly, the
36 traffic counts were conducted between 12 noon and 2 pm.

37
38 **CHAIR VAN NATTA** – Between 12 and 2, so that doesn't account for all the
39 people who go in and out of there in the morning prior to noon which is probably
40 the busiest time.

41
42 **TRANSPORTATION DIVISION ENGINEER LLOYD** – Based on the information
43 from the Traffic Engineer based on their observations, this was the peak period
44 to count.

45
46 **CHAIR VAN NATTA** – They felt that was the peak period from 12 to 2?

1 **TRANSPORTATION DIVISION ENGINEER LLOYD** – Yes

2
3 **CHAIR VAN NATTA** – I guess I don't know. I don't go to that church but I just
4 know what I see when I drive by there. That is why I had that question. The
5 other issue with the traffic there was anything in the study; did it address any of
6 the pedestrian traffic coming across from the temporary parking across the
7 street.

8
9 **TRANSPORTATION DIVISION ENGINEER LLOYD** – No the Traffic Study that
10 was prepared strictly addressed capacity for the vehicular type traffic. It did not
11 address any type of pedestrian movements across Cottonwood Avenue.

12
13 **CHAIR VAN NATTA** – Was there any consideration to putting in an additional
14 cross-walk somewhere or additional marking on the cross walk or something?

15
16 **TRANSPORTATION DIVISION ENGINEER LLOYD** – Not with this application.
17 We typically don't want mid-block cross walks that are uncontrolled, so a possible
18 solution that I discussed with the City Traffic Engineer is to put up some signing
19 along Cottonwood that clearly indicates that it is illegal to cross the street except
20 at the cross walk and that obviously with the signs in place, it becomes
21 enforceable.

22
23 **COMMISSIONER LOWELL** – Yeah I have a couple of questions also.
24 Piggybacking on to what Jeffrey said, in the ultimate build out condition when all
25 the parking is assigned and allocated will that alleviate any offsite parking or will
26 there still be overflow parking in the neighboring dirt lot and the neighboring
27 community.

28
29 **ASSOCIATE PLANNER DESCOTEAUX** – Well I can't say for sure what it will do
30 but as long as there is parking allowed on Cottonwood... currently there is no
31 parking allowed on St. Christopher Lane and I know a couple of the speakers will
32 probably speak to that. It is my understanding that on Saturday and Sunday or
33 maybe just Sunday there is no parking on the south side or it is only permit
34 parking, so they have done some measures to help the residents along that
35 street for the parking on Sunday, however unless there is a no parking sign on
36 Cottonwood, then it would be allowed on Cottonwood.

37
38 **CHAIR VAN NATTA** – How many parking spots... I'm sorry I didn't mean to ...

39
40 **COMMISSIONER LOWELL** – No problem, go ahead that was actually going to
41 be my question.

42
43 **CHAIR VAN NATTA** – How many spots total will there be at build out?

44
45 **ASSOCIATE PLANNER DESCOTEAUX** – 395

46

1 **COMMISSIONER LOWELL** – So we went from 361 to 395, so we have an extra
2 34 spots and if you drive by this location on any given Sunday there are lot more
3 than that parking everywhere and from the letters we received, emails, citizen
4 complaints and comments, that doesn't seem adequate. Is there any way of
5 requiring any more parking by either narrowing the parking spaces from 10 feet
6 to 9 feet or angling the parking to try to get more parking in there just by adjusting
7 painting? Is there anything we can do to help the neighboring community out?
8

9 **INTERIM PLANNING OFFICIAL ORMSBY** – Yeah, unfortunately I think the
10 spaces are designed right now at a minimum, so I don't believe really there is an
11 opportunity to do that.
12

13 **COMMISSIONER LOWELL** – I had a couple of other questions. One of my
14 comments was going to be suggesting no parking on St. Christopher, but as you
15 said that is already the situation. Another couple of letters we had was involving
16 offsite run-off from the project; drainage. I see in the grading plans and in the
17 plot plans that there is a proposed basin. It looks like a dual use between a
18 soccer field or something. I also noticed that the overflow emergency outlet is
19 draining easterly in the southeast corner of the property. Where does that
20 ultimately connect? Does it connect to any kind of improved facility or is it just
21 surface run-off?
22

23 **ASSOCIATE PLANNER DESCOTEAUX** – I'll refer to Clement Jimenez, the
24 Senior Engineer.
25

26 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Good evening. The basin is
27 designed to retain all of the onsite run-off. It is a retention basin. There is an
28 emergency spillway which would accommodate flows that would be encountered
29 on a storm event that is greater than a 100 year storm. All the facilities and per
30 engineering practice, facilities are designed based on a 100 year storm. The
31 retention basin was designed for that plus there is a one foot of free board and
32 on top of that there is one and a half foot to the top of the basin, so the
33 emergency spillway that is shown there is there in a freak storm that would be
34 and I don't want to quantify a particular storm, but it would be definitely greater
35 than a 100 year; well above a 100 year storm and that spillway was put at that
36 location because traditionally historical flows do flow to the southeast.
37

38 **COMMISSIONER LOWELL** – The basin; which 100 year storm is it applied for?
39 The two year, the 100 year; the two hour; ten hour; 6 hour; 24 hour...
40

41 **LAND DEVELOPMENT ENGINEER JIMENEZ** – It is the 100 year, 24 hour
42 storm.
43

44 **COMMISSIONER LOWELL** – It's all flow, not just mitigating increase in flow
45

1 **LAND DEVELOPMENT ENGINEER JIMENEZ** – That’s correct. It’s a retention
2 basin, so nothing is supposed to go out, it is all supposed to infiltrate.

3
4 **COMMISSIONER LOWELL** – Does is also address water quality issues in the
5 basin also?

6
7 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Yes it does

8
9 **COMMISSIONER LOWELL** – Perfect and with St. Christopher’s, is that going to
10 take any... which was does St. Christopher drain? Does it drain towards the
11 basin or away from the basin?

12
13 **LAND DEVELOPMENT ENGINEER JIMENEZ** – It drains towards the basin.
14 Actually it is going to improve the situation; the flood situation that occurs there.
15 Right now at the end of St. Christopher it dead ends and the great differential
16 between existing pavement and the adjacent grade is such that the adjacent
17 grade is much higher; about one or two feet higher than the street grade. When
18 they grade that area and the basin they are going to propose a catch basin at the
19 end of the cul-de-sac which will pick up all of the flow in the street and all of that
20 will go into the basin as well.

21
22 **COMMISSIONER LOWELL** – And the basin... I have a couple more questions of
23 the basin. Is it an infiltration basin, does it have any outlet at all?

24
25 **LAND DEVELOPMENT ENGINEER JIMENEZ** – It does not have an outlet
26 because it is a retention basin, so it is designed to infiltrate.

27
28 **COMMISSIONER LOWELL** – And it will draw down within the 72 hour
29 requirement?

30
31 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Within 48 hours

32
33 **COMMISSIONER LOWELL** – 48 hours, so it won’t be a vector issue?

34
35 **LAND DEVELOPMENT ENGINEER JIMENEZ** – No

36
37 **COMMISSIONER LOWELL** – Perfect. That is pretty much all the questions I
38 had. Thank you.

39
40 **CHAIR VAN NATTA** – Would you like to start on your list of questions now?

41
42 **VICE CHAIR GIBA** – The package we got was for a couple of mitigations that
43 you guys are working on, so I have been working off of last month’s notes as
44 well. I had just a couple of quick questions. My colleagues have asked a lot of
45 them and that’s why I kind of just defer to them to do that. You said there is...
46 you know we had several letters from residents from St. Christopher Lane. That

1 concerns me as well. Large churches and bless them, they have wonderful
2 attendance but larger churches also attract a lot of people who not always do the
3 right things. Some of the letters we got were not always pleasant about what
4 took place or what takes place, so I'm hoping there is some other way that you
5 make sure that the residents or the attendants for the church realize that you
6 don't park on St. Christopher's during those time frames because this seems to
7 be a big issue for them, so I'm hoping there is not just a sign somewhere but
8 there is enforcement taking place in that area. John were you going to respond
9 to that?

10
11 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
12 I've been at a neighborhood meeting. The Traffic Enforcement Division is aware
13 of the situation there and Transportation Engineering did work to create a permit
14 parking area there so with enforcement and I believe one or many of the
15 residents on St. Christopher's do know how to contact Traffic Enforcement so
16 that they can in fact ticket people who do not have permits when they are
17 required, so that may not be 100 percent effective but it is dealing with the
18 existing condition and to some extent if it is less convenient to use St.
19 Christopher's as an entrance and exit when you go to church, in the future when
20 the median is constructed, then hopefully that will further reduce the issues on
21 that street, but it is an existing condition and there have been meetings with City
22 Staff as well as the Councilmember for that District in order to try to resolve that.

23
24 **VICE CHAIR GIBA** – And I noticed that you were going to... the U-turn it was
25 also mentioned about the U-turn at Cottonwood. That is not a good way to solve
26 the problem as a serious of U-turns. I live up in the Hidden Springs area, so we
27 have a wonderful church up in that area and on Sunday it is just... and of course
28 two High Schools, so the traffic impact over there and Michael you know what I'm
29 talking about it is just really atrocious at certain times of the day and no matter
30 how many times the residents complain or try to do something about it, nothing
31 really does seem to change a whole lot, so I'm really concerned for the residents
32 who live right across from that church. These things are maintained and I'm
33 hoping that church members themselves will take a concerted effort amongst
34 themselves to make sure that they make a good example for the people in that
35 area. That was a big concern and the fact that you made it a right turn; I believe
36 right turn now out of St. Christopher's rather... so is there any reason why it can't
37 just be a one way in and one way out for that way. Is that is what it is set to do?
38 One way in off of Cottonwood and one way out?

39
40 **TRANSPORTATION DIVISION ENGINEER LLOYD** – It would be a right turn if
41 you are heading north on Perris Boulevard, you'd be allowed to make a right turn
42 onto...

43
44 **VICE CHAIR GIBA** – St. Christopher's and come into the parking from St.
45 Christopher's off of Perris. Is there any reason why you couldn't restrict that to
46 not coming in from into St. Christopher's from Perris and only make entrance

1 from Cottonwood like I said one way in and one way out? That would also
2 restrict any movement in that area for the residents that area and also give them
3 a little element of security saying well if they are not coming in here, there is no
4 chance they are going to be parking, they have to be only exit out of St.
5 Christopher's, they cannot enter through St. Christopher's. Is there any
6 possibility that could be considered?
7

8 **TRANSPORTATION DIVISION ENGINEER LLOYD** – It could be considered.
9 I'm not sure just having this discussion off the top of my head how we could
10 actually design something that would restrict right turns onto St. Christopher.
11 Nothing comes to mind immediately.
12

13 **VICE CHAIR GIBA** – Like on my street from 7:30 to 2:30 on Tuesdays because
14 the street sweeper is coming. Why couldn't there be some restriction as to
15 entering and exiting at that end during certain times of the day, you know
16 especially during high traffic times for church services. John you were going to
17 say something...
18

19 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
20 as I mentioned, the parking issue is... so there is less reason to drive in there
21 because of the parking issue. I'll defer to Michael but if the people going to
22 church can't make a right turn during certain hours, neither can anybody else
23 including the residents who live on St. Christopher Lane, so whatever restriction
24 is put into place is both for lack of a better word, a blessing and burden on the
25 people that live there as well as people visiting the church.
26

27 **VICE CHAIR GIBA** – I just threw that out there. I was reading through your
28 phases. You have phase one, two, three, four and five on this project and I was
29 hunting through here where I read that so somebody please catch me and
30 correct me because I thought the project begins at phase one on a specific date
31 and time when they begin the clock, but there is no time limit as to when phase
32 two starts or phase three starts or phase four starts or phase five starts, so Ms.
33 Meli's comment about the parking in phase four, that could be one year down the
34 line or that could be ten years down the line. Am I correct on that?
35

36 **ASSOCIATE PLANNER DESCOTEAUX** – Yes you are correct.
37

38 **VICE CHAIR GIBA** – So the projected parking problems ten years from now
39 would be very different from the projected parking from one year down the line.
40 Am I correct on that?
41

42 **ASSOCIATE PLANNER DESCOTEAUX** – Projected; yes
43

44 **VICE CHAIR GIBA** – Because we don't have anything that tells us you have to
45 complete phase one in this time frame, phase two in this time line or phase three
46 or any of the other phases, so what I'm suggesting here and then you are

1 probably going to hear me pop this up a few times and I'm hoping I'm peaking
2 the interest of my fellow Commissioners is that as you begin each one of these
3 phases, you could drag this thing out for 20 years and that 20 years could be
4 very different in Moreno Valley then it was a year from now or two years from
5 years now, because we don't have any way to control the time line on those
6 phases. Am I correct on that?

7
8 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
9 you are correct. Under current City Code, when somebody gets a project
10 approved they have three years to start the project, so that in this case be phase
11 one and once you build one phase of a project there are not time limits on
12 additional phases. So that is the current City Code. Let's say in three years they
13 haven't done phase one. They have the opportunity to apply for extension of
14 time and it would be reviewed again at that time, so that is current City Code, but
15 I did want to point out again the request by the church is not to increase the
16 capacity of the church from what it is today, so what they are doing based on the
17 way it is conditioned; the way it is shown, it is not to increase the capacity of the
18 church and therefore it is not intended to increase the parking demand at the
19 church. That is an enforcement issue, I understand, but they are not asking for
20 and increase, because if they were asking for an increase, that increased parking
21 would need to be created at such time as they increase the capacity.

22
23 **CHAIR VAN NATTA** – Now that's stretching... my understanding of it a little bit;
24 it's like okay you have a church, you have a certain number of people there. You
25 are already overburdened with parking. There is no place for people to park. We
26 have no immediate plans to solve that problem other than to try to keep them off
27 of the one street where they are really severely impacting the residents and at
28 the same time you are saying well they're not asking to increase the number of
29 people that are going to their church. It's like what are they going to do, turn
30 away new parishioners who show up and say we're sorry you can't go here, you
31 have to go to a different church. That's not going to happen. As the City grows
32 and more people move in and people of that faith, if that is the church their
33 friends are going to and that's the closest one for them, that is where they are
34 going to go and then you are going to have more problems and more issues and
35 how are you going to enforce the whole idea that you can only use one building
36 at a time. How is that ever going to be enforced? If the facilities are there, as the
37 church grows, they are going to get used and not necessarily one building at a
38 time.

39
40 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
41 since it is a Conditional Use Permit, if there is a violation and it is documented,
42 there would have to be a complaint and we would have to document that it is in
43 fact in violation, they would be back here in front of you to explain why they are in
44 violation and how they are going to correct that. I know that is extreme, but that
45 is the enforcement. The ultimate enforcement is that their Conditional Use
46 Permit could be subject to revocation which is a big deal. We have lots of

1 churches that become popular here in the City and typically when people want to
2 increase their capacity, what we suggest and condition for those that are coming
3 in for an approval is you need to have more services. If you have a capacity of x
4 and you go x plus, then you need to add additional services so you can split up
5 the popularity among more services and that is typically what happens.
6

7 **CHAIR VAN NATTA** – I realize that’s the way a lot of the churches handle it
8 when they are at or above capacity, they split it up and have different meeting
9 times, but there always times when the entire congregation wants to get together
10 at one time for an event where everybody is there and then you are still going to
11 have the problem. I’m not saying oh yeah we can go back and slap their hands if
12 they do it wrong, but why are we setting it up for failure already. It is already over
13 capacity as far as the parking goes. Can we not condition to where some of this
14 additional parking that is going to be added be added along with the phases
15 instead of waiting until phase four to add additional parking and going from 361
16 to 395 or whatever it was, that hardly seems like any increase at all and it doesn’t
17 sound to me from what I’ve seen of the location and of these plans here to be
18 anywhere close to the amount of parking that they are using, which brings me to
19 the question about that vacant lot that is across the street that they are using for
20 parking. Is that owned by the church? Are they leasing it from someone? They
21 just haven’t got permission to use it?
22

23 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I don’t
24 know the answer. The church could answer this. There is no legal allowance to
25 use that lot because it is not tied to this property, so any arrangement to park in
26 there would be an informal arrangement between the church and that property
27 owner if there is one, so we can’t count that parking to meet the church’s
28 obligations.
29

30 **VICE CHAIR GIBA** – Things are already extended in their own parking. They
31 are using off-site parking that that the City has no control over it for all intents
32 and purposes, they are just using it and they are already using all the parking
33 they have onsite and by phase four, which could take place ten years from now,
34 they are only going to increase by 35 or 34 parking stalls. You know I’m
35 concerned and I understand. Don’t misunderstand me. I attend a very large
36 church in Riverside that is over 15 or 17,000 people that attend that church and
37 they have extended from the time I was going there all the way back to the
38 airport and now off to the offsite and everything else and they’ve even put a stop
39 light right in there to the entrance, so churches have to make accommodations
40 for that. This is not a church issue. I just want the people to understand this is
41 not a church issue, this is a building issue. This is a land use issue; a parking
42 issue and that the people; you have to be good neighbors around them, so there
43 has to be some other mitigating circumstances to take care of this and I agree
44 with what Ms. Meli said. Yes Jeff, I’m sorry...
45

46 **COMMISSIONER SIMS** – No, go ahead

1 **VICE CHAIR GIBA** – And there is a ton of stuff that I have yet to discuss but we'll
2 bring that up as we go and I think Commissioner Brian brought that up too, there
3 has to be some other answer to these problems, especially when I read through
4 that, I went through these phases and said this is going to go on forever and ever
5 and the poor people around them are going to get stuck with this problem for the
6 next 10, 15 or 20 years. No offence John, but you are probably not going to be
7 here 10 years from now unless you intend to retire here at 80 or 90.

8
9 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I'm
10 not offended by that.

11
12 **COMMISSIONER LOWELL** – 80 or 90 in ten years...

13
14 **VICE CHAIR GIBA** – No, no, John and I have been around together for a long
15 time and you know this same Commission may not be here and this same
16 Council may not be here, so things are going to change over time, so we want to
17 make sure that the people that do tend to retire in their homes in that area are
18 protected through the time frame that they are there. That is my concern is for
19 them who purchased their houses 10 or 20 years ago. I've been living in my
20 house 24 years and still have the same comfort level that they had when
21 purchased the house and that is what my concern is.

22
23 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – The
24 conditions of approval will stay in place after all of us are gone and Julia did point
25 out to me that the current set of conditions of approval that is from 1984; those
26 don't have a limit on what buildings can be used. This project as proposed does
27 limit the use to that one, so it is in writing. If it is approved, it will be agreed to by
28 the church that that is the rules they are living under. The current rules don't
29 have that limitation, so there is potential progress, but I think at the end of the
30 day as the Chair said it is based on managing how many people come at one
31 time and I'm sure there will be times when and everyplace has a special event,
32 so let's go open house at a school as an example having lived near a school for
33 many years, they park everywhere and that is... but what we are trying to do is
34 every Sunday is having less of a problem there is today or hopefully resolving
35 that issue through other resources; the ones that I mentioned; permit parking.
36 Moreno Valley College had an issue with over flow parking into a neighborhood
37 and that was the way they worked to resolve that issue was to have permit
38 parking that the residents in that adjacent neighborhood weren't overwhelmed by
39 over flow parking from the College, so that is something that has been used
40 elsewhere in town and I know it is not perfect, but it is meant to take care of what
41 is really an existing problem. It is not a new problem created by this proposal.

42
43 **VICE CHAIR GIBA** – Well I'm hoping that the church can respond to some of
44 these questions. If they've taken measures to acquire that property as their
45 actual parking locations or something. Other churches I know take those

1 measures to alleviate the problems in the community for that. I'm sorry Jeff, go
2 ahead.

3
4 **COMMISSIONER SIMS** – Yeah this has nothing to do with the church or
5 anything. I think there is an obligation when we have residents right next to a
6 facility that has had growth, which is good and so I work for agency... I wanted to
7 make a couple of points. We have; the agency I work for, we have special
8 events once in a while. When we built our building and we are a public agency,
9 we have prescribed amount of parking for the normal course of business and if it
10 is adequate or not our building was built when it was built, but if we've exceeded
11 that, but we have to get a permit for a special event like we have a garden or
12 plant sale or something like at our district, then the over flow parking is
13 significantly more than what our parking will handle. We have to go to make
14 arrangements.

15
16 Fortunately where we're at there is a shopping center across the way. We go do
17 a temporary arrangement with the landlord of the shopping center and then we
18 make arrangements to have shuttle buses and crossing guards to get people
19 from the parking lot for that specific special event. What we have here is not
20 special events. I have been there for a funeral where there was probably 1500
21 people there. I don't know... there were people outside and there were TV
22 people and it was a big deal, but what is happening here is not special. This
23 happens every Sunday and it happens all the time and so it is kind of a
24 conflicting; it is an exacerbation of an existing problem by approving
25 improvements on this where it is going to attract more and more parishioners to
26 come as a customer to this facility.

27
28 You know, in my world we condition projects and typically there is discretion in
29 the establishment of the phases and the improvements that go within each of the
30 phases. It looks like in phase one and I suppose there was a coordination or a
31 negotiation or what not between Staff and the proponents on what will be
32 included in phase one, but you know usually the phases is how much money do
33 you have; can we afford. Well just me as a single Commissioner I would say that
34 as a good neighbor providing a service to the community, you would first want to
35 set up the boundary conditions around your property and use all your money
36 instead of anything on the interior of your facility to mitigate any of your impacts
37 to the neighbors, so instead of spending money for incense on phase one, a new
38 multi-purpose building or renovating an existing single family residence, build the
39 wall on the east side; build the retention basin, fix the street. Do whatever the
40 stuff is on the boundaries and get that mitigated so that you are a good neighbor
41 and then start working in because if there is a limited amount of dollars,
42 otherwise you'd just do this all in one; there would be just one fell swoop and it
43 would get knocked out. But you know that is my two cents.

44
45 **VICE CHAIR GIBA** – I agree
46

1 **COMMISSIONER LOWELL** – And me too. I had a couple of questions for
2 Michael. On Cottonwood, it says there are going to be some improvements on
3 the southern side; the sidewalk, driveways and what not. Is there any way of
4 getting the church to improve the opposite; the opposing frontage so the
5 westbound traffic would have more than one lane? That would mitigate a lot of
6 traffic coming out through St. Christopher if Cottonwood was a little bit more
7 efficient.

8
9 **TRANSPORTATION DIVISION ENGINEER LLOYD** – To answer your question
10 the Traffic Study did not indicate a need for that and so I was in a position and I
11 understand exactly what you are saying and don't disagree, however I had to
12 depend on what the Traffic Study was saying from a numbers standpoint and the
13 numbers didn't bear it out where I felt comfortable requiring the church to do
14 improvements on the opposite side of the street.

15
16 **COMMISSIONER LOWELL** – Is there any way that the City would be willing to
17 do that. I mean it is a pretty busy street on pretty much most days. It is a one
18 lane road going westbound which kind of bottlenecks right in front of the church.

19
20 **TRANSPORTATION DIVISION ENGINEER LLOYD** – There was a recent
21 Capital Improvement Project and put in the second westbound lane across the
22 vacant lot frontage, so the most closest to the intersection, so it is possible for the
23 City to do that. It would be just a matter of identifying funding for it and including
24 it as a part of the CIP that we go through each year. So it has been done to a
25 certain extent and it is certain could be done in the future.

26
27 **COMMISSIONER LOWELL** – I have one more question possibly for John or
28 Julia. If you had to approve the vacant lot to turn into St. Christopher's Church,
29 what would the parking requirements be? Would it comparable to 391 lots or
30 parking stalls? Would it be 400 or 500? Do we have idea...?

31
32 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – So
33 you're saying if it was built today?

34
35 **COMMISSIONER LOWELL** – If it was built today, what should the parking be?

36
37 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah
38 we would just divide the sanctuary by 35.

39
40 **ASSOCIATE PLANNER DESCOTEAUX** – By 35... It would still be the same
41 except there is fixed seating, there is another formula for that and the applicant
42 actually has the information. He might be able to tell you exactly what that
43 number is but is division based on linear feet of the pews.

44
45 **COMMISSIONER LOWELL** – Comparable to what is there now
46

1 **CHAIR VAN NATTA** – But you are talking about just using the square footage in
2 the sanctuary; not the sanctuary and the multi-purpose room and the other
3 meeting room and the other areas that are going to be built and so forth?
4

5 **ASSOCIATE PLANNER DESCOTEAUX** – That’s correct but...
6

7 **COMMISSIONER LOWELL** – Back to the Conditional Use Permit limiting usage
8

9 **ASSOCIATE PLANNER DESCOTEAUX** – Right
10

11 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right
12 and it still would be limited and this is true of any church really that has been
13 approved in the last 15 years since I’ve been here. It is the parking and by code
14 is based on the largest assembly area and I can’t recall a church that hasn’t had
15 that same requirement that you can only use one building at a time.
16

17 **CHAIR VAN NATTA** – I think every church that I’ve ever gone to, it’s like yes
18 have the main meeting room and while you are doing that you have Sunday
19 school classes in another building or you have child care over in another area or
20 you have a separate class or something going on somewhere else. I don’t think
21 I’ve ever attended a church where only one building on the facility is being used
22 at any one time.
23

24 **COMMISSIONER LOWELL** – Isn’t that the intent of the permit that Sunday
25 school classes are not in a different building or daycare. You couldn’t provide
26 those services any more during mass.
27

28 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes,
29 the idea is that... and I went to church elsewhere where we had Sunday school
30 and then we went to church with the adults, but so we weren’t using two separate
31 places at the same time, but yes it is assumes that when the main service occurs
32 that everybody is in the same place.
33

34 **COMMISSIONER LOWELL** – That just seems very impractical considering what
35 Commissioner Van Natta just said that they do offer daycare services and
36 Sunday school services for children and they don’t go to the main mass in the
37 assembly building. It is counterintuitive to limit the services.
38

39 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
40 and it is not to be facetious but people that aren’t in daycare aren’t driving, so...
41

42 **COMMISSIONER LOWELL** – My kid does
43

44 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Okay
45 that’s that. Let me know where you go and I will stay off the roads that day.
46

1 **CHAIR VAN NATTA** – You know a lot of people are...

2
3 **ASSOCIATE PLANNER DESCOTEAUX** – The applicant may have some
4 additional information on that because their process is a little different where at
5 some other churches the children do leave and go to Sunday school but they
6 come back to church, so whether that is true in this facility, but they wouldn't be
7 needing additional parking because..

8
9 **CHAIR VAN NATTA** – It seems to me we're looking at this as though this is a
10 static church and it is going to stay its size and it's never going to get bigger and
11 they're not going to have any more cars and 35 more spaces is going to be
12 enough, when already it isn't.

13
14 **COMMISSIONER SIMS** – Yeah on thing that kind of caught my ears is when you
15 were explaining when the question was asked what would the parking be today
16 and the answer is well we'd have the same. We need to rethink that then and I
17 would ask Staff to go back and think about looking at our Ordinance or whatever
18 the parking requirement is because that is just perpetuating a problem. We
19 either need to have a linkage because there are... I drive by there quite often on
20 a Sunday sometimes and there is just a lot of... it's great, it's great that people
21 are going on Sunday to church but they don't have a parking spot so they are
22 parking wherever. I would just say that would be something and I'm not being a
23 problem deliverer and not a problem solver at this particular moment, but it would
24 just seem to me if that is not a very good answer if in today's code you'd have the
25 same problem; you'd approve it and have the same problem, that is not a good
26 answer.

27
28 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah I
29 don't think that was quite the answer that Julia was trying to deliver. The number
30 of parking spaces would be the same regardless of whether this application gets
31 approved or it stays the same as it is. That is unrelated to the amount of parking
32 we would require today because as proposed and that is for you all to feel
33 comfortable with, they are proposing not to expand the capacity and therefore we
34 fall back on their existing non-conforming parking. If you should determine that
35 they can't add any facilities without meeting the current code. That is a whole
36 different discussion.

37
38 **COMMISSIONER SIMS** – So does the Fire Marshall goes through; the Fire
39 Captain go through on a Sunday and it see if there is more people in the
40 sanctuary than if there are more cars. I'm just being simple here. If there are
41 more cars than fit the space as originally approved for the sanctuary and that is
42 where everybody is congregating in the one spot at that time for that service are
43 they exceeding their fire code because one should fit within the other?
44

1 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
2 again we are talking about a parking requirement from 1984 which is not the
3 City’s current parking requirement.

4
5 **CHAIR VAN NATTA** – But you just said it would be the same

6
7 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – No,
8 sorry, what we said is the number of parking spaces that are there are the same
9 with this application as they are today. That is not the parking requirement, that
10 is the parking on the ground and I apologize for that confusion.

11
12 **COMMISSIONER SIMS** – I was trying to get a comparison

13
14 **CHAIR VAN NATTA** – I think the question he was asking was if somebody were
15 to build that size of sanctuary right now today at today’s code, how many parking
16 spaces would we be requiring of them.

17
18 **ASSOCIATE PLANNER DESCOTEAUX** – If the assembly use area is 11,300
19 square feet and we don’t use the fixed seating because again that is a different
20 formula, but we divide it by 35, we get 322 parking spaces.

21
22 **COMMISSIONER LOWELL** – That’s how many would be required if we built the
23 sanctuary today?

24
25 **ASSOCIATE PLANNER DESCOTEAUX** – That’s what be required today if we
26 built the assembly area today with non-fixed seating.

27
28 **CHAIR VAN NATTA** – How does fixed seating change that?

29
30 **ASSOCIATE PLANNER DESCOTEAUX** – There is a different formula. It is 4.5
31 linear feet...

32
33 **COMMISSIONER LOWELL** – Do we know what the fire capacity of the building
34 is? I mean can it handle 321 individuals? Can it handle 600 people?

35
36 **FIRE MARSHALL METZ** – Yes, Randy Metz, Fire Marshall. We have not
37 received any complaints for overcrowding at this place of worship. It is a
38 relatively large sanctuary and I don’t have the exact capacity on hand. We’d
39 have to pull the inspection file to see what permit has been issued for occupancy
40 but from the Fire Marshall’s perspective the number of cars does not equate the
41 number of people in the sanctuary because you can have one person arriving in
42 a car or you can have a family of six arrive in a car.

43
44 **COMMISSIONER LOWELL** – Correct, but it is safe to assume if you have 600
45 cars there is at least one driver per car, you’d have 600 people as a minimum.

46

1 **FIRE MARSHALL METZ** – Again we set occupancy based on maximum
2 occupant load per building. The Fire Department does not regulate which
3 buildings are being utilized if people are in more than one building as you know
4 we've talked about being a condition in the new project here, so we would simply
5 respond reactively at all of our church sites. If we get a complaint on somebody
6 concerned on overcrowding, we would then follow that up with a response to the
7 pastor and possibly at that point in time have one of our inspectors show up on a
8 Sunday to verify what the observation is on occupant load.

9
10 **COMMISSIONER LOWELL** – Is the occupant load based on square footage of
11 the building?
12

13 **FIRE MARSHALL METZ** – It is based on square footage of accessible locations.
14 There is a very comprehensive formula out of the building code that establishes
15 how many square feet per person are required in one portion of the building
16 versus another. For example in the foyer of a church you have a different square
17 footage rate than in actual seating area of the church, whether you have fixed
18 seating versus pew seating is a different factor, so there is about 30 different
19 square footage formulas that we would apply based on the exact uses of that
20 area.
21

22 **COMMISSIONER LOWELL** – So if we have a square footage of approximately
23 11,000 square feet for the sanctuary would it be safe to say that you had an
24 occupancy load of say three or four hundred?
25

26 **FIRE MARSHALL METZ** – That is safe to say easily.
27

28 **COMMISSIONER LOWELL** – Would maybe five or six hundred be an
29 acceptable number?
30

31 **FIRE MARSHALL METZ** – It is quite possible. We normally would get for a fixed
32 seating they base it on seven square feet per person without any tables so to
33 speak, so you've got in an assembly room you've got a hall with tables and
34 chairs we'd use a rating factor of 15.
35

36 **COMMISSIONER LOWELL** – So at that you say seven square feet per person
37 for one scenario and 15 square feet for another scenario.
38

39 **FIRE MARSHALL METZ** – Correct
40

41 **COMMISSIONER LOWELL** – And if you have an 11,000 square feet building
42 just ball parking it, that building has a capacity of about 1,000 individuals.
43

44 **FIRE MARSHALL METZ** – That is entirely possible
45

1 **COMMISSIONER LOWELL** – And we have parking for 361 cars. I doubt every
2 single car has at least three people in it, which means the parking situation is
3 dramatically insufficient for what is need and I think that as a general idea for this
4 project we need to address the parking concern before we address any new
5 facilities.

6
7 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
8 Parking for assembly uses and this is all assembly uses like a movie theater or...

9
10 **CHAIR VAN NATTA** – I’m sorry, I couldn’t hear you

11
12 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** - Any
13 assembly use when we talk about parking, the generally accepted practice is that
14 there are three people; you know one parking space for every three people and
15 so on this one particular one; yes, three hundred and some parking spaces are
16 intended to accommodate 1,000 people, so there is rough equivalency between
17 the Fire Marshall’s discussion and the parking that is required. Again that
18 doesn’t mean that is today’s reality but I haven’t read any literature that has
19 changed that factor. Typically you have a variety of people going to an assembly
20 area. You have everything from an individual going, to a family to a group of
21 friends, so it is meant to average out and that doesn’t always work on the ground.

22
23 **COMMISSIONER LOWELL** – Thank you

24
25 **VICE CHAIR GIBA** – Is it Randy?

26
27 **FIRE MARSHALL METZ** – Yes sir

28
29 **VICE CHAIR GIBA** - Yeah don’t call me sir, I work for a living. Not to put you on
30 the spot or anything but I’ve gone through a lot of these and there are Fire
31 Marshall issues and everything and I think Commissioner Brian brought up a very
32 point. Do you or your team ever go and actually kind of make spot checks
33 because it one thing for the establishment of any kind to say this is what we
34 intend to do and it is another thing to actually have something different take
35 place. Have you ever gone there and actually just kind of done a spot check to
36 see how many people are attending and how many parking spaces as a course
37 of approving these documents rather than just some formula we use. Have you
38 physically gone over there and looked at the facility during peak operations and
39 seen what takes place.

40
41 **FIRE MARSHALL METZ** – No we don’t normally send my inspectors out on a
42 Sunday to observe occupant loads, again unless we get a complaint from
43 somebody on a potential overcrowding issue. We do annual inspections of all of
44 our churches and places of worship. That is normally done during the week
45 when our normal operating hours are looking at fire code violations. We remind
46 them of occupant load requirements are and ensure they are in compliance with

1 the requirements out of the Fire and Building Code for an occupant load that has
2 been established for them, but unless we get a physical complaint our
3 assumption has to be that they will remain in compliance with the permit that has
4 been issued by the Fire Department based on occupant load.

5
6 **COMMISSIONER LOWELL** – Is there any way that we could get random
7 Sunday checks instead of doing annual inspections with two weeks' notice
8 saying hey we are going to come down here and make sure your fire
9 extinguishers are in place? Could we send an inspector out to churches during
10 their busiest time of the week as opposed to Monday when there is nobody
11 there?

12
13 **VICE CHAIR GIBA** – This isn't a Walmart, though it is not open Monday through
14 Friday.

15
16 **COMMISSIONER LOWELL** – I mean it might be open but it is very, very low...

17
18 **VICE CHAIR GIBA** – It's peak operating hours really are Sunday which are not
19 normally your working hours, so all I'm suggesting is...

20
21 **COMMISSIONER LOWELL** – We don't test concrete and steel in buildings when
22 it is just sitting there on the ground. We test it under max load to see what its
23 failure rating is, so it seems only obvious that we should go out and inspect a
24 building like this especially when there is a massive parking issue, which kind of
25 indicates there is a lot of people in the building, but we only inspect it during the
26 weekdays 8 to 5. That seems kind of not exactly the best mandate of
27 approaching the situation.

28
29 **FIRE MARSHALL METZ** – To answer that, yes inspections could be done. It
30 would be an operational decision on behalf of the Fire Chief if he wanted to send
31 out what we would call a non-reactionary inspection process, but that would be
32 different than how we handle any other night club, restaurant that has high
33 occupancy numbers. Occupant load checks for the most part in this City have
34 always been on a response based on complaint and if we don't get a complaint,
35 our assumption has always been that they are operating within that capacity. I
36 have not gotten any concerns from people on places of worship on occupant load
37 issues anywhere in the City in the last few years that I can think of. The only
38 types of occupancies we've had this situation come up with was a couple of
39 drinking establishments for after-hours night club operation, which we have
40 worked in the past after hours late at night to confirm that there in compliance
41 with their permit requirements. So it would be something we'd have to discuss
42 with the Fire Chief to bring in inspectors on the weekend to actually perform
43 these type of duties. Again it is not our intent to be disruptive to any worship
44 process and that would be the concern that we would have; not having any
45 actual complaints, how would be a fire inspection process mix with their actual
46 worship process there.

1 **COMMISSIONER LOWELL** – It would be more just as a silent observer. It's kind
2 of like a speeding limit; a speed limit. It is perfectly legal to do 85 on the freeway
3 unless there is a cop around, so if you have an occupancy level of 400 people
4 and there is nobody that is ever going to inspect it because it is on a Sunday and
5 we are only open 8 to 5 Monday to Friday, you could cram two or three thousand
6 people in the building and until somebody complains it is perfectly legal. So you
7 wouldn't have to go by to do an actual inspection, just have somebody drop by
8 once to kind of poke your nose around and say this looks like about three or four
9 hundred people; it seems a little reasonable, but if there is people standing in
10 every nook and cranny of the building and you can't move, that kind of would
11 warrant a little further investigation.

12
13 **COMMISSIONER SIMS** – And it think you have empirical... well I think what you
14 have here is the City has already been put on notice that there is an issue here
15 with occupancy, based on the fact that they're addressing the residents on St.
16 Christopher Lane complaining about having no parking on Sunday's on the south
17 side of Christopher. That must have been a known act and some kind of a
18 Traffic Safety Commission or some kind of approval was done and I don't know if
19 those are done administratively at the City, but somebody must have
20 complained; the City acknowledged it; the overflow parking and took proactive
21 steps to address that. That is symptomatic of there is overflow; there is
22 overcrowding at this thing and so I think there was the need because this is a
23 special case; I mean we've seen two churches in the last two Planning
24 Commission Hearings, but it is a rush on churches right now, but anyhow at the
25 end of the day the City is on note or was on note there is an issue. The street
26 conditions would tend to say there is an issue that had to be addressed, so I
27 would go to say that that occupancy thing just doesn't square up with me a little
28 bit.

29
30 **CHAIR VAN NATTA** – Actually when you look at it, the fact there is a traffic
31 problem and a parking problem, doesn't necessarily mean there is an occupancy
32 problem because if you simply say okay we used to average three people per car
33 and now we are only averaging two people per car, that is going to give you that
34 traffic problem and the occupancy and the parking problem where there is an
35 occupancy issue or not.

36
37 **COMMISSIONER LOWELL** – We should make it carpool only church.

38
39 **COMMISSIONER SIMS** – Fair enough

40
41 **CHAIR VAN NATTA** – Yeah or what was that one where you used to be able...
42 the Crystal Cathedral where you could park in the parking lot and listen on the
43 speakers or whatever... Actually I'd kind of like to unless somebody has a
44 burning question, I'd kind of like to move this along and get the applicant up here
45 so that we can further pepper them with questions, so I'm going to open the
46 Public Comment portion of this Hearing and we will start with the Applicant.

1 **APPLICANT LORD** – Good evening. My name is Bennett Lord with Lord
2 Architecture. Interesting crowd tonight. I want to thank you for your deliberation
3 and your time. I want to thank Julia and the Planning Staff and the Engineering
4 Staff and Fire Staff. This has been a three and a half year, very complex road
5 that we've now come to this critical point today. It has also been not only a long
6 journey but a journey of discovery. As we go through the process, we have
7 discovered various things that have to be addressed. At first it all starts out as a
8 wonderful planning exercise and then it gets into the nitty gritty and so we are
9 seeing a lot of that evidence of the nitty gritty unfold here tonight and for the last
10 month or so. I want to explain a little bit about the phases.

11
12 As you can understand, parishes and churches run on the kindness of others and
13 sacrifices of their parishioners and so these phases were developed in
14 incremental chunks that were deemed to be affordable starting very modestly
15 and then moving on to the more elaborate. It helps to build momentum when
16 there is something that can be immediately done. To address a comment earlier
17 about can we do all the infrastructure first, part of the difficulties that we have
18 been made aware of during the discovery process, was that one of the buildings
19 on the campus is currently being used as an office building and it was built and
20 designed and permitted as a residence. Another building was designed as a
21 storage facility and it is being used as an occupied space, so we are under a
22 mandate you know as quickly as possible, i.e. phase one to correct those specific
23 items. That is why the remodeling one building and the creation the little second
24 hall that would be able to then relieve those two problems.

25
26 The other issues that have come up and I'm going to get into parking in a little bit,
27 but I'd like to take care of some other things as well, we have been studying the
28 grading a great deal. There have been issues about grading as it is on the east
29 side of the property and some issues with neighbors in trying to make sure that
30 water doesn't flow in that direction and the basin or the detention basin is going
31 to solve a lot of that. Water will flow from various parts. It all flows to that corner
32 and we are trying to make sure that the grading is adjusted so that it captures
33 that.

34
35 As part of the incremental approach to this whole thing, the east property line as
36 each increment progresses would get a block wall. We would like to continue
37 doing that incremental. I know there has been a request to have the continuous
38 block wall built right away but we don't know what the grading will be specifically
39 in phases four and five, so we don't know whether that block wall will be at the
40 right elevation at that time, so we believe that incrementally following it along will
41 be still the best policy. Parking... we crunched numbers. Julia and I have been
42 going back and forth on numbers in conversations and emails. We recalculated
43 everything and the actual Municipal Code says there are three ways to check for
44 your parking requirements within an assembly space. One is to do it by 35
45 square feet per car if it is unfixed seats. If it is fixed seats or the pews, you count
46 either the linear feet of pews and divide by one car by four and half feet or you do

1 it per one car per three occupants of those seats, which the code says it is 18
2 inches per person, so that is the same as one in four and half feet, so we ran
3 those numbers again. We ran the numbers for each of those incremental bits
4 including the side chapel and including the other assembly areas off to the side
5 that were built in 1990 and we can up with the numbers that you have. So we do
6 have 361 parking spaces on site now. That is much more than the original 208.
7 Also what is being done in the parish right now is that this condition for not using
8 the other assembly space simultaneously with the church; that is happily being
9 accepted here. It had been used in the past but the parish has done some
10 enforcement but also they have added one more mass at 7 o'clock on Sunday. It
11 has happened within the last month or so and it has proved to alleviate some of
12 the traffic and/or the traffic as people arrive and leave and also just during
13 masses themselves.

14
15 As to the Traffic Study, the reason they counted the cars midday on a Sunday is
16 that the most heavily attended masses are at 12 and at 2 o'clock, so that is going
17 to give us the worst case scenario instantaneously. They do have a total of nine
18 masses. They are spread out over two days so that they trying to mitigate it and
19 this latest addition will help. One other thing that is important to see in the bigger
20 picture is that within a relatively good span of time say while this first phase is
21 under way or being designed, there are plans by the diocese to add a new
22 sanctuary at St. Patrick's and also to add a 1200 seat sanctuary at St. James in
23 Perris that will help diminish the load because there a lot of people that come to
24 St. Christopher that would otherwise would be attending at those other two
25 parishes. So there is a larger picture here that we would like you to be aware of.
26 I have here with us tonight our civil engineer; we have a representative from the
27 diocese; we have members of the parish here, so we have the ability to address
28 a number of your questions and concerns. Obviously a lot of them have been
29 put out so far, but we are here to address your questions and issues rather than
30 me giving another big preamble. Thank you very much.

31
32 **CHAIR VAN NATTA** – Questions?

33
34 **VICE CHAIR GIBA** – Sure, you mentioned earlier on about block wall and
35 elevations later down the road. Why aren't you considering the elevations on the
36 neighbors' property as your primary concern versus your elevation? To be
37 honest with you I have walked your location. I've gone out and visited the site
38 and I have responded and spoken with some of the neighbors in the area and it
39 does look as if and if you go to the cul-de-sac right there you can see that there
40 is an elevation increase of over three feet from the original cul-de-sac built, so
41 you vacant lots are already like three feet higher than the plans that you are
42 giving us showing the topography; the original topography.

43
44 **APPLICANT LORD** – And we are required to put that in.

45

1 **VICE CHAIR GIBA** - So if you were to build a brick wall on your side for instance
2 or you know at a certain height, it would be different than if you'd have had it on
3 the property side of the individual or the neighbors around you. Am I
4 misunderstanding your concern here on that particular issue?
5

6 **APPLICANT LORD** – Okay on the first phase we have to surround the whole
7 southeast corner with a block wall at that time. It is the northern end of it that is
8 coming at later phases and if that grade is higher... let's say it is on the property
9 line of the existing homeowner who is adjacent and it is low and we grade high,
10 then that six foot high wall isn't going to do much good. It is going to be a net
11 three foot or so, so what we are trying to do is figure out where the best balance
12 will be for the future for that full six foot developed height to have its greatest
13 effect. Ultimately I do not know what those final grades will be.
14

15 **COMMISSIONER LOWELL** – But you have a preliminary grading plan that
16 shows some preliminary grades. It seems like it wouldn't be that far of a step to
17 go from a preliminary design to an ultimate design just for the wall's sake.
18

19 **APPLICANT LORD** – Umm... let me think about this for a second. I have been
20 involved with parishes for almost 30 years and the way they incrementally grow
21 by these phases does take time and with each phase the impact that we are
22 showing with each phase for the size of the buildings and the quantities we
23 follow, but not necessarily the design layout and not necessarily the landscaping,
24 not necessarily the ultimate arrangement, the impact is the same but we have to
25 plan for the ability to manipulate. That is why we have no floor plans. We just
26 have blocks showing that and that is why we are conditioned to come back for
27 design review and for conformance review in that future time. That allows us to
28 understand that over the course of time things do change. The dynamic of a
29 parish does change. The way it operates does change. We have no idea in the
30 active diocese here what will be so we are trying to create the framework within
31 which we can create that ultimate goal, but not sufficiently tie it down where we
32 are setting up ourselves for something that may or may not happen at that time.
33 We are creating those sort of pockets or those placeholders that give us that
34 capacity.
35

36 **COMMISSIONER LOWELL** – Understood
37

38 **APPLICANT LORD** – Thank you
39

40 **VICE CHAIR GIBA** – Back to what I was saying about the grading and stuff
41 because like I said I visited the site and maybe you can explain to me why the
42 elevations have gone so high from the original elevations that are showing on
43 your topography and I understand about the catch basin. We'll talk about that
44 probably a little bit later because there is some portions of it I'm sure my
45 engineering friends can explain to me just as well, but just because you have a
46 catch basin doesn't mean that the rain is not going to run off this higher elevation.

1 What I saw was your property is much higher elevated than the surrounding
2 neighborhood properties. I don't know why it is that way. I don't know why it has
3 been elevated from the original topography mapping and from the original... if
4 you saw from the cul-de-sac alone, I don't understand why that was done; why it
5 has been elevated. But even if you have a catch basin you are still going to have
6 a tremendous amount of run off from elevated side. In other words your site is
7 much higher than the surrounding neighbors are and I don't suspect the catch
8 basin is going to catch all of that run-off in a 100 year storm or whatever, so
9 maybe you could explain that to me because this not my expertise.

10
11 **APPLICANT LORD** – I'm not a civil engineer either but we have discussed this
12 very phenomenon quite a bit and there was dirt. This is one of the things we
13 have to correct was dirt that was added on there when a piece of ground used by
14 an individual for heavy equipment and for storage. They have not been there a
15 year now but they have dirt that was brought out there. They would bring their
16 spoils, so now we have to make that correction. I believe that our civil engineer
17 has walked it and he believes that the flow still ultimately goes towards that
18 basin. He also indicated in a meeting with City Staff a while ago and oh gosh I
19 can't remember when but if when they are doing the first phase we can make a
20 pass with a grader to get the water to go into that basin. That's not...that
21 happened too, but our overall intent and I believe the rest of the design is that the
22 water will indeed flow into that basin and that has been checked by staff and you
23 have quite a lot of freeboard to make sure. You also realize that at the end of the
24 St. Christopher Lane, that dirt that was placed there over time has blocked water
25 from flowing. That too is going to be corrected at that point. (Microphone goes
26 off – inaudible) Correct me if I'm wrong. Oh and another issue just that came
27 up, there have been informal visits by Fire Marshalls during mass and it happens;
28 not on a frequent basis but it does happen on an occasional basis. I was
29 reminded by the parishioners when the subject came up.

30
31 **CHAIR VAN NATTA** – So phase one will address the problem with the drainage
32 on St. Christopher Lane?

33
34 **APPLICANT LORD** – The detention basin is designed to pick up that load
35 coming down; yes. That is the low point for that corner; the low point for the
36 whole parish property and the street will then flow or water that flows down the
37 street will then take care of that problem even though it is not on our property, it
38 will take care of it; yes.

39
40 **CHAIR VAN NATTA** – I guess what I'm looking for is a very direct answer. Is
41 that going to correct the flooding problem on St. Christopher?

42
43 **APPLICANT LORD** – Let me defer to Manny Sanchez, our Civil Engineer.

44
45 **SPEAKER SANCHEZ** – Good evening Commissioners. My name is Manny
46 Sanchez. I'm a Civil Engineer, President of Jamus Engineers. We did some of

1 the work on the project, Tentative Parcel Map, the preliminary grading plan, the
2 drainage study and the preliminary water quality management plan. I heard the
3 questions with respect to the drainage and if we can put on the screen the
4 preliminary grading plan, maybe I can explain a little bit of this. Is that possible?
5

6 **COMMISSIONER LOWELL** – While we're waiting was a hydrology study
7 officially prepared for the project?
8

9 **SPEAKER SANCHEZ** – Pardon me?
10

11 **COMMISSIONER LOWELL** – Has a hydrology study been prepared for the
12 project?
13

14 **SPEAKER SANCHEZ** – Yes we prepared the hydrology study.
15

16 **COMMISSIONER LOWELL** – And all the drainage areas, is that from half of
17 Perris Boulevard? Does it include all of Cottonwood? What is the boundary?
18

19 **SPEAKER SANCHEZ** – Well let me explain. Of course we are bounded by
20 Cottonwood on the north. The flow of water; the direction of flow is to the east.
21 On Perris on the other street the flow is to the south, so we have flows going
22 generally in all of that area to the south and to the east. If you remember from
23 geometry and trigonometry, the vector then is southeast. The flow in the whole
24 general area is to the south and the east. That's why the catching storm drain is
25 here. We did not study upstream. There is about a 60 or 70 or 80 inch pipe in
26 Cottonwood, but that takes care of the water coming in from the north, so we
27 took from; we assumed that there is no water coming into the site from off site
28 and it is flowing to the southeast. That is historical flow. It has probably gone
29 that way for hundreds, if not thousands of years. The whole area out there goes
30 in that direction, so we took the water on the site; we continued to take it to the
31 south and to the east. Okay, may I approach? Cottonwood is there and it's not
32 going to move. Perris is there and it's not going to move. St. Christopher Lane is
33 there and it's not going to move. St. Christopher flows in this direction. This
34 flows in this direction and this flows in this direction and part of the site remains
35 the same, so that is fixed, this is fixed. The cul-de-sac really is fixed, so we call it
36 constraints. Okay it seems to take the grading through this direction. The
37 question is about this part of the site. What we did was to build (?). We have a
38 driveway that goes from the end of St. Christopher Lane and it goes up here to
39 Cottonwood. What we did is we made... (Microphone goes off – inaudible)
40

41 **CHAIR VAN NATTA** – Are you talking about that house that's there on
42 Cottonwood?
43

44 **SPEAKER SANCHEZ** – Pardon me?
45

1 **CHAIR VAN NATTA** – Those structures... can we back up just a minute before
2 we get to that because my question has to do with St. Christopher Lane and the
3 flooding problem on St. Christopher Lane.
4

5 **SPEAKER SANCHEZ** – On St. Christopher Lane... (Microphone is off –
6 inaudible).... So the problem here is somebody through grading or whatever has
7 reversed the flow; the normal flow is down here, so the water comes into this
8 vacant lot here and it continues south to the next street and then it goes to the
9 east way down the street and ends up into Kitching. That is where most of the
10 water is going. The water... this is also been graded; this part of the site here is
11 undeveloped and the water here goes south and then it is forced to go uphill so
12 to speak. The natural grade is downstream. The water flows this direction and
13 into here, so what we've done is try to eliminate that issue where the water is
14 going. It is going illegally I guess you could say, but we take our flow into this
15 retention basin. As was stated before, designed for the 100 year storm. It can
16 probably take the 500 year storm. The 500 year storm is not about 5 times
17 bigger than the 100 year storm. A ten year storm; you've heard of the 10 year
18 storm and a 100 year storm is 1.56 times bigger than a 10 year storm, not 10
19 times, so this probably holds about the 500 year storm. Then we have if a bigger
20 storm hits, the water would go further to the east and we would have an
21 emergency overflow and it would flow in the same direction as it historically has
22 gone.
23

24 **COMMISSIONER LOWELL** – Two questions... do you know what the volume of
25 the basin is? Do you know if it is 10 acre feet?
26

27 **SPEAKER SANCHEZ** – Yeah I have those numbers.
28

29 **COMMISSIONER LOWELL** – Two acre feet is the 100 year storm?
30

31 **SPEAKER SANCHEZ** – Yeah the volume is two acre feet.
32

33 **COMMISSIONER LOWELL** – It's kind of small
34

35 **SPEAKER SANCHEZ** – Yeah we used a Riverside County Hydrology Manual
36 and their methodology.
37

38 **COMMISSIONER LOWELL** – And then the emergency overflow, I'm looking at
39 the ortho map that was provided basically the Google earth map. It doesn't show
40 that the emergency overflow actually connects to anything. It just looks like it is
41 going to be surface drainage right along the neighboring properties backyards. It
42 could theoretically wash their houses out. Is there any recourse for managing
43 the downstream of this?
44

45 **SPEAKER SANCHEZ** – At this point drainage law dictates that you don't block
46 upstream flow from coming onto your site, but also that you are allowed to

1 continue downstream flow. You are not allowed to concentrate it or change the
2 location where it goes. This is normally where it goes.

3
4 **COMMISSIONER LOWELL** – Correct, however the existing flow, flows south
5 along the neighboring house and gets collected on Sweetgrass Drive and we are
6 proposing to bypass Sweetgrass Drive and put it behind the houses instead of in
7 front of them, so it seems counterintuitive to what you just said.

8
9 **SPEAKER SANCHEZ** – I’m not understanding what you are saying.

10
11 **COMMISSIONER LOWELL** – See where your pen is pointing to the bottom of
12 that basin; if you look at the Google Earth Map that we were provided, it shows
13 that the water would more than likely flow south to the next neighboring street
14 below the basin to the south. That is what you said earlier.

15
16 **SPEAKER SANCHEZ** – When it rains now; it if rained tomorrow the water would
17 go down here. I’ve walked all this site. I’ve been on this site obviously a lot
18 times. Today I walked the County’s Maintenance Yard side. All of this flow takes
19 it down to the southeast corner of the County of Riverside’s property and then it
20 flows in a little channel way down here to the south like all the water in this area
21 and ends up in Kitching.

22
23 **CHAIR VAN NATTA** – Can I show you a couple of pictures here and ask you to
24 see if you can identify what we are talking about.

25
26 **VICE CHAIR GIBA** – While she is bringing those up, I walked the same site and
27 what we were looking at right now and if you guys can bring that up, then you’d
28 get a better view for us. It is attachment 60 ortho view. I don’t know if you have
29 that one available that you could bring it up, but you can see it is a Google map I
30 think Brian mentioned. The houses along that southeast section and I’m not sure
31 there was originally supposed to have been some kind of a run off drain of some
32 kind that over the years has been filled with dirt and mud and there is like a
33 double fence between the properties so that nobody could really get in-between
34 in for all intents and purposes except for that pitbull I saw and it would seem to
35 me like that water is not running anywhere but in the backyards of the people that
36 live there.

37
38 **SPEAKER SANCHEZ** – To tell you the truth, I don’t know if you have had any
39 complaints from these people. There is a bit of a barrier; a bit of a berm along
40 here.

41
42 **VICE CHAIR GIBA** – I’m familiar; yes

43
44 **SPEAKER SANCHEZ** – If again the historical drainage came in this direction,
45 this subdivision blocked it. I know it wasn’t approved by the City. You didn’t exist
46 at that time; it was by the County. Somebody missed the drainage, because the

1 drainage was not handled so that is why it goes along the fence line all the way
2 to the next corner and then on its way.

3
4 **VICE CHAIR GIBA** – Yeah I’m reading LD6 on the measures for it and if the
5 engineers know... and I’m referring to the last month’s one because it is the one I
6 marked up. It said the developer shall protect the downstream properties from
7 damage caused by alteration of drainage patterns i.e. concentration of or
8 diversion of flow, protection shall be provided by the constructing adequate
9 drainage facilities and that is my concern, because I actually went out there and
10 saw it and you can see how this... probably maybe now the folks didn’t come out
11 and speak to out but I did speak to a few of the folks.

12
13 **SPEAKER SANCHEZ** – Well what we are doing is solving that problem by using
14 a retention basin as one of the conditions of approval. We are eliminating the
15 easement so the water would no longer go in this direction.

16
17 **VICE CHAIR GIBA** – I’m talking about the other way.

18
19 **SPEAKER SANCHEZ** – The water would not go in that direction. The water
20 stays in the basin and it is an infiltration basin and our calculations show that
21 during a 100 year storm, the last 24 hours, the deepest it would get is 22 inches
22 less than two feet inside of the retention basin. The retention basin is much
23 deeper so it has a lot more capacity. If you get the 1000 year storm and water
24 coming this direction; yeah that is a historical flow, that is what you are allowed to
25 take, that is where you have to take it.

26
27 **COMMISSIONER LOWELL** – What my point was that the retention basin has an
28 outlet flowing due east and if you at the topography of the site, the site drains
29 naturally to the southwest and it drains into the vacant lot behind the residence
30 on the south side of St. Christopher. It looks like we are diverting it to head east
31 as opposed to...

32
33 **SPEAKER SANCHEZ** – You are correct. The site here and we did some and
34 you may have seen some flow arrows, the site does drain to the west. That is
35 not where you are wrong. That is not the natural flow. The natural flow is in this
36 direction. That is why this storm drain is going down to Kitching. That is why all
37 of this water is going down to Kitching because it is flowing in this direction. As I
38 walked the vacant property that belongs to the church, the neighbors property
39 and the County’s property; you can tell there has been grading done, whether in
40 small increments or whatever but there has been considerable moving of dirt on
41 all of these three properties. It did not help the situation. I don’t know how the
42 water gets down there. We don’t have the topography of you know of the other
43 properties.

44
45 **COMMISSIONER LOWELL** – Well that is my concern is that if we’ve designed
46 the basin for the 100 year, 24 hour storm which is beyond what is required by

1 Riverside County, which I completely appreciate. You can never design for a big
2 enough storm which is why we have emergency outlets. That emergency outlet,
3 if at some point in time; 20 or 30 years down the line it gets used, water will flow
4 out of that concrete spillway and flow easterly along the neighbor's backyard lot
5 line. What protection do they have against any chance of the overflow coming
6 into their yard; washing out their pools; washing out their backyard landscaping
7 and maybe flooding their house?
8

9 **SPEAKER SANCHEZ** – These people here?

10
11 **COMMISSIONER LOWELL** – Correct

12
13 **SPEAKER SANCHEZ** – There is a berm. They have the same chance as they
14 have now.

15
16 **COMMISSIONER LOWELL** – That's what I was asking.

17
18 **SPEAKER SANCHEZ** – They were not catching the water. It is going over there,
19 except for the water is going in this direction.

20
21 **COMMISSIONER LOWELL** – And the reason why that was my concern is
22 because the topography does show the drainage going southwest and we're not
23 telling it is going to go east, which is the way it should go, but has historically for
24 the last 10 or 20 years been diverted southwest. I want to make sure these
25 people that live along Sweetgrass Road aren't going to get a surprise one night
26 in a rain storm that their house is under water when it has normally flowed the
27 opposite direction.
28

29 **SPEAKER SANCHEZ** – In a normal rain storm they wouldn't get any water; any
30 run off. That is what we are designing for and so...

31
32 **COMMISSIONER LOWELL** – I'm making sure that the emergency spillway isn't
33 going to be a negative effect for the people on Sweetgrass.

34
35 **SPEAKER SANCHEZ** – If it at final engineering the City's engineers determine
36 that we should take the overflow in a different direction we would do so. The only
37 other direction would go here and you've got no legal right to cross all these
38 property lines. It doesn't mean you can't obtain them but you'd be taking the
39 water in the wrong direction.
40

41 **CHAIR VAN NATTA** – Okay now back to what I was asking about before we get
42 further on. Okay we have different phases. At what point is this cul-de-sac with
43 the diversion of the water off of this cul-de-sac in what phase is that going to
44 happen.
45

1 **SPEAKER SANCHEZ** – This gets built in the first phase. The retention basin
2 gets built in the first phase. The extension of the end of Cottonwood probably
3 from this location to the end of the property gets built in that first phase also.
4

5 **CHAIR VAN NATTA** – Okay is this going to solve the problem that we were
6 seeing with St. Christopher Lane, the buildup of water here and into the
7 driveways and into the houses that was coming from water that was draining off
8 of St. Christopher’s parking area through their drains and into that street. Is that
9 going to be relieve that problem?
10

11 **SPEAKER SANCHEZ** – Yes right now the street ends right here. This property
12 is higher forcing the water to go in this direction. That will not happen. We’ll
13 eliminate the water going in this direction. We’ll catch it in a catch basin here and
14 we’ll take that water to the retention basin.
15

16 **CHAIR VAN NATTA** – So that will take care of the flooding problem on St.
17 Christopher?
18

19 **SPEAKER SANCHEZ** – It should; yeah
20

21 **CHAIR VAN NATTA** – Okay that was the easy question. You guys are asking
22 the hard questions. I’m asking the easy ones.
23

24 **SPEAKER SANCHEZ** – Any other questions with respect to drainage or grading.
25

26 **COMMISSIONER SIMS** – I guess I do have one. Do the properties on the south
27 side of St. Christopher; do the lots, are they part of the hydrological tributary area
28 to the drainage into the street? Do they drain north; the street; the lots?
29

30 **SPEAKER SANCHEZ** – Most of these lots... let’s start at this end. The totality of
31 these lots drain to the south onto the vacant land. As you get down to the end of
32 the street the fronts of these properties drain to the front. Again with the catch
33 basin, we’ve captured not only our water, we’ve solved we hope, the City’s
34 problem that they’ve might have had; the issue that was brought by the Chair.
35

36 **COMMISSIONER SIMS** – Thank you
37

38 **SPEAKER SANCHEZ** – I would like to go back if I can to the grading in that
39 phase five... one more phase... we’ve designed this building to be a little bit
40 higher than the street so that it wouldn’t get flooded at some point some day.
41 Also we have a driveway here that has curbs and gutters. We’ve designed these
42 buildings to be slightly above the curbs and gutters again probably similar to what
43 all your homes look like, so that is why we raised it to the level that we have. If
44 we lowered it and the water for some reason topped the curb it would go into the
45 structures.
46

1 **VICE CHAIR GIBA** – How is that going to affect the runoff to the east property
2 and to the south? Is the runoff attached to your catch basin from there as well?

3
4 **SPEAKER SANCHEZ** – Yes we're taking all of the runoff to the south and we
5 have catch basins and piping systems that take the water into the structure right
6 here.

7
8 **VICE CHAIR GIBA** – To that basin?

9
10 **SPEAKER SANCHEZ** – Yes all the water from all the site goes to the basin.
11 Nothing goes off site.

12
13 **VICE CHAIR GIBA** – Is that basin going to be there forever? I mean that's
14 there?

15
16 **SPEAKER SANCHEZ** – We hope so.

17
18 **VICE CHAIR GIBA** – I was just curious because I reading that is supposed to be
19 a soccer field later.

20
21 **SPEAKER SANCHEZ** – That would be a dual use.

22
23 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah
24 Commissioner or Vice Chair that is the last phase right there, so what they are
25 doing is showing that there could be a soccer field in the bottom of the basin. It
26 would be a joint use because 99 days out of 100 it is going to be dry and...

27
28 **SPEAKER SANCHEZ** – Then it becomes a playfield.

29
30 **CHAIR VAN NATTA** – During a rain storm it becomes a swimming pool.

31
32 **SPEAKER SANCHEZ** – If during a 100 year storm it is only less than two feet.
33 In a normal storm it is going be that deep.

34
35 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And
36 partially to answer... I'll go back to phase one... there is phase one, so the basin
37 is in phase one and it is also in phase five, so it is always there. The joint use
38 isn't there and I think the basin gets a little bit larger because there is an existing
39 building that gets taken out in a future phase and Commissioner Sims earlier
40 asked about doing all the perimeter... when we look at phase one they are doing
41 all the perimeter. The only thing they are not including in phase one is a portion
42 of the wall on the east side because that portion of the site isn't being developed.
43 Again that is for Commission discussion but every other thing; the improvements
44 to Cottonwood except for a bus bay and the improvements to St. Christopher
45 Lane and the basin are all part of phase one and the only buildings that are part
46 of phase one are that conversion of that existing residence to a meeting room

1 and a slight small addition to a couple of other structures there and what is the
2 third one...

3
4 **ASSOCIATE PLANNER DESCOTEAUX** – An additional building next to the
5 existing single family.

6
7 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And
8 they are demolishing something there as well; right?

9
10 **ASSOCIATE PLANNER DESCOTEAUX** – Not in that phase.

11
12 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Not in
13 that phase; okay, so those two buildings south of the sanctuary that is the quote
14 unquote expansion.

15
16 **SPEAKER SANCHEZ** – That is phase one

17
18 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right,
19 so none of the...

20
21 **SPEAKER LORD** – Plus additional parking

22
23 **CHAIR VAN NATTA** – Where are you going to put the additional parking?

24
25 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – See
26 the shaded area on the east end, that is the additional parking in phase one.

27
28 **SPEAKER LORD** – See the toned area; the toned area is all part of phase one,
29 so we are reorganizing and landscaping and adding this much parking here.

30
31 **COMMISSIONER SIMS** – There was a mention that the wall in its entirety along
32 the east boundary couldn't be built because of the grading. It looks like... I was
33 looking at your preliminary grading plan if you flip on the backside of it, you have
34 a section 44. You've pretty have it dialed in as far as you have deep and floating
35 stem walls or what not where you have proximity of the building to the wall. Why
36 couldn't you just build a wall along that wall and just mitigate entirely; just set the
37 grades up.

38
39 **SPEAKER SANCHEZ** – You could build the wall right now or you could build it
40 with it with first phase and a 600 foot run. I wouldn't advise that because the
41 grading that we've shown for the ultimate build out is a preliminary grading plan.
42 We hope that it would be close to that. There are five structures that go in here.
43 I was mentioning to one of the parishioners earlier, but suppose somebody walks
44 in at that time and says gee I want to build all this for you but I want two
45 buildings; one to name for my daughter and one for my wife and all of sudden
46 five buildings become two buildings or one building and at that time the design

1 may not work. Also we don't know what grading may take place next door, so we
2 don't know what is going to exist here ten years from now or whatever.

3
4 **CHAIR VAN NATTA** – Are there any more questions for the Applicant? Okay
5 thank you very much. You can have a seat and don't go anywhere because I'm
6 sure you might want to have some comments after our other Public Speakers.

7
8 **SPEAKER LORD** – Thank you very much.

9
10 **LAND DEVELOPMENT ENGINEER JIMENEZ** – I have just two comments to
11 add if I may, Chair. I wanted to point out first as far as the public infrastructure all
12 that will be built with phase one and phase two, so we talked about you know
13 trying to get all the public surrounding off site improvements done early on and all
14 of that would be completed by the second phase. Another thing to put things into
15 perspective; if we go to phase five the two buildings just north of the basketball
16 court; the finished floor elevations of those two buildings are the same finished
17 floor elevation of the existing sanctuary. So if you were to just go across the site
18 to the east it would be level, so the finished floor of the two buildings just north of
19 the basketball courts have almost the same finished floor elevation as the
20 existing sanctuary building. I just wanted to point that out.

21
22 **CHAIR VAN NATTA** – Alright, well let's go to our other speakers and the first
23 person I have here is Victoria Miranda. I'd like to remind the speakers we do
24 have a number of people who have asked to speak, so try to contain your
25 comments within the three minute limit.

26
27 **SPEAKER MIRANDA** – Hi, I'm Victoria Miranda and I'm here with my mom who
28 is the last. She owns the property in the last end of the street and yeah the
29 grading that was said that it has from the two sides from the north side of the
30 street and the end; the east side of the street is completely incorrect, so it is three
31 feet or more higher than what the street is and what our property is. So that is a
32 problem and I think it is not really; it wasn't explained well here by the person that
33 was trying to say that and it does flood every year. Every year during the rainy
34 season that street does flood and it is every ten years that it floods horribly and
35 we do call. We have called every year and complained and called the City to
36 come out and a truck has come by and driven down the end of the street and left
37 again, so I heard that person never complains about flooding.

38
39 Every single year we call and complain about the flooding and only one time they
40 did come out was when we had to actually take the lid off of the manhole so it
41 could drain because it just wasn't draining and it was more than 24 hours; more
42 than 48 hours and we were told don't do that because it backs up the flooding; it
43 backs up your plumbing, but we could not access the house and we had to wade
44 through water to just get my mom home, so that has been an ongoing problem
45 annually. The permit parking is still wanting because there is only four parking
46 permits per household on that street, so my brother who comes to see my mom

1 every weekend and my sister comes to care for her every week to give the rest of
2 us a break during the week and help her out, they have the extra two parking
3 passes and if there is a function; a family function or something like that, nobody
4 can go, so it is not just a parking being greedy, we want all the parking, we just
5 want reasonable parking that every other citizen gets on their street and having
6 just these limited parking passes and you can't... even though there is the other
7 side of the street; the north side that is on the church property, that is no parking
8 at all whether you have a permit or not to park on the south side. There is this...
9 I don't think any other parishioner has to deal with that once they leave church
10 after their hour and they go home and they can have family visits or id she is sick
11 and everyone wants to come see her and see how she is doing, nobody can park
12 on that street; nobody can come and see her on the weekends. There has to be
13 another solution to the limited parking passes for family members of property
14 owners on that street.

15
16 **CHAIR VAN NATTA** – Thank you very much for your comments. Can there be
17 more parking... can there be accommodation to that and is it true they can't park
18 on both sides of the street on St. Christopher?

19
20 **TRANSPORTATION DIVISION ENGINEER LLOYD** – To answer your second
21 question first, that is correct. The north side is posted as the resident stated that
22 there is no parking. The permit parking is allowed along the south side or the
23 street along the homes frontage.

24
25 **CHAIR VAN NATTA** – And why could they not with permits, park on the north
26 side? Is the street too narrow for parking on both sides?

27
28 **TRANSPORTATION DIVISION ENGINEER LLOYD** – I wasn't involved in the
29 process of setting up the permit parking, so I don't have answer for you as to why
30 it wasn't allowed on the north side of the street. I would have to confer with the
31 City Traffic Engineer to find out the answer on why it was done the way it was
32 done.

33
34 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – My
35 understanding, because I was at the meeting when they discussed it out there on
36 the street was that because of the existing situation and the traffic related to the
37 existing situation, when you get to the intersection of someone who is making a
38 left turn, they block all the other people so as I recall the reason for no parking on
39 the north side is so that traffic can get to the intersection and make a right turn
40 and not be congested all the way up the street when people are leaving. So that
41 was the reason. Can that be changed? I think that is a discussion with the City
42 Traffic Division.

43
44 **CHAIR VAN NATTA** – Once that is set to where there is only right in and right
45 out and there is a cul-de-sac at the end that is wide enough for them to turn
46 around, would the residents then be allowed to park on both sides of the street?

1 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Again
2 think that is a point of discussion. Could it occur today or in the future or could it
3 occur on a portion of the north and not all of the north side, I think that is a good
4 discussion that could be occurring now separate from this application.
5 The number of parking permits; I don't know if that is guided by ordinance or if
6 that is a point of discussion but obviously if you have... if everybody has four and
7 there are only so many parking spaces, then you have a practical issue about if
8 everyone uses their four passes at the same time there is a problem. Michael do
9 you know whether the ordinance suggests that or is that a point of discussion?

10
11 **TRANSPORTATION DIVISION ENGINEER LLOYD** – I'm sorry I do not have
12 that information. I'd have to report back.

13
14 **CHAIR VAN NATTA** – Maybe it could be looked into at another time to
15 accommodate their needs.

16
17 **COMMISSIONER LOWELL** – Well piggybacking onto that, since the church will
18 be occupying most of the parking on a Sunday and say the residents have a
19 function, could they barter up an agreement with the church to allow them to
20 park; say they have a birthday party and they need twenty parking spaces just to
21 use the parking lot? I mean it would be a private party to private party
22 agreement.

23
24 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
25 Correct, yes that would be something that would be between the two parties to see if
26 they agree to do that, but yes nothing prohibits that.

27
28 **COMMISSIONER LOWELL** – And with the improvement on Perris with the
29 median with the right in and right out, can we add that to our vote tonight to
30 remove the restriction of the no parking at all on the north side and change it to a
31 permit parking only just like the south side?

32
33 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I think
34 it is really something that has to be looked at by... I think you could say
35 consideration, but I think it needs to be reviewed technically by Transportation
36 Staff, but I think certainly it could be added as a point of consideration at that
37 time.

38
39 **COMMISSIONER LOWELL** – I think we should do something along those lines.

40
41 **CHAIR VAN NATTA** – Thank you very much

42
43 **SPEAKER MIRANDA** – Thank you

44
45 **CHAIR VAN NATTA** – The next speaker is Yvonne Robles.
46

1 **SPEAKER ROBLES** – Hi, I've been a resident of St. Christopher Lane for 35
2 years. I was a parishioner of St. Christopher for 30 years. Due to conflicts, I go
3 somewhere else now. They didn't care about me or my family so I took my
4 worship elsewhere. My question about the basin that they are going to make;
5 currently in that area cars are parking there, so that is going to eliminate parking,
6 unless they are going to park in the basin full of water. I don't know. Also on the
7 17th of June we had a meeting at Donna Stevenson's house, another resident.
8 There were some church members there. It was Emma, Linus and Max and I
9 don't know their last names and I was told they were there to represent St.
10 Christopher.

11
12 We had an agreement and also the City was there to do a trial of closing the exits
13 that were on St. Christopher; closing two out of the three. The church failed to
14 comply. They never closed those, so I mean that trial didn't even get... they are
15 not cooperating. I was told by Jesse Molina that once the father of the priest
16 found out that was what going to be happening, he said absolutely not and so I
17 don't why he didn't come to the meeting himself instead sending these other
18 people who could absolutely do nothing. Twelve and three is the busiest time;
19 that is during the Spanish mass and I heard they added another mass at seven
20 o'clock. Unless that is a Spanish mass, that won't help at all, because twelve to
21 three is the busiest time and because both of those masses are Spanish. I'm
22 sorry I'm trying to go in the three minutes. Okay, also some of the phases would
23 close two of the three exits on Cottonwood, so I don't know how that would make
24 traffic, it would just make more traffic on St. Christopher because those are the
25 only exits other than Cottonwood. There are going to be putting in a bus lane, so
26 they'll have to close the first exit and then they'll be closing another one, so that
27 would only leave one exit on St. Christopher on the parking lot side. Now that is
28 not including the one exit they currently have that is on the other side where the
29 dirt is at. The street sweeper comes and pushes all the trash to the end. That is
30 why it gets built up.

31
32 Also the parishioners that park there on that side dirt where they are going to put
33 the basin, there is diapers, corn, cups from snow cones from all the illegal
34 vendors that are there. The church has no supervision for catechism. I live the
35 third house from the end. During catechism hours there is kids ditching; they are
36 smoking weed; they are making out. There was even a time when they had a big
37 hole; it was like a ten foot hole out there on the side. I kept hearing crying and so
38 for 45 minutes I kept going back and forth and I said is it cats; it sounds like
39 somebody is crying. My uncle ended having to jump the fence because at the
40 time those gates were locked and there was a twelve year old boy with Down
41 syndrome inside there up to his waist in water. Nobody even knew he was
42 missing. That is a concern. The lack... I know the church says oh we don't have
43 money, we don't have money, but if you have this many parishioners and they
44 are here to support you, then you know they can volunteer and do rounds or
45 whatever for security for catechism days. Also during catechism, the parents...
46

1 **CHAIR VAN NATTA** – I’m sorry, your time is up and there are certain things that
2 we don’t have control over and so those are things that you need to bring up with
3 the church.

4
5 **SPEAKER ROBLES** – Okay, thank you

6
7 **CHAIR VAN NATTA** – Thank you. Okay our next speaker is Donna
8 Stephenson.

9
10 **SPEAKER STEPHENSON** – Good evening. I sent in my letter earlier today and
11 I believe you guys all read it, so I’m not going to read it to you again, but my main
12 purpose is I agree with everything that she just said; Yvonne. My main purpose
13 is the traffic. I got probably a couple of letters today. The traffic turning right off
14 Perris Boulevard speeds on our street. I did some measurements myself. The
15 City wants to put in a bus bay off of Cottonwood which would close the northwest
16 exit onto Cottonwood. I don’t understand that because then they want to put that
17 traffic going onto our street. I did measurements. The first house at the corner
18 has about 27 feet from the east curb lane of Perris to get into their driveway. The
19 second house on St. Christopher Lane has about; it was like 90 some odd feet
20 into their driveway. Off of Cottonwood they have 150 feet and from what I was
21 told that was unsafe; the gates on Cottonwood; the west gates; that was too
22 close to the street, but our driveways are closer, so it doesn’t make sense to me
23 that they are going to direct traffic down our street and we’ve got to back out.
24 The traffic at 25 miles an hour; I believe that is way too fast on our little street of
25 nine houses. I really see there is going to be a problem that they are directing all
26 the traffic down to our street. How do we get out? Like she said from twelve to
27 three you can’t get out of your driveway. Mass... I don’t know how long mass is;
28 an hour and they will sit there for three hours. There are functions going all day
29 long, so that is my concern mostly is the traffic and the congestion. Any
30 questions; no?

31
32 **CHAIR VAN NATTA** – Thank you. Our next speaker is Roy Bleckert

33
34 **SPEAKER BLECKERT** – Yes I’m Roy Bleckert. I’m the east end property owner
35 and I have many concerns with the above project including parking issues,
36 flooding problems, environmental impacts, land mergers, easterly block wall and
37 along the lines of good community safety and sensible play. To summarize my
38 written statement that I delivered this morning, as it would take too long to read
39 that whole thing, per the plan submitted, 321 parking spaces and approximately
40 964 assembly in the church. Per the old requirements and 330 to 395 spaces
41 provided now which is woefully inadequate under the current code per the
42 capacity and usage in the sanctuary.

43
44 As in the last three weeks about 680 cars average and over 2,000 assembly in
45 the church at the 12 o’clock hour and continuing over six services all day Sunday
46 running, logic would dictate that the building design for about a thousand people

1 is holding 2,000 people and would have been modified from when it was
2 originally built, plus the plans reflect in addition to the sanctuary building. Both of
3 these should require the sanctuary to be brought up to the new code which would
4 be about 600 cars and would be more consistent with the current usage. Plus
5 the new plans call for shifting two hundred cars that are parked onsite in the field
6 area over there and that would shift those off-site and we have the adjoining
7 resident's problem with 40 cars off-site. Does this not create a potential problem
8 that is five times greater and the required easterly block wall needs to be built
9 entirely in phase one as we have conflicting property uses as mine and County
10 are industrial uses and would cause conflicts with the church usage and it needs
11 to be with the six foot or higher finished grade to provide adequate screening.
12

13 The project does not allow... does not follow the letter or the intent of the law,
14 good planning practices and being good neighbors in my view and if we can
15 address these and other issues in a manner that makes sense, I could support
16 this project wholeheartedly, but as submitted now, I have to recommend a no
17 vote at this time and if we do not fix these problems at this time when they are
18 asking for changes and expansion, when will they ever get dealt with and without
19 getting into the minutia of the law the merger; if that doesn't pass the project
20 basically fails and then you have the underground tanks and the concerns with
21 the obvious being a proposed school site and nearby schools, you could possibly
22 trigger an EIR with the environmental concerns and we all know flooding can be
23 catastrophic and with that I will leave it in your capable hands.
24

25 **CHAIR VAN NATTA** – Thank you Mr. Bleckert. Very well timed. Exactly three
26 minutes. Our speaker is Guillermo Hernandez.
27

28 **SPEAKER HERNANDEZ** – Good evening. Let's just say yeah it's said. I can't
29 believe this about the church; God; please... I just can't believe what is going on;
30 I mean traffic. I mean we really do need to study more on that exit on St.
31 Christopher and Perris Boulevard. If you guys put in a median, it is really going
32 to cause a lot of congestion because of the parking in the very corner of St.
33 Christopher and Perris Boulevard. Another thing; if you guys are going to make
34 us come out to make a U-turn when we live so close to the house, imagine if we
35 had an accident in our residence and we have the Fire Department come and
36 turn all the way around to just get to one of our homes. It is really sad how we as
37 brothers and sisters here... I mean raising up that very end of the street where it
38 gets flooded, because I'm the one who sent in the pictures. I'm the one out there
39 when it rains. No one from the church helps us. I'm out there trying to help my
40 house not getting flooded. The grandmother lives at the very end of the street
41 and it is really sad. I mean I heard what you said Jeff earlier. Instead of all these
42 other phases, let's really concentrate on getting that fixed and fixing that traffic
43 because it is really getting out of control. I mean like I said it is really sad that we
44 have to keep dealing with it over and over. I mean the church just keeps putting
45 dirt and putting dirt at the very end of that church. What were you guys even
46 thinking of us? That's really sad and we work on the Lord's home. It's sad. Like

1 they say, let's look at ourselves in the mirror. Let's do the right thing from both
2 sides. I mean what more can I say. Let's make... I'm happy seeing that the
3 church has grown; the faith; good job, but come on guys, let's work together on
4 this. Let's make it work. Thank you. That's all I have.

5
6 **CHAIR VAN NATTA** – Thank you very much. Our next speaker is Eugene
7 Renna.

8
9 **SPEAKER RENNA** – Good evening. My name is Eugene Renna and I'm here to
10 speak in favor of the proposals. I've lived in Moreno Valley for 27 years. I've
11 been a parishioner at St. Christopher's for 27 years. The parish; where is it
12 located is an asset to the community. We provides services for the community.
13 We have a food bank that serves 150 to 200 families a week. We have a blood
14 mobile that comes through occasionally. We have health screening. On St.
15 Christopher Lane there is going to be a big improvement that you'll be able to
16 turn the trash trucks and fire trucks around at the end of the street, a sidewalk
17 along the north side along Cottonwood will be a major improvement. Ingress and
18 outgress on the property will also be improved with wider lanes. The church now
19 sits on five parcels. Putting us all on one parcel would be an improvement when
20 it comes time to make changes. The facility has been there for many years I
21 think starting in the 50's and it is time to be upgraded. With upgrading we should
22 be able to serve the community better and have a better plan to work with, so I
23 recommend a vote for. Thank you.

24
25 **CHAIR VAN NATTA** – Thank you. Our next speaker is Sarah Vargas-Gomez. It
26 looks like she has already left. We will move on. The next speaker is Raul
27 Cipres.

28 **SPEAKER CIPRES** – Thank you. My name is Raul Cipres. I'm a parishioner of
29 St. Christopher's Church. I've been in the city for 19 years and since I've been
30 going to St. Christopher's it has been an enjoyable pursuit of mine. I've enjoyed
31 going all these years and since I've been there I haven't seen any improvement
32 to the property or to the buildings or anything. I'm looking forward to this
33 situation that has come up to improve the facility and I know it is controversial to
34 a lot of people; especially to the people on St. Christopher's Lane. I appreciate
35 how they feel and honestly wouldn't want to be in their position. I know that they
36 are going through but believe me, I have attended many meetings at the church
37 when this subject has come up and the feeling towards those people is very,
38 very; they can't put themselves in that position either. They wonder what to do
39 and one of the situations that came up that was favorable was the limiting on
40 parking, which I thought was a good idea myself. I think it addressed the
41 problem that was existing there and I think it is working very well in my opinion. I
42 patrol the area quite often.

43
44 I am a former director of security for a large corporation and I don't see any
45 problems there. I do see a problem that was brought up tonight about a party;
46 having a gathering of some type. They don't know where to park and I could see

1 how that could be a problem, but I think the church would more than happy to
2 accommodate their over excess on parking. I'm sure they won't have 200 people
3 show up at one time but maybe 20 or 15 people they want to accommodate. I'd
4 just like to ask the Commission to think about it and be very reasonable. I don't
5 think they are asking for something exceptionally wild. They are trying to
6 improve the property; not increase the people that are coming there. Who
7 knows, the way things are going, people are losing less and less interest in
8 church and I wish they would come back, but as many as that come back
9 sometimes, they leave also, so I don't think you'll see an increase in people there
10 and I think it will be an improvement for the church and for the City itself all
11 around. I think as the engineer here explained to us on the drainage, I think it will
12 help with the drainage too. I think some of the drainage problems have been
13 there for years; even before the church was built. So I ask you for kind
14 consideration and I thank you.

15
16 **CHAIR VAN NATTA** – Thank you very much. Our next speaker is Linus
17 Santiago.

18
19 **SPEAKER SANTIAGO** – Good evening ladies and gentlemen. My name is
20 Linus Santiago. I've been a member of St. Christopher's parish since 1975.
21 When I first started at the church, that property that is in contention with the high
22 mounds, that was an abandoned property with a broken down house on it and
23 the drainage back there was not as high as it now and when the people who
24 purchased that abandoned property, they were going to build a child care center
25 and they are the ones that filled it up with all that dirt.

26
27 When the church bought that property, that is when the big rain started back in
28 1981 I think and that was the 100 year storm and that picture that the lady
29 showed you or whoever gave you those pictures, I'm the guy that made that
30 water go away, because I dug a hole from one end of the fence to the other; the
31 one that you asked that the water is going south; I made it go south. That
32 property that is on the corner has a wooden fence around it and the person has a
33 dog kennel there. Every time I dug it out so it would go around into that vacant
34 property, he'd fill it in. That's is how come the dirt backed up and you have a
35 flood right now because it is filled in and I put that double fence that you talked
36 about there because the kids were sneaking in and digging big holes in the
37 ground and jumping their bicycles. I did it for safety purposes so the kids
38 wouldn't kill themselves on our property. The lady said that there was a hole in
39 the ground and the kid was in it. She was right.

40
41 The very next day, as soon as I found out about it, I made the people that dug
42 that hole fill it in and the ground was always that high and every time I dig it out,
43 the people from that street and I'm not saying who, but one of the five families is
44 drinking beer and throwing tires and whatever and then plugging the holes in the
45 sidewalk. Those floods are happening because they are not taking care of the
46 drainage that I put in there for them and right now I dug it out six months ago and

1 right now there is grass growing in there. There is a bunch of garbage there and
2 this drainage and it will flood again until I dig it out because as you know they
3 have been complaining to the church that is flooding. I get called out at six or
4 seven o'clock in the morning on Sunday and I dig it out and it drains out, but I
5 can't be there 24 hours a day. The people that live on that street have shovels in
6 their garages too. All they have to do is to dig the mud out and it will drain out
7 and make sure that that person doesn't fill it in again.

8
9 **CHAIR VAN NATTA** – Thank you very much for your comments. Our next
10 speaker is Emma Motte.

11
12 **SPEAKER MOTTE** – Good evening everyone and I thank Staff and everyone
13 that has been listening to all of us. It gets a little tiresome sometimes, but I was
14 at the meeting. Father was not able to be there at that time on St. Christopher
15 Lane and the result is what happened now; okay, because they didn't want any
16 parking; any parish parking on St. Christopher Lane, so we've accommodated
17 them to that extent. Also, Officer Tainter was there. Jesse Molina was there and
18 I called both of them. Actually I've called them twice and when I spoke to Officer
19 Tainter he said that they had only issued two citations because with their
20 presence there, because he drives by there or has someone drive by there on
21 Sunday, because this started in July, so at that time the residents were in accord
22 to go ahead and have the limited or what do call it; permit parking. We didn't
23 realize there was actually not going to be any parking at all on the north side of
24 the street, but I know for the most part we'd make the announcements every
25 Sunday and I know that our parishioners have been following that pretty well.

26
27 As far as traffic goes, we added 7 o'clock mass on Sunday, which is a Spanish
28 mass to relieve the 12 and 2 o'clock mass. I know that before we had also talked
29 about maybe adding another mass, but our poor priests are on overload right
30 now. We have two priests; three priests and we do nine masses on a weekend
31 and that is aside from all the other work that they do and we also contribute a lot
32 to the community. As had been stated before we have the food bank, the blood
33 mobile, the Lestonnac medical clinic that comes the first and third Monday of the
34 month. We also have various youth programs. You don't have to be a
35 parishioner to join our youth programs. You don't have to be a parishioner to
36 attend any of the outreach programs that we have for drug and alcohol abuse, so
37 we need the improvements. We are not adding to the capacity. We just need to
38 improve the facilities that we have right now and also do the improvements for
39 the parking and the grading that has already been addressed and this is why
40 we've have the architect and the engineer and of course City Staff working with
41 us. So my request is that you approve this and of course we are always willing to
42 work with the City and comply with whatever requirements the City may make.
43 Thank you.

44
45 **CHAIR VAN NATTA** – Also very well timed. They've got this three minute thing
46 down. Okay and we have one last speaker; Theresa Archuleta

1 **SPEAKER ARCHULETA** – Good evening everyone. My name is Theresa
2 Archuleta and I live on Birchwood Drive. Now I've been hearing all night about
3 phase one; phase two; all these phases. I'm not against anything that St.
4 Christopher is doing because I also attend St. Christopher's Church also. I
5 respect St. Christopher's as I wish that my fellow parishioners can respect me. I
6 live on Birchwood Drive and there is a vacant lot. My backyard sits on three
7 vacant lots and the problem is overflowing parking and on those three vacant lots
8 they are always parking there on Sunday from 3 to 5 and big functions that the
9 church does have, but no one follows what the signs read; No Trespassing; No
10 Parking; Cars will be towed away. It even has the vehicle civil code on there. No
11 one follows it and I don't see any traffic controllers come out there to even see
12 about the overflowing problem that is going on at St. Christopher's.

13
14 I'm glad our church is thriving, but at the same time they are breaking the law by
15 parking in those vacant lots with those signs on there saying; No Parking; No
16 Trespassing. Why is it any different for them? If I was to do it what would
17 happen to me and my concern is that they come and they park in these vacant
18 lots and after church lets out they throw trash, they drive... it is a gravel road. It
19 is not fit for parking and what happens is the dust; the dirt; the clouds of dust
20 when people leave the church and they throw trash. I pick up two to three large
21 garbage trash bags of trash every week and why can't my parishioners respect
22 me and not use that road or to park their cars there and consider me and my
23 family with all the dust and the debris that is out there and the exhaust from the
24 cars. That is a health hazard. I have complained to the City numerous times.
25 I've even gone to traffic control. They only came out one time and I've lived there
26 three years.

27
28 **CHAIR VAN NATTA** – Thank you very much for your comments. I don't see any
29 more Speaker Slips. Does the...

30
31 **SPEAKER** – I had one filled out

32
33 **CHAIR VAN NATTA** – You did? I was almost surprised not see your name on
34 the list

35 **SPEAKER BLECKERT** - Well you probably got the same name twice. That's
36 because I happen to have the same name as my son.

37
38 **CHAIR VAN NATTA** – Okay go ahead

39
40 **SPEAKER BLECKERT** – I've heard all the people talking and they've been here
41 x amount... well I've been driving that road; Cottonwood when it was dirt in 1953,
42 so I've been here a long time. The problem is their negative dec is not correct.
43 You've seen the pictures and what was dug up there. They have no permits to
44 do it. They've not taken it into consideration; taken all the excess fuel that was in
45 the tanks or anything else off to the appropriate places. It was all done illegally, if
46 you want to say they're being nice... but basically there is a problem with flood

1 control. I tried to work with them. They told me they weren't going to do anything
2 whatever the City required. I tried to work with them on the walls to even get an
3 easement on our side and grade up to whatever the highest grade is to be there,
4 they refused to talk to me. Their problem with the flood control is they put it in
5 there and the City requires 200 feet on each side is all that goes in there, but if
6 anybody knows how to read plans which are sitting there, that wall goes all the
7 way around there and it's got a spillway with the a sign. Show me how they are
8 going to get that out over that six foot wall, because if it does it is going to back
9 up on either our side of the property and come around and come back down or it
10 has to go around and come over there where it goes illegally now. Give me an
11 answer to that one. You have a problem there. The plan wasn't well thought out.
12

13 The problem with the grading...you heard Linus talk about grading. No, that isn't
14 correct. That was an old house and I won't mention their names but I'll call the
15 first property the horse lady, the second property is their construction site that
16 they had there so many years and were dumping. They hauled in tons and tons
17 of dirt in there. If you see on the plan prior to that, it shows even the holes where
18 the kid fell in. They were all over and they were scattering that dirt everywhere.
19 Before the parking when they first bought the first lot, I know the contractor that
20 did the paving and he hauled dirt in because he had a job up the street to get rid
21 of and that is how that got there. That always had a sump hole in there on the
22 back of horse lady's property ever since that property was there. I've been here
23 a lot longer than any of them and the problems, so to say it was there when they
24 bought it is incorrect.
25

26 Now as far as what is going on... see that project right there where it shows the
27 shed still in there and they are not building the retention basin correctly. They
28 are never going to intend on moving that building in my opinion. That is why it is
29 built that way. That is why they are building it there, so it is not built to its
30 ultimate then. And as of phase one, it will be phase five when they move that.
31 They have been working on the school and everything or whatever they have
32 been trying to do for the last 20 years that I've known them, because I knew both
33 the properties and they were trying to get the properties and they weren't for sale
34 and they couldn't move on, but eventually they wind up with them. So to say
35 they are going to take out the houses is incorrect. If you look at what you doing
36 there they are running a ditch all the way along these lines. That's why they won't
37 put the property in because of all the electric lines and everything goes to that
38 garage back there. They don't want to mess it up because they would down into
39 that.
40

41 **CHAIR VAN NATTA** – Thank you Mr. Bleckert.
42

43 **SPEAKER BLECKERT** – I understand.
44

45 **CHAIR VAN NATTA** - Do we have any closing comments from the Applicant to
46 address any of the issues that were brought up by the speakers?

1 **APPLICANT LORD** – I just want to address the issue that was just mentioned
2 about the storage building which is over there adjacent to the basin. In the
3 current plans that building is to be torn down because of uses that are going to
4 be provided elsewhere that would make that obsolete. We don't show it coming
5 down until the fourth phase, but we could move that to the second phase if that
6 would be of help. The detention basin on is based... it meets its full capacity with
7 the design as it is there even with that building standing. When that building
8 comes down, the detention basin increases in a greater capacity, I think we're
9 trying to make provisions for that eventuality.

10
11 **CHAIR VAN NATTA** – There was also a comment that I hadn't heard before
12 about some fuel tanks or something?

13
14 **APPLICANT LORD** – Yes, about two years ago and I forgot which of the
15 properties, not the immediate one from the far east, but adjacent to that, there
16 was the discovery of a couple of old fuel tanks that were taken out without
17 understanding there is a procedural and legal way to do so and so at this
18 moment the diocese and the parish are working and have hired individuals to do
19 the phase one assessment, evaluate the property, get the soils engineer and if
20 need be do a phase two, so what was at the time a kind hearted thing for the
21 neighborhood; for the parishioners to do, they didn't realize there was a
22 regulatory set of circumstances. This came up within the last month and so now
23 the diocese is taking steps to deal with that.

24
25 **CHAIR VAN NATTA** – So there is going to be testing to see if there is any
26 contamination?

27
28 **APPLICANT LORD** – Absolutely, yes ma'am

29
30 **COMMISSIONER LOWELL** – And those tanks; are they in one of these five
31 parcels that being merged?

32
33 **APPLICANT LORD** – They are gone now

34
35 **COMMISSIONER LOWELL** – Is that affecting one of these five parcels here or is
36 it on another adjacent property that is not part of this?

37
38 **APPLICANT LORD** – It is on one of those parcels, yes

39
40 **SPEAKER MYRON** – Good evening Commissioners. My name is David Myron.
41 I'm the Director for Construction Real Estate for the diocese. Yeah we had
42 purchased the property and I'll show you. It is the last parcel right here. We
43 purchased it in 2007 and when we purchased the property we actually had done
44 a search with the... no we'd actually done a search to see if there was any
45 environmental... we didn't do a phase one, but we do a search through the
46 County and it came back that there was no hazardous waste or anything on the

1 property. Myself; the diocese just found out about a week ago when one of the
2 parishioners told us that in fact that were two tanks there that were removed and
3 they were removed we think back in 2011, so immediately we hired a company
4 EIE to do a study for us; to do a phase one and we're sure we are going to do a
5 phase two because we know that they are going to come back that there were
6 tanks there, so we are in the process of doing that right now, so we don't know
7 where the tanks were taken. We don't know where they we taken to, so we
8 following up with that right now.

9
10 **CHAIR VAN NATTA** - Is that going to affect any of the phase one
11 improvements.

12
13 **SPEAKER MYRON** – Well it won't because if there has to be a cleanup we'll
14 take care of that immediately, so we are going to address this immediately. So
15 they'll do the phase one and then from there they'll say yeah there were tanks
16 and so we'll do phase two which we'll do a sampling in that area and then if there
17 is immediately we'll cleanup. So we are acting on this right away. We're not
18 waiting for any phasing to happen. This will be an immediate action.

19
20 **CHAIR VAN NATTA** – Okay but my question is that's...yeah

21
22 **VICE CHAIR GIBA** – Is it conditioned already; this issue... is it part of the
23 conditioning?

24
25 **COMMISSIONER LOWELL** – And does that affect CEQA in any way, shape or
26 form?

27
28 **INTERIM PLANNING OFFICIAL ORMSBY** – Yeah I'll address that. Right now it
29 is not conditioned. We would need to add a condition of approval in regard to it.
30 In terms of CEQA, based on our analysis and our research for the State and
31 Federal data bases, it is not a designated site at this time and so based on our
32 research and the information we had in putting it into the Initial Study, you know
33 our conclusion we feel is accurate that there would not be a significant impact in
34 terms of hazardous material. So right now we don't really have any evident other
35 than the photos of the tank, which I think we received for the first time today, so
36 that is why we didn't put something into the conditions on it. But I think there
37 would definitely need to be a condition of approval, although I think what we've
38 done with CEQA is still adequate.

39
40 **CHAIR VAN NATTA** – So the reason it was not addressed and it was not in our
41 report was you didn't think it was significant?

42
43 **INTERIM PLANNING OFFICIAL ORMSBY** – We didn't actually have any
44 evidence of the tanks other than I believe that people had mentioned it in a
45 meeting verbally, but we didn't have any photos of it until we received the latest
46 correspondence, which I believe we received today with regard to photos.

1 **VICE CHAIR GIBA** – If Mr. Bleckert hadn't told us about it, would you have said
2 something to us?

3
4 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
5 no Vice Chair, if we don't know about something, how can we tell you about it?
6

7 **CHAIR VAN NATTA** – But you knew it before the meeting tonight
8

9 **VICE CHAIR GIBA** – Before this meeting?
10

11 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – But
12 you did too because we provided Mr. Bleckert's letter, which included the photos
13 that we had. But regardless I think the idea is you could add it as a condition of
14 approval, but it is by force of law they to have it address regardless of what the
15 conditions say. So you could put in a condition kind of as a...
16

17 **CHAIR VAN NATTA** – But it is going to be conditioned anyway whether we put it
18 in there or not is what you are saying?
19

20 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – It is
21 going to be required regardless because it is a legal issue related to the removal
22 of existing tanks, so it is kind of parallel but unrelated to this application, but
23 certainly if you want to put a condition of approval that it has to be addressed
24 prior to construction of phase one, that would certainly be possible.
25

26 **CHAIR VAN NATTA** – The thing is it doesn't have to be in here for it still have to
27 be addressed. It is still going to have to be addressed before they do anything
28 with that land?
29

30 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
31 Correct
32

33 **SPEAKER MYRON** – We're moving on this rapidly. Again myself, I just found
34 out I think last Friday or the Friday before that and we've already contracted with
35 a company that has been out to the site to do the phase one, so there was no
36 documentation of it, the County didn't have anything and the City has nothing of
37 it. Good will parishioners decided they were going to take of this without letting
38 anybody know and so as soon as we found out we've acted on this.
39

40 **COMMISSIONER LOWELL** – So now this is public knowledge and the phase
41 one report is being drawn up, are there steps involved now or fail safes involved
42 that this has to be taken care of regardless of whether this project goes forward?
43

44 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
45

1 **COMMISSIONER LOWELL** – I love those answers. Yes, perfect, so it is kind of
2 a moot point now. It is going to be take care of regardless of this project.

3
4 **APPLICANT LORD** – When completed, we can provide you with the documents
5 that say it has been done. We can give that to Staff.

6
7 **COMMISSIONER LOWELL** – I would appreciate that.

8
9 **CHAIR VAN NATTA** – Any other comments or responses?

10
11 **SPEAKER MYRON** – I would just like to comment on as far as the project itself,
12 Bennet had explained that the parish has been working on this for about three
13 and half years and during that three and a half years, just coming to this final part
14 here, we have about 182 conditions. Now myself I work with all Riverside and
15 San Bernardino Counties. We have different parishes; about 92 parishes. This
16 is by far the most conditions in any project I have ever seen and we are agreeing
17 to those. We are agreeing to all those conditions. Many of the conditions,
18 especially the water on St. Christopher Lane was not created by the parish. That
19 is a problem through design that we are taking care of and we are taking care of
20 that in phase one and we are trying to alleviate all the water problems there and
21 all of the analysis has gone through Staff reports. The basin itself well exceeds
22 what would be normally be required, so we are trying to address those things to
23 be good neighbors to the people on St. Christopher Lane.

24
25 We've also been trying to work with them as I said through meetings and trying to
26 set up you know how we can either do the permit parking and we'll continue to do
27 that, because we know that is an issue. We know that it is an issue with parking
28 on vacant lots and we've told the people they have to park you know where they
29 can on the streets where it is legal to park. So we do address those issues. We
30 have that problem in a lot of parishes because we are so highly impacted, but we
31 try to address the issues as best we can. As far as the parking, we address it as
32 far as the codes and try to exceed where we can, so all the concerns that you
33 have said, we understand that and we want to be good neighbors and we are
34 trying to address those as far as seating and all those issues.

35
36 **COMMISSIONER LOWELL** – I have a couple of questions for you too while you
37 are still up there. I was looking at the architectural site plan and I noticed that
38 during this meeting that there is a proposed parish hall being proposed in the
39 northwest corner of the lot. Wouldn't it be a better layout if you put it in the
40 southwest corner to eliminate that parking lot to have two driveways on
41 Christopher Lane and three on Cottonwood as opposed to the other way around,
42 putting the most traffic on the larger street?

43
44 **APPLICANT LORD** – Yes, this particular driveway; the one that gets closed
45 off... actually this one gets moved over and there are essentially...

1 **COMMISSIONER LOWELL** – Correct, but there is only going to be two on
2 Cottonwood.

3
4 **APPLICANT LORD** – Right because this one currently is in only, because at the
5 moment if this used; unfortunately it gets in the way of stacking of the other two
6 driveways and in the final build out, what we have created are some longer
7 drives, which makes better stacking space, which makes better parking
8 alleviation and having a driveway so close to a corner is really a conflict and
9 engineers just don't like it when they are that close.

10
11 **COMMISSIONER LOWELL** – But there is one parking that just stands by itself
12 that only has one inlet and one outlet. Wouldn't it be a better design or layout if
13 the building that is proposed on the northwest be rotated and put in place of that
14 parking lot, so St. Christopher would only have two driveways? It is kind of...
15 yeah, it would make the neighbors on that street have less traffic by default
16 because there would be no access.

17
18 **APPLICANT LORD** – You know that is one of the scenarios that we looked at
19 long ago, but when we take down this building and put the new one in; actually
20 we're going to create an emphasis on the corner and the idea is to create a big
21 gathering space in between the buildings rather than off to the side, where you
22 do get the fellowship; where you do get the connection between the two
23 structures. When it is isolated here and the front door is there and what happens
24 after mass, everybody runs for their cars and if we can create more of a social
25 aspect, traffic exits on a more predictable and less frantic basis. There is less
26 congestion and we would prefer it in the corner. One is a marker of the parish
27 itself and then two, to create a big social space in between the for a big gathering
28 space.

29
30 **COMMISSIONER LOWELL** – So we're having a gathering space to overlap
31 between services, so we have more people being in attendance an issue?

32
33 **APPLICANT LORD** – It doesn't happen that way. It's just what is most
34 accommodating or perhaps is when there is a wedding or when there is a funeral
35 and you are going to have the reception in the hall afterwards, this makes that
36 comfortable transition space where you are not crossing cars. You are actually
37 going in between the spaces comfortably, so we try to link them up on a campus
38 basis and then the parking becomes less important in terms of the overall
39 circulation. This is a nice little lot that will support on a daily basis the
40 administrative end of things, so to us it made sense to be an isolated element
41 that would serve that day to day to function.

42
43 **COMMISSIONER LOWELL** – Okay

44
45 **APPLICANT LORD** – Thank you
46

1 **CHAIR VAN NATTA** – This closes our Public Comment portion of the meeting
2 and at this point we are going to into Commissioner Discussion. You can be
3 last; okay?
4

5 **VICE CHAIR GIBA** – Okay Meli
6

7 **COMMISSIONER SIMS** – Okay, I will start this off then. I just want to say I
8 applaud the St. Christopher’s leadership to deal with... it sounds like there hasn’t
9 been a lot of improvements being kind of developed over time and the sanctuary
10 and then you’ve kind of picked off buildings and property as it cobbled together
11 what you have today, so I do applaud the efforts to deal with the drainage issue.
12 I think that is part and parcel that comes with improving the property. I am
13 concerned though about... and I also applaud trying to work on dealing on
14 improving the traffic circulation on Cottonwood and Perris. I’m not a Traffic
15 Engineer but a Civil Engineer and not a Traffic Engineer, so you’ve got to trust
16 the recommendation are the best that would be available to mitigate the traffic
17 situation that is there, but I am concerned about the lack of parking, but I do
18 understand that it is what it is; that the current code has allowed this to happen,
19 so we have an illegal but compliant... is that the term?
20

21 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – No it
22 would be the code that was in place was in 1984, but as we’ve gone through this
23 discussion, even it was coming in today...
24

25 **COMMISSIONER SIMS** – Brian helped me out... it is legal but not compliant. Is
26 that what we are saying?
27

28 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well I
29 think... we don’t have the calculation of the pew lengths but based on the square
30 footage that came if it came today it would be compliant. Through this whole
31 discussion we’ve had tonight, we’ve run new calculations and it actually does
32 meet it as far as using only one building at a time. What appears to happen now,
33 they are using more than one building.
34

35 **COMMISSIONER SIMS** – Okay I guess my think is I’m trying to get my head
36 wrapped around all of this and keep my eye on the ball. I understand the Staff
37 Report. We’re not adding occupancy or capacity to any of the approvals of any
38 of these recommendations. They are just improving the facility to make it more
39 user friendly for the parishioners. I get that, so there is no trigger in any of the
40 actions of these requests for approvals to trigger a condition to say no, you need
41 to go do 300 new spaces or something like that. I get that, so having said all
42 that, I like the idea there are improvements for the drainage. I like that it will be
43 an upgrade for the neighborhood.
44
45

1 My personal sticking point in this is no good deed goes unpunished type of rule.
2 I see the good that is trying to be done here. It still sticks with me though that the
3 phasing is inappropriate for what we have here to deal with the neighborhood
4 concerns and that all boundary conditions should be in phase one. There can be
5 discretion in how to spend money on building improvements internally with the
6 facility. I think there is a co-existing use with residential and with the church so
7 that if the church is going to proceed forward and it probably will be there forever
8 and ever. It is not probably going to go away at any time in the foreseeable
9 future, so I would suggest the church do a good deed, revise their phasing to
10 accommodate all the improvements including the easterly wall; make that
11 improvement and get that done; do the drainage and the street traffic things and
12 then start working internally.

13
14 A couple of technical questions that I had for Staff was on this phasing is there a
15 way to if that is a financially not feasible, is there a way to condition or require
16 bonding for some of these improvements, because there is a tract map that is
17 being approved with this. Why couldn't if like there is the wall... well bonding
18 would only be for the public improvements, so at a minimum I would expect
19 everything that was in the public right-of-way that is a public improvement would
20 have to bonded for with the first phase at a minimum; better would be it all
21 constructed and the other thing that I would request also is that I'm suggesting a
22 continuance to allow these people to come back and kind of get a sense. I'm
23 sure my fellow Commissioners will have other things to talk about... is to come
24 back with more of a specific schedule for when these improvements will be... If
25 there was bonding it would encourage them because it would cost them a bond
26 premium every year to keep that in place, so it gives them some incentive to
27 move and not just not do it. Anyhow, those are my comments. Thank you.

28
29 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Oh
30 just to answer your question. Phase one I think includes all the perimeter
31 improvements except for the bus bay and the easterly wall and the raised
32 median, so were you anticipating all those or just the easterly wall?

33
34 **COMMISSIONER SIMS** – I would do every one of those. I would do all of the
35 east wall. I'd do the median. I would do everything. Right away there should be
36 a standing good neighborly effort to say yeah... we're not going to... we already
37 have...there is a pre-existing... if not approving this today is not going to stop the
38 200 cars that park on Cottonwood in the dirt thing. That is an enforcement thing
39 or something that the property owner gets tired of having trash on his property or
40 what not. They can come and deal with that; put up a fence around the property
41 or do something. Anyhow we're not going to fix that problem with anything we
42 are doing here today. I'm just saying if there is a problem the church should
43 recognize it. The first thing they should try to do is to mitigate that.

44
45 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right
46 so if all those... offsite improvements can be bonded for but if they are

1 constructed obviously there is not a need necessarily for bonding but I'll defer to
2 Clement to answer exactly how that is done. So offsite improvements there can
3 be a bond or there can be construction, but the assumption with whatever you
4 include in phase one is that it will be actually be constructed prior to occupancy; it
5 will actually be there. That is the assumption that all the improvements in phase
6 one will be there. If they are not there, there is certainly the potential, but we
7 really use it very sparingly and for very short periods for somebody to get a
8 temporary Certificate of Occupancy based on bonding, so it can be done. We
9 can work with the church.

10
11 If at the time of Certificate of Occupancy and they are not quite there so that can
12 be done, that is just the way construction operates already, so there is not
13 special conditions that are required for that. The onsite wall; we don't really have
14 a way... the only bonds we've done for onsite improvements is a cash bond, so
15 that obviously makes more sense just to build it then to provide a cash bond,
16 because that is very expensive, but certainly that is still an option. So I think the
17 main thing is if you want to require those things, that is something that the parish
18 would have to consider if they would accept those conditions and whether that
19 requires a continuance or they are willing to do that tonight. That is a question
20 for them.

21
22 **COMMISSIONER SIMS** – Yeah I get the sense in the phasing that a portion of
23 the 600 feet of the easterly wall is already conditioned in phase one. I don't know
24 how many linear feet that is, so if somebody could...

25
26 **ASSOCIATE PLANNER DESCOTEAUX** – It's 200

27
28 **COMMISSIONER SIMS** – So 200, so you are looking at tripling the cost of that
29 wall. I'm not talking about dollars. Dollars are dollars. I get it. So I get that and
30 then I'm not sure what the additional costs are for the bus turnout and I'm not as
31 concerned about the bus bay myself, but I think the raised median and
32 completion of all the street improvements and the drainage and closing off the
33 walls seem to be paramount in my; just closing off the boundary and they can
34 work internally and do whatever they want.

35
36 **COMMISSIONER LOWELL** – I appreciate what the parish and the church is
37 doing proposing these improvements. I think it will be marked improvement for
38 St. Christopher to put the cul-de-sac in. I think the detention basin or retention
39 basin will eliminate any concerns that the residents have concerning the flooding.
40 I do have major concerns about the parking issue as everybody around here
41 does. Parking is just outrageous. I drive Cottonwood on the weekends going to
42 and from my family's houses and it is a nightmare driving that street, so anything
43 the church can do to help to reduce traffic or improve the parking would be
44 greatly appreciated. We were talking earlier about the Conditional Use Permit
45 about allowing one building to be occupied or used at a time, however, about 10
46 or 15 minutes ago when we were talking to the Applicant, they were saying that

1 there is a parish hall that they encourage the people attending the church to go
2 from the sermon to the parish hall to kind of hang out and congregate, but I'm
3 assuming and I believe they'll be hanging out longer than the couple of hours
4 between services, so I have a feeling there is going to be some overlap between
5 service A and service B or service 1 through service 9. It seems that the intent of
6 the Conditional Use Permit will eliminate the problem, but the implementation of
7 the permit might be difficult and the parking situation is only going to get worse.

8
9 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah
10 the Applicant can probably clarify that, but I understood that to be when they
11 what we'd call a special event like a funeral or a wedding where they are in
12 essence renting both sides. You'd go to the service and then you'd go to the
13 after or the reception and it is in fact the same people at different times of the
14 day, so obviously that in essence they would be occupying one building and then
15 occupying another building, so they wouldn't be occupying both buildings at the
16 same time. That is the intent of our condition. There is always a practical issue.

17
18 **COMMISSIONER LOWELL** – There was a couple of other things that I had
19 questions on. One of the public commenters; Eugene; he mentioned that in his
20 closing statement that there is going to be a sidewalk proposed on the northerly
21 side of Cottonwood, but I don't see that anywhere here.

22
23 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – He
24 can clarify but I think he meant on the north side of their property.

25
26 **COMMISSIONER LOWELL** – Just double checking because that would be a
27 marked improvement but I didn't see that anywhere. I had comments about the
28 infiltration rate of the basin. Will that in fact draw down in 48 hours? Do we know
29 what the infiltration rate is?

30
31 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Yes I'd have to look it up but it
32 is in the drainage study.

33
34 **COMMISSIONER LOWELL** – But the math does work out that it will draw down?

35
36 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Yeah according to the
37 calculations and there were six test sites; test samples that were taken and the
38 average was used as the infiltration rate.

39
40 **COMMISSIONER LOWELL** – Yeah were all six of those within the basin or just
41 across the whole site?

42
43 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Within the whole basin

44
45 **COMMISSIONER LOWELL** – Okay and then the tank; they don't draw a CEQA
46 problem? I think we addressed that earlier?

1 **INTERIM PLANNING OFFICIAL ORMSBY** – Right, well based on what has
2 been placed on the record, we don't feel there would be a need to modify CEQA
3 at this point. Basically it is covered through other State and Federal Regulations.
4

5 **COMMISSIONER LOWELL** – And there are fail safes involved if something does
6 come up and the soil is contaminated they'll have to fixed regardless of this
7 project?
8

9 **INTERIM PLANNING OFFICIAL ORMSBY** – That's correct
10

11 **COMMISSIONER LOWELL** – That was pretty much it. I appreciate it. Thank
12 you very much.
13

14 **COMMISSIONER BAKER** – This is a monumental project. I was doing some
15 figures on the total square footage when this builds out. It is 60,187 square feet;
16 all the buildings. That's a bunch of square footage, but the parking concerns me
17 a lot and I don't know... I wish I had the magic potion in my back pocket. I guess
18 there is no chance of buying that property across the street and dedicate that
19 as... you know the one they're using illegally and that takes money too, so I think
20 the drainage deal, we've probably got that resolved. It is just the parking deal
21 that really bothers me a lot. I don't know how to get around that to be honest
22 with you. It is a big facility. When it builds it is going to be over 60,000 square
23 feet of buildings there to deal with. That's all I've got on it.
24

25 **VICE CHAIR GIBA** – I think we've pretty much beat his one up pretty much the
26 same way I've come out. That's why I've been sitting here quietly listening to
27 what everyone had to say. I appreciate exactly what they said. It is wonderful
28 and it is marvelous the church is growing. Churches also have to think ahead of
29 the community that they are in. If you are already parking on these lots on the
30 outside, it appears to me that you already have exceeded your parking capability
31 on that site. That is a big problem to me also. Brian mentioned and it was the
32 same thing I was looking at. It almost looks as if you are sacrificing St.
33 Christopher Lane at the expense of Cottonwood with three entrances and exits
34 versus Cottonwood and those folks are already impacted tremendously by the
35 traffic coming in and out. Parking and the traffic. I get it.
36

37 You are doing a marvelous job trying to work as good neighbors but here is my
38 concern. You may have already exceeded the capacity of the property that you
39 are sitting on and it may be that what you are trying to do exceeds the ability of
40 the property that you have to do it. You may have to reconsider; at least
41 something that I would think, that maybe everything you want to do here at this
42 site is not necessarily what you can do or should do. I know there are lots of
43 other churches around Riverside County and eventually what they do when
44 they've exceeded their area of their parking and everything; they acquire new
45 land or they have satellite campuses or they build entirely new sanctuaries and
46 so I am concerned and I didn't do the square footage, but when Commissioner

1 Ray just did that, now it really makes me think. You already have exceeded what
2 you have and I applaud for all the rest and I know there are concerns about the
3 drainage and this catch basin, I have to defer to my more knowledgeable
4 colleagues that if this is really going to work, it is a good plus for the residents in
5 the area that is true. We have a problem with your parking and we have a
6 problem with the streets and St. Christopher Lane and I've never seen and I've
7 been here now for over two years and I have never seen this many people turn to
8 say I'm concerned about something. When I see that, then I see concern about
9 something, so you've already said all the... they've already said pretty much the
10 rest. I'm concerned about the amount of traffic, the amount of parking. You've
11 got nine services and you are still exceeding your parking capacity. I think that is
12 something that you really need to look at. That's all I have to say.

13
14 **CHAIR VAN NATTA** – I'm going to say something a little different. You guys
15 already said all the negative stuff. I'm looking at this and I'm thinking when you
16 are looking at it in terms of first do no harm and improve what you can and so
17 forth, the church is already there. There is already a problem with parking.
18 There is already a problem with the street flooding and with the people parking
19 where they shouldn't and the trash and everything else like that and I'm looking
20 at this in terms of you can make all the plans for all the phases that you want.
21 The only phase that we are looking at right now that we know could be
22 completed is going to be completed is phase one. You may never get to phase
23 two. You may never get to three, four or five. I mean I've seen a lot of plans.

24
25 Even the church that I go to, there is you know plans for how we're going to
26 develop the entire campus there and what they're going to put where and where
27 the gymnasium is going to go and where this is going to go and all that kind of
28 stuff. It doesn't mean it is going to get done. I think what we have to be careful
29 about as Planning Commissioners is looking at this in terms of that there are
30 deep pockets that of course you can do all of these things in the first phase
31 because after all look at how many people go there. When you are looking at a
32 church as opposed to a commercial establishment people don't necessarily buy a
33 ticket to walk in the door. There a lot of people who are being served by the
34 parish. A lot of people are going there to worship that maybe don't have the
35 money to contribute towards the upkeep and the expenses and so forth. If they
36 are struggling financially like a lot of people still are, you know what are they
37 going to do, make their contribution to the church or buy milk for the kids. You
38 know it doesn't necessarily mean that because there is a lot of people there, that
39 there are a lot of funds available to do it.

40
41 What I see here, just looking at phase one, is something that is a definite
42 improvement over what they have now, without adding to the capacity of the
43 number of people that are there. Phase one all on its own is going to take care
44 of a lot of the problems on St. Christopher Street. It is going to take care of a lot
45 of the perimeter problems. It is going to take care of the retention basin which is
46 going to eliminate the flooding problem. There is a lot of improvements there that

1 without adding a single parking spot, although I'd love to see more parking and I
2 think they really, really need it, there is a point at which the sheer volume of
3 people starts to constrict the growth. When people want to go to church and they
4 can't find a parking space, there is going to be a certain number of people that
5 start thinking well maybe I should go across town to the other church or maybe I
6 should go to Perris and as was mentioned earlier, there are plans for expansions
7 at other churches in the area and maybe some of these people will start going
8 there.

9
10 At some point the press of the number of people and the amount of parking and
11 everything like that is going to be somewhat self-limiting on its own, but what
12 we're looking at since we are not increasing the capacity of the seating and so
13 forth in phase number one here and it is doing a tremendous amount of
14 improvements to the property, I think we should let it go ahead the way it is. It is
15 not like they just walked in here with a plan and slapped it down in front of us.
16 This is something that has been going through the process for a long time. It's
17 had the Traffic Studies and the Engineering Studies and the soil studies and you
18 know all these other studies done on it. We can't sit here as much as we'd like to
19 and say because we saw that there is a problem with the parking, we want you to
20 have more parking than what would be required of any other building under the
21 code, unless we change the code and say okay now we're going to change the
22 code and we are going to require this much parking for this much square footage.
23 If the square footage; if it meets the codes and they've met the code, you know
24 then yes parking is going to be a problem. It is not going to be more of a problem
25 than it already is and if they address the concerns on St. Christopher Lane; they
26 are going to eliminate the flooding problems; they are going to eliminate the
27 parking problems there.

28
29 The rest of it comes down to the leadership at the church addressing the other
30 problems that come out of just having a lot of people there. You have people
31 who are going to park illegally. That should be dealt with by the church, by the
32 leadership, with their own parishioners and should be policed that way. You
33 mentioned the big church that you go to. I've been there too and they have
34 people out there directing traffic, showing people where to park, and patrolling
35 the parking areas and everything else like that. There is no reason why any
36 church couldn't do the same. If you have a parking problem, address it. That
37 can be an internal issue that can be addressed. Who is it affecting more than
38 anyone else... not just the people out in the neighborhood, but the parishioners,
39 the reputation of the church, the reputation within the neighborhood and
40 everything else like that? If I sound like I'm preaching a little bit, I guess maybe I
41 am. But I think the project itself is a good one and well thought out with as most
42 efficient use of the land that is available. If it gets to the point where that is not
43 enough land, that is going to be a decision of that church or the diocese or
44 whoever makes the decision to say we either buy more land, trade off with the
45 City yard and buy them something someplace else, buy the land across the

1 street for additional parking or we move to someplace where there is more room
2 or whatever it is.

3
4 Actually that is probably one of the least attractive options for this particular
5 church because it is located in the center of town where there is a lot of people
6 who go that probably find it difficult to go across town. There are a lot of people
7 who go there who walk because they live in the neighborhoods nearby, so
8 anyway I think the control of the population, the control of the people who are
9 members of that parish, should rest with the church leadership and I think this is
10 an improvement on what is currently there and should be approved. Are there
11 any other comments? Are we ready to make a motion and take a vote?
12

13 **COMMISSIONER LOWELL** – I did have one question really quick just to John;
14 just two seconds. If we approve tonight; that's phase one, then phase two, three,
15 four and five still have to come back for further review; correct?
16

17 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well if
18 you approve the project as proposed you are approving all the phases, but there
19 are no buildings actually...there is only footprints, so the buildings would come
20 back. Under the current set of conditions of approval they would be reviewed at
21 Staff level, so that would be a change in the conditions if you wanted them
22 physically to come back to you, but the Master Plan tonight is all the phases as it
23 is currently proposed.
24

25 **COMMISSIONER LOWELL** – Thank you
26

27 **CHAIR VAN NATTA** – And if it is going to change for some reason as they go
28 along and their plans morph and there is going to be something different, then
29 that might need to come back for an approval?
30

31 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes,
32 when Master Plans... it has happened in shopping centers a lot more than
33 churches, but it has happened in churches also. When they fundamentally
34 change it; you know they move buildings from one end to the other; they increase
35 the size of the buildings then that would be something that would need to come
36 back to the Planning Commission because that is above and beyond what you've
37 authorized Staff to review.
38

39 **CHAIR VAN NATTA** – And other than that, everything would have to meet
40 whatever the building codes are for whatever they are going to put, including
41 drainage and all that kind of stuff?
42

43 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right,
44 at the time when they do it.
45

1 **COMMISSIONER SIMS** – I have a little difficult time... I agree with the improved
2 project with phase one is a good project. I do have an issue approving the
3 conditions as recommended in the absence of bonding for all public
4 improvements in all phases. I think we've heard enough complaints from the
5 area residents around this that there is recognized problems here with the traffic,
6 the parking and the what-not; the drainage and we need to have some hook to
7 require that there is bonding for all public improvements with all the phases.

8
9 **CHAIR VAN NATTA** – Do you not think that the improvements in phase one are
10 going to address most of what the residents' concerns were other than the fact
11 that there is just too many cars?
12

13 **COMMISSIONER SIMS** – I think in phase two when you have improvements on
14 Cottonwood where there is going to be median; I think that needs to be done.
15 Any of the improvements on public property should be bonded with initial
16 bonding. It is just one of those dollars will get spent elsewhere and not get done.
17 That is just my... I'm sure people have great intentions at the beginning, but you
18 know things come up and so I can't... I don't know what all these conditions are,
19 but I would recommend anything that requires work within public right-of-way that
20 is an improvement with any of the phases be done with the first phase and
21 bonded for.
22

23 **VICE CHAIR GIBA** – Can that be made a condition?
24

25 **CHAIR VAN NATTA** – I think it takes a really big chunk to include everything that
26 is in phase two though, because that is where they are talking about those things
27 would not be done until they are building the new parish hall...
28

29 **COMMISSIONER LOWELL** – Not everything, just the public improvements
30

31 **COMMISSIONER SIMS** – Just the public improvements
32

33 **COMMISSIONER LOWELL** – The landscaped median, the bus bay, a couple of
34 little odds and ends
35

36 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – Yeah I
37 guess I've got a question. I'm not quite sure what is gained by bonding for
38 something, because basically they would just have to pay the bonding fees for a
39 period of time and they would eventually have to come up with the cash to
40 actually build it, so...
41

42 **VICE CHAIR GIBA** – John, can we add those in as conditions to the first phase;
43 you know that they do all those public improvements? I have a hand back there
44 so I'm sorry Meli...
45

1 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – Yeah I
2 think the idea is if you want to have them construct it as part of phase one then
3 that is something that the Applicant would have to consider.

4
5 **CHAIR VAN NATTA** – That is going to pretty much stretch out phase one. I
6 mean it's like you can say let's put phase one and phase two together and that
7 becomes the new phase one and then it just takes a lot longer to get it done.

8
9 **APPLICANT LORD** – One of the other improvements that is offsite or a public
10 improvement includes undergrounding the power on Cottonwood, which is a
11 huge chunk. That is a half million bucks and we just can't do that in phase one
12 and it is part and parcel of doing the improvements on Cottonwood, because you
13 can't... it wouldn't be logical to do one without doing the other and so that is why
14 we worked with City Staff to incrementally to be able to accomplish each of these
15 phases in increments that could be affordable. To pile it all on the first phase, it
16 is going to be a near impossibility. All the money we'd spend on the bond fees
17 could be put into doing the project and...

18
19 **CHAIR VAN NATTA** – That was kind of my thought too and I don't know if you
20 want to throw out the baby with the bath water here by just adding so much
21 restrictions to it, that they can't move forward with the improvements that the
22 residents in the area will benefit from, which are the street improvements on St.
23 Christopher Lane and the retention basin and...

24
25 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – Just
26 to clarify, the bus bay then requires the undergrounding, so that's where a
27 relatively small public improvement costs a lot more money than we anticipated
28 because obviously the undergrounding is much more expensive than the bus
29 bay. I'm not sure about the median. That is a different issue.

30
31 **CHAIR VAN NATTA** – I think there was a lot of thought into as he said on how
32 these were split into the phases to make them steps that could be taken one at a
33 time, where the entire project would just be too big to bite off all at once.

34
35 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – I'd
36 agree because obviously the phase one is primarily offsite improvements even
37 as it is currently proposed.

38
39 **CHAIR VAN NATTA** – And it also takes care of the issue that I guess you were
40 saying something about there was an issue with using a residential property as
41 office and having to modify that and that was something that the City needed
42 them to do and that is part of phase one.

43
44 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – That's
45 correct

46

1 **VICE CHAIR GIBA** – Is it phase one or two; or what did you say only a partial
2 wall on the east side?

3
4 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – That’s
5 correct. It is 200 feet.

6
7 **VICE CHAIR GIBA** – 200 and I think you said it was 600 feet across there. Is it
8 possible that that whole east wall could be completed in phase one? Is that a
9 possibility to satisfy the neighbors concern?

10
11 **CHAIR VAN NATTA** – Commissioner Giba, I think that was really clarified earlier
12 when he was saying that if the plans at some point get changed for the final
13 development in phase four and five on those other buildings that that might
14 change the placement of that wall.

15
16 **VICE CHAIR GIBA** – I heard what he said; yeah

17
18 **COMMISSIONER LOWELL** – Commissioner Van Natta... (Inaudible) take it to a
19 vote?

20
21 **CHAIR VAN NATTA** – Yeah let’s go ahead and take it to a vote

22
23 **COMMISSIONER LOWELL** – I would like to place a motion. I’d like to motion to
24 **APPROVE** Resolution No. 2013-21 and thereby:

- 25
26 1. **ADOPT** a Negative Declaration for PA13-0002 Tentative Parcel Map
27 36522 pursuant to the California Environmental Quality Act (CEQA)
28 Guidelines; and,
29
30 2. **APPROVE** PA13-0002 Tentative Parcel Map 36522 subject to the
31 attached conditions of approval included as Exhibit A.

32
33 **CHAIR VAN NATTA** – Do we vote on both of them together?

34
35 **CITY ATTORNEY BRYANT** – You can do them separately

36
37 **CHAIR VAN NATTA** – Or together... let’s just do them all together because it is
38 all part of the same thing.

39
40 **COMMISSIONER LOWELL** – Okay then I also recommend **APPROVAL** of
41 Resolution No. 2013-26 and thereby:

- 42
43 1. **ADOPT** a Negative Declaration for P12-051 Master Site Plan, Amended
44 Conditional Use Permit, pursuant to the California Environmental Quality Act
45 CEQA Guidelines; and,
46

1 **2. APPROVE** P12-051 Master Site Plan, Amended Conditional Use Permit,
2 subject to the attached conditions of approval included as Exhibit A.

3
4
5 **CHAIR VAN NATTA** – Do we have a second?

6
7 **CHAIR BAKER** – Second

8
9 **CHAIR VAN NATTA** – It has been moved and seconded and will this be a voice
10 call vote?

11
12 **ASSOCIATE PLANNER DESCOTEAUX** – Could we say as amended with the
13 revised conditions of approval?

14
15 **COMMISSIONER LOWELL** – Oh... also to approve the revised conditions of
16 approval.

17
18 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah,
19 as amended is fine.

20
21 **COMMISSIONER LOWELL** – As amended

22
23 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Is that
24 okay with the second?

25
26 **COMMISSIONER BAKER** – Yes, second

27
28 **CHAIR VAN NATTA** – Okay it has been moved and seconded.

29
30 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And it
31 is up to you. We can do either voice vote or roll call.

32
33 **CHAIR VAN NATTA** – Let's do a voice vote...excuse me, a roll call vote

34
35 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes

36
37 **COMMISSIONER SIMS** – I am going to vote yes... reluctantly on this one. I
38 think it is inadequately bonded for myself; the conditions.

39
40 **VICE CHAIR GIBA** – Hesitantly; yes

41
42 **CHAIR VAN NATTA** – Yes

43
44 **COMMISSIONER BAKER** – Yes

45
46 **COMMISSIONER LOWELL** – Yes

1 **CHAIR VAN NATTA** – Okay the motion and can we have a wrap up.

2
3 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes the approval will be final
4 unless it is appealed to the City Council within 15 days.

5
6
7
8 **OTHER BUSINESS**

9
10 **CHAIR VAN NATTA** – Okay do we have any Other Business?

11
12 **INTERIM PLANNING OFFICIAL ORMSBY** – There is no Other Business.

13
14
15
16 **ADJOURNMENT**

17
18 **CHAIR VAN NATTA** – Okay if there is no Other Business then I'll entertain a
19 motion to adjourn.

20
21 **COMMISSIONER SIMS** – I'll make that motion.

22
23 **CHAIR VAN NATTA** – Oh when is our next meeting, that's right; sorry?

24
25 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes I was going to mention that
26 under Staff Comments. That was actually the next item, but under Staff
27 Comments, yes; the next meeting is November 14th, 2013. There are three items
28 currently scheduled. One is the review of the Draft State 60 Highway Corridor
29 Study. The second is a Special Plan Amendment at Town Gate Specific Plan,
30 which I mentioned last time which is a very minor amendment to some language
31 pertaining to housing and then finally an eight lot Tentative Tract Map for Habitat
32 for Humanity, which had an event today actually out at the site.

33
34 **CHAIR VAN NATTA** – They had kind of like a ribbon cutting or something today
35 or some sort of dedication.

36
37 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes that's correct. That's
38 concludes Staff's comments.

39
40 **CHAIR VAN NATTA** – Thank you. We are adjourned.

41
42
43
44
45
46 **SIGNATURE PAGE FOLLOWS:**

1 **SIGNATURE PAGE:**

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22

Chris Ormsby
Interim Planning Director

Date

Approved

Meli Van Natta
Chair

Date

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1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 NOVEMBER 14TH, 2013

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
15 **ROLL CALL**

16
17 Commissioners Present:

18 Chair Van Natta
19 Vice Chair Giba
20 Commissioner Baker
21 Commissioner Lowell
22 Commissioner Ramirez
23 Commissioner Sims

24
25 Staff Present:

26 John Terell, Community & Economic Development Director
27 Chris Ormsby, Interim Planning Official
28 Mark Gross, Senior Planner
29 Kim Kruger, Applications Analyst
30 Michael Lloyd, Senior Transportation Engineer
31 Randy Metz, Fire Marshall
32 Suzanne Bryant, City Attorney

33
34
35
36 **PLEDGE OF ALLEGIANCE**

37
38
39
40 **APPROVAL OF AGENDA**

41
42 CHAIR VAN NATTA – Okay Commissioners you’ve had an opportunity to review
43 the Agenda. Do we have a motion to approve?

44
45 COMMISSIONER BAKER – I’ll move to approve the Agenda as written

1 **VICE CHAIR GIBA** – I'll second

2
3 **CHAIR VAN NATTA** – Okay, moved and seconded. All those in favor?

4
5 Opposed – 0

6
7 **Motion carries 6 – 0**

8
9 **CHAIR VAN NATTA** – Okay the public is advised that the procedures to be
10 followed in the meeting are posted in the back of the room. At this point we are
11 going to begin with comments from the public on any matter which is not listed on
12 the Agenda but is within the subject matter jurisdiction of this Commission. Do
13 we have any Speaker Slips? First is Christopher Baca.

14
15 **SPEAKER BACA** – Good evening Commissioners. My name is Chris Baca. I'm
16 a member of the community. Basically I'm just here to introduce myself. I'm
17 really interested in the type of work you do. I have a background in architecture
18 and urban planning, so I haven't been able to really look into a lot of the stuff that
19 you've been working on, but I find it very interesting and I see you've done a lot
20 of good work. I think a lot of people appreciate the type of work you are doing
21 and I'm just here to say keep up the good work and we know you are very high
22 caliber type of individuals that will make the right decisions contrary to any
23 controversy from people that may not be qualified. Thank you.

24
25 **CHAIR VAN NATTA** – Thank you very much for your comments. We have Bob
26 Palomarez.

27
28 **SPEAKER BOB PALOMAREZ** – Good evening Commission. I just want to say
29 that I appreciate all the work that you do. I know that your job as Commissioners
30 isn't easy and at times it is met with a lot of controversy, however you are very
31 thorough and professional with the decisions that you make. This City is better
32 off for that and I honestly and truly say that. You are doing a great job and just
33 keep it up. I thank you.

34
35 **CHAIR VAN NATTA** – Thank you for your comments and Louise Palomarez.

36
37 **SPEAKER LOUISE PALOMAREZ** – I'm Louise Palomarez. I too say that this
38 Commission is doing a good job. You know a lot of people say wow, we're not...
39 you know the plan in the beginning. That plan wasn't etched in stone. Things
40 change. We've got a lot more people here. We've got a lot more things
41 happening here and things are changing. We have to change too. We can't stay
42 the same, so the decisions you make. I think you know what you are doing and I
43 commend you and it's a hard job but stay the course and keep up the good work
44 and I support you. Thank you.

45
46 **CHAIR VAN NATTA** – Thank you very much.

1 **NON-PUBLIC HEARING ITEMS**

2
3 **1. Recognition of Former Planning Commissioner Amber Crothers**
4 **2 Years of Dedicated Service**

5
6 **CHAIR VAN NATTA** – We’re going on now to an item that is a Non-Public
7 Hearing Item; recognition of one of our Former Commissioners. Is Amber
8 Crothers here? There she is in the back. I don’t know if we have a microphone
9 here but can everybody hear me? I just wanted to say thanks for the two years
10 that you spent....Thank you very much for the two years that you spent on the
11 Planning Commission. Your input was very valuable and very welcome and we
12 sorely miss you. Is there anything you want to say?
13

14 **FORMER PLANNING COMMISSIONER CROTHERS** – Yes thank you very
15 much. I appreciate the opportunity that I was given when I was appointed to the
16 Planning Commission. I hope I took everything that you know that was said and
17 it is nice to see the public here and making good comments. You know any
18 comments are appreciated and I know that my fellow Planning Commissioners
19 appreciate them also. I want to thank the Staff for putting in all the work they put
20 in and helping us along in the process and I miss you guys also, so keep up the
21 good work.
22

23 **CHAIR VAN NATTA** – Thank you
24

25 **FORMER PLANNING COMMISSIONER CROTHERS** – Thank you
26

27 **CHAIR VAN NATTA** – Now we are just waiting for the Council to appoint a
28 replacement so we have somebody to fill the last chair down there and hopefully
29 it will be somebody as accomplished and caring as Ms. Crothers.
30
31
32

33 **APPROVAL OF MINUTES**

- 34
35 **1. July 11th, 2013**
36 **2. August 22nd, 2013**
37 **3. September 26th, 2013**
38

39 **CHAIR VAN NATTA** – The next item on the Agenda is the Approval of Minutes
40 and we have minutes that have been published and handed out to all the
41 Commissioners for July 11th, August 22nd and September 26th, 2013 and we’ll
42 consider them as a group. Are there any corrections to the minutes?
43

44 **COMMISSIONER RAMIREZ** – Yes for the September 26th, 2013 meeting, page
45 115 line 39 where it says Commissioner Giba, that was actually Commissioner

1 Ramirez nominating Commissioner Giba. Well I was going to nominate
2 Commissioner Giba, I think he would do a great job.

3
4 **CHAIR VAN NATTA** – So Commissioner Giba did not nominate himself. Okay
5 another corrections?

6
7 **VICE CHAIR GIBA** – Yes on page 58 of August 22nd, I am quite sure
8 Commissioner Giba did not usurp Ms. Van Natta’s responsibilities and say okay
9 we have a motion and a second, all in favor. That was page 58 of August 22nd.

10
11 **CHAIR VAN NATTA** – Maybe they just did Commissioner Giba because it is a
12 shorter name and it is easier to type. Okay any other corrections? I would
13 entertain a motion to approve as amended.

14
15 **VICE CHAIR GIBA** – I move to approve as amended.

16
17 **COMMISSIONER RAMIREZ** – Second

18
19 **CHAIR VAN NATTA** – Okay we have a motion and a second. All in favor?

20
21 Opposed – 0

22
23 **Motion carries 6 – 0**

24
25
26
27 **PUBLIC HEARING ITEMS**

28
29 **1. Case Description: P11-061 Specific Plan Amendment**

30
31 **Case Planner: Mark Gross**

32
33 **CHAIR VAN NATTA** – Our first item under the Public Hearing Items is Case
34 P11-061 Specific Plan Amendment. The applicant is the Fritz Duda Company
35 and Case Planner is Mark Gross and would you like to give us an overview of
36 this please.

37
38 **SENIOR PLANNER GROSS** – Yes I would. Good evening Chair Van Natta and
39 members of the Planning Commission. The Applicant and property owner of the
40 Town Gate Shopping Center, Fritz Duda Company is proposing a Specific Plan
41 Amendment to the existing Towngate Specific Plan and that would be SP200.
42 The area consists of an approximate 11.3 acre portion of land. It is actually
43 within a 590 acre area which is called the Towngate Specific Plan and that is
44 within planning area 7 and the general location is Eucalyptus Avenue, Memorial
45 Way and Gateway Drive. Modifications for the proposed 6th amendment to the
46 Towngate Specific Plan includes the addition of hotels, senior housing and

1 assisted living facility uses into the Office Commercial Land Use District. As I
2 mentioned, we are looking at a little over a 11 acre site that is currently vacant as
3 we speak and besides the integration of these three items, the Specific Plan
4 Amendment is also looking at the addition of development and parking standards
5 for the proposed uses that are being put into that Specific Plan. What I want to
6 do is speak about the consistency about how we are going to look at these items
7 compared to what we have in our Municipal Code and again we're talking about
8 three items; hotels, senior housing and assisted living. Now hotel uses; the
9 Municipal Code is conditionally permitting the use within the Office Commercial
10 Land Use District regardless if the hotel or motel is including kitchens and in the
11 case of the Towngate Specific Plan a CUP would also be required for hotels and
12 that would include any regular or even extended stay type of hotels.

13
14 For assisted living facilities, the Municipal Code is requiring a Conditional Use
15 Permit for that use within the Office Commercial zoning category and that's what
16 we're actually doing with the Towngate Specific Plan. It will be requiring a
17 Conditional Use Permit for that use. For senior housing uses, the Municipal
18 Code is automatically permitting the use in Office Commercial land use in the
19 land use category and is suggested the use be automatically permitted within the
20 Office Commercial Land Use District within the Towngate Specific Plan. Now
21 accessory uses will also be permitted with four senior housing uses. It would be
22 permitted for both residence and possibly even the general public with square
23 footage and limitations that have been included in conjunction with the primary
24 use and some of the uses that could be provided as ancillary type uses could
25 include beauty salon, dining facilities, small scale pharmacies, small scale retail,
26 personal training and recreation type uses and again those are all ancillary type
27 uses. Now for any dining facilities that would be open to the general public,
28 additional parking for the use would be required at a Specific Plan standard of
29 4.75 spaces for every 1,000 square feet of building area. That is the requirement
30 for commercial type uses within the Towngate Specific Plan.

31
32 Now the Specific Plan is also proposing a modification to this plan to update
33 existing outdated language; accessible parking standards, handicap parking in
34 the plan and revert back to the Municipal Code Standards, so you'll see in the in
35 cross-out and underlined section that we provided. Now the Specific Plan
36 Amendment is recommended for approval based on the fact that the proposed
37 uses would provide greater flexibility of land uses within the Office Commercial
38 Land Use District and as I mentioned, the amendment is also consistent with the
39 existing Municipal Code standards of either permitting or conditionally permitting
40 the uses within like districts. Staff, just to give you an update, Staff did receive
41 two calls from the public for clarification of the amendment and once we
42 explained the amendment in detail there were no additional questions or
43 comments provided. That's concludes Staff's Report on the project and we're to
44 answer any questions that you may have. I did want to mention in addition that
45 John Loper, representative for Fritz Duda Company is in the audience this
46 evening to answer specific questions about the request and that would of course

1 be a little later on during the Applicant comments portion of the Hearing. Thank
2 you.

3
4 **CHAIR VAN NATTA** – Commissioners do you have any questions of Staff
5 regarding this?

6
7 **VICE CHAIR GIBA** – I have one. The parking; I was trying to go over the
8 parking issue with that. Is that being... now is within... because we're working
9 with assisted living facilities and we're working with senior's facilities; specifically
10 with assisted living if this approved there, I think there's a lot more requirements
11 for parking needs for this type of environment. Was that adjusted for these
12 because there is a lot more goes on in a parking area with assisted living needs
13 than in any other industrial or commercial or light commercial area.

14
15 **SENIOR PLANNER GROSS** – Well, for assisted living facilities, the
16 requirements that we are including in the code are exactly the same as what is
17 included in the General Plan or excuse me, the Municipal Code and so there
18 really isn't any change there. Actually with assisted living facilities, we have
19 found in reviewing these particular projects that a lot of times they don't require
20 as much parking as some of the other uses and in fact another opportunity for
21 this would be to provide a parking study which again is in conjunction with our
22 code requirements, they could look at the parking study and we could determine
23 exactly how many spaces would be included. They did add and I think it is .05
24 spaces per unit, so that is a little bit different; you're right, because I think the
25 code requires it just to be handled by a parking study, so this gives them the
26 opportunity to look at either/or, but what we have found, like I say is that the
27 parking needs for this particular use would be slightly limited because of the fact
28 that not a lot of people are driving vehicles that would actually be within these
29 facilities. There would be people of course visiting, but there would not be actual
30 the residents using a lot of vehicles back and forth.

31
32 **VICE CHAIR GIBA** – Well the reason I ask because my experience with assisted
33 living facilities is much... (a) there is a lot more going on than what would be
34 estimated by a parking study in that I've seen a lot times where it's not just...for
35 instance I have a mother that should be in assisted living and there are a lot of
36 people that come to visit the family so they require extra parking. Sometimes
37 you have a lot of ambulances that show up, sometimes ambulatory care; you
38 might have x-ray machines and all kinds of other equipment that comes to
39 assisted facility that may not come to a regular facility. Also given the location
40 here, this is located in a very somewhat busy section of our City too, so you're
41 going to have a lot of extra traffic in those areas possibly too. I would have
42 thought maybe a study would have been very helpful for that.

43
44 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes, well
45 Mark and I'll have Mark give the details on this...
46

1 **VICE CHAIR GIBA** – Parking issues; right?

2
3 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right, but
4 we have one facility in town that has been in operation for many, many years out
5 by the County Hospital that's assisted living as we define it and they actually
6 recently doubled the number of beds they had and they didn't have to add any
7 parking. The other one is a project that Mark worked on that is now under
8 construction where we actually did a parking study on that and it indicated that
9 this .5 was sufficient.

10
11 **SENIOR PLANNER GROSS** – Yes and to add to what John just mentioned, I
12 think you were talking about the emergency facilities vehicles. In most cases
13 such as this project, this project actually does include a loading area for those
14 types of uses where those vehicles could go in and out, so it's really a little bit
15 different than what is provided otherwise, so it does add that additional parking, if
16 like you say an ambulance or something that would actually come up to the
17 facility. So it wouldn't have to actually park in stalls.

18
19 **CHAIR VAN NATTA** – But allowing that, this amended plan is not saying that we
20 have approved any particular project, that would have to come with the studies
21 and everything would be done with any particular project based on the number of
22 beds it is going to have and so forth.

23
24 **SENIOR PLANNER GROSS** – That's correct; yes. I would imagine and then
25 hopefully I'm sure the Applicant can speak to this that maybe down the line there
26 would be a possibility where they would have an actual use that would be coming
27 before this body.

28
29 **CHAIR VAN NATTA** – Are there questions of Staff, if not we'll go ahead and
30 bring the Applicant up. Okay then we are opening the Public Comment portion
31 and we'll start with the representative for the Applicant, John Loper.

32
33 **APPLICANT LOPER** – Good evening Commissioners. My name is John Loper.
34 I am with Palm Tree Communities Consulting and I'm a consultant for the
35 Applicant the Fritz Duda Company and Gateway Company, the owner of the
36 property. Just for reference, this particular piece of property I've worked on for
37 about 12 years and the Specific Plan is about 25 years old and has been zoned
38 originally for a hospital under the original Specific Plan. Obviously the hospital
39 did not come to this site when it went to another part of town and we changed
40 this when we had a desire to have the front portion that faces Day Street have
41 retail components to Office. General Office would allow medical office and office,
42 but the Specific Plan for Towngate had in the Office zone some uses that are
43 allowed under the City office for Municipal Code for Office that were not allowed
44 under the Specific Plan zone including hotels, senior living and assisted living
45 and that is why we are desiring to make this change to the Specific Plan. The
46 majority of this land is behind what is now Winco and facing around the Fire

1 Station, so it doesn't have a good prospect of being a retail use and so we're
2 looking at expanding. We do not have any specific projects for this particular
3 piece of property yet.

4
5 On the question regarding assisted living, this would require a CUP under the
6 Specific Plan Amendment, so you would see this again as the Council or as a
7 Commission and in terms of the parking on this, our experience has been that a
8 majority of the people who live in assisted living do not drive anymore, so there
9 are a few residents that still have cars. Assisted living is different than nursing
10 care and assisted living under the State code has to have one caretaker for every
11 14 patients, so 14 apartments or rooms or living facilities and then there are
12 additional people that are on staff for food services and therapy and other things,
13 but we feel that the .5 is more than adequate for most of the assisted living that
14 I've personally worked on. We think that a hotel use on this site could be very
15 beneficial.

16
17 We've been very happy with the success of the two hotels that I brought in to
18 Towngate and feel as the City grows and as the economic base and jobs come
19 to the City that hotel services are very helpful for economic development. Having
20 a hotel in an area that has a lot of shopping, entertainment and things is a great
21 place to attract business people and provide hotels for people who are coming to
22 visit family on the weekends or attending events on the weekends and so we
23 think this is an ideal area to expand our ability to add additional hotel rooms over
24 the long term. We also think that senior living or assisted living could be very
25 helpful here because of its proximity to all the retail in Towngate, so if you are
26 unable to drive and you do need some assistance but you are able to get and
27 about, being able to go to a grocery store or walk to a restaurant or be able to go
28 to the movie theater or go to the mall within a couple of blocks walk this is an
29 ideal location for those uses. So that's a little of the background of why we're
30 asking for this. This allows us to do some long term planning and as the
31 economy gets better and we're able to attract businesses, we can look at these
32 besides office and medical office that are currently allowed in the zone. I'm here
33 for questions.

34
35 **CHAIR VAN NATTA** – Are there questions of the Applicant? Thank you very
36 much.

37
38 **APPLICANT LOPER** – Thank you

39
40 **CHAIR VAN NATTA** – We do have one Speaker Slip that has been turned in;
41 Ruthee Goldkorn

42
43 **SPEAKER GOLDKORN** – Thank you. Good evening Planning Commissioners.
44 My name is Ruthee Goldkorn. I am a Consultant to public and private entities on
45 compliance with building standards and civil rights compliance. The Towngate
46 Specific Plan Amendment is an excellent adaptation and is good public policy.

1 As was previously stated, General Plans, Specific Plans; they do have to be
2 somewhat fluid. You have to have a basis in fact for any amendments that you
3 bring forward and the Towngate program that is being brought forward with the
4 multiple uses in an excellent use of the area. It is good public policy and as far
5 as parking goes, I always like to remind people of the 10 second generation;
6 some of you; me definitely. From 1946 to 1964 we were born every 10 seconds.
7 We went kaboom. We were the surprise party, meaning that starting in 2010, the
8 first wave turns 65 and as we all know, no one is retiring and even though it is
9 going into second careers and may well go into health care delivery systems
10 including assisted living, so when you are looking at parking and accessible
11 parking, please consider also that the minimum standards does not mean
12 maximum accessibility and please do remember that there are employees that
13 may also need those spaces as well as family members as well as other various
14 types of care givers who may come to retrieve that individual to ferry them to
15 wherever and they too will have a placard or a plate. So when you are looking at
16 the overall usage, please and Commissioner Giba I understand and thank you for
17 your perspective on parking, it is also one of my pet projects everywhere I go,
18 that it's not just what the minimum standards say you are supposed to have.
19 Accessibility also means usage and the usability factor of facilities and features
20 within facilities is extremely important and it is not just a nuance. I appreciate the
21 opportunity to address you on this issue. Thank you.

22

23 **CHAIR VAN NATTA** – Thank you

24

25 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes I
26 think the point is well taken. Generally on projects of this type they're usually
27 presented with additional accessible parking over the minimum requirement. We
28 certainly encourage people to provide substantial... certainly the same case in
29 senior housing where typically the proponents know they need more parking
30 because they want to serve their clients but we certainly look at that as well. I
31 think both of those uses are Conditional Use Permits so the Commission itself
32 could also question that if they thought it was insufficient.

33

34 **CHAIR VAN NATTA** – Exactly and we're not only the 10 second generation, we
35 are also the sandwich generation and many of us in our 60's are taking care of
36 parents, so that parking issue is an important one. Okay I see no other Speaker
37 Slips and no one approaching the podium, so we're going to close the Public
38 Comment Section and go to Commissioner Discussion. Does anybody have a
39 comment on this proposal?

40

41 **COMMISSIONER LOWELL** – I think the proposed amendment is actually a
42 really good idea. I think the proposed project; the assisted living center is
43 actually a good location next to the mall, next to the Fire Station, next to Winco. I
44 think it's a good idea.

45

1 **VICE CHAIR GIBA** – I like it too. I just brought up the parking because I had
2 spoken to another individual and they were concerned about it, so I thought I'd
3 air it now and get it out and that's true, we can make those adjustments later and
4 I appreciate it. Good project.

5
6 **CHAIR VAN NATTA** – I think it's an excellent location for the plans there. Okay
7 would somebody like to make a motion on this? Okay go ahead.

8
9 **COMMISSIONER RAMIREZ** – I'd like to motion that we **APPROVE** Resolution
10 No. 2013-28 and thereby **RECOMMEND** that the City Council:

- 11
- 12 1. **RECOGNIZE** the proposed Specific Plan Amendment is exempt from the
13 California Environmental Quality Act Guidelines pursuant to Section 15061
14 of the CEQA Guidelines; and,
- 15
- 16 2. **APPROVE** P11-061 to amend Towngate Specific Plan No. 200 to permit
17 senior housing facilities and conditionally permit hotels and assisted living
18 facilities in the existing Office Commercial land use district, including
19 development and parking standards for each and update to existing
20 handicap accessible parking within the plan area (Attachment 2).
- 21

22 **COMMISSIONER SIMS** – I'll second that... oh go ahead

23
24 **COMMISSIONER BAKER** – Sorry, I'll second that

25
26 **CHAIR VAN NATTA** – Okay moved and seconded. All in favor?

27
28 Opposed – 0

29
30 **Motion carries 6 – 0**

31
32 **CHAIR VAN NATTA** – Do we have a wrap up on this?

33
34 **INTERIM PLANNING OFFICIAL ORMSBY** – This item will be referred to the
35 next City Council meeting; the first meeting in December.

36 37 38 39 **REPORTS**

- 40
- 41 1. **Case Description: PA13-0003 SR60 East Corridor**
- 42

43 **CHAIR VAN NATTA** – Okay the next item we're going to is the Specific Plan
44 Amendment P11-061 and...

1 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – No, that’s
2 the item you just took care of.

3
4 **CHAIR VAN NATTA** – I’m sorry, I didn’t turn the page there did I. Oh yes, I’m
5 sorry, PA13-0003... these new computers, I’ll get to the next page... sorry... for
6 the Land Use Study and do we have a report on that please.

7
8 **SENIOR PLANNER GROSS** – Yes good evening Chair Van Natta and members
9 of the Planning Commission. Once again, Mark Gross, Senior Planner. I’m
10 going to provide a little background first of all on this particular item. Back on and
11 I’m trying to say... there we go the information up on the screen here. Back on
12 January 8th of this year, City Council approved funding for a consultant and the
13 City has hired Raimi and Associates to examine future development
14 opportunities along the eastern portion of Highway 60. That happens from
15 Nason Street to the City Limits from west to east and Hemlock Avenue to
16 Eucalyptus Avenue from north to south.

17
18 Now a copy of the study area map was provided as an attachment to the Staff
19 Report and as you can see it is up here on the power point slides and that kind of
20 gives you an idea of the current location that we are looking at as far as the study
21 goes. Now there is a little bit more background on it. On January 22nd, the City
22 Council adopted an Interim Moratorium Ordinance for the vacant under-utilized
23 properties located within the SR60 East Corridor Study area which was extended
24 on March 8th for the full year, expiring on January 22nd, 2014. Now what I want to
25 try to do is just kind of go through some of the background of the study and then
26 we’ll turn it over to our consultant to give you a little more information on the
27 alternatives that we are looking at that, that we’ll be discussing.

28
29 Now the three primary aspects of the SR 60 East Corridor Study, one of them
30 includes public outreach and this is where the consultant has conducted
31 interviews with key stakeholders and property owners in the project area and for
32 the record, I did want to make this as part of the record, although the Mayor and
33 City Council or the City Manager I should say were originally to be interviewed,
34 these interviews were never conducted. Again it was something that was looked
35 at originally but they were not conducted as part of the study. Now in addition, a
36 project kickoff meeting was conducted with the Economic Development
37 Subcommittee back on September 12th and a community meeting was conducted
38 back on October 14th with residents and property owners residing within the
39 project area and as well as 300 feet from the project area to gather further
40 information and gain feedback on the various land use approaches. And what we
41 have here; this is the existing zoning as it currently stands and that is going to
42 continue to remain. Again this study is just a study that would be looking at
43 possibilities, but this existing zoning would remain and you can see the existing
44 zoning. What I want to try to do is just kind of go through the individual areas
45 that we are looking at; kind of break them down. There are four different sub-
46 areas that we are talking about and that includes study area one. This is an area

1 located on the north side of Highway 60 that includes primarily vacant and
2 underdeveloped Office, Residential Agricultural 2 and Residential Agricultural 1;
3 that would be 2 units per acre and one unit per acre parcels.
4

5 And I did want to mention also we have a couple of basins that are included
6 within these areas and I will talk a little bit more about this as we get into some of
7 the alternatives, but these have been factored into the schemes for the areas;
8 some of the alternatives that we'll be talking about a little bit later on. Study area
9 two within the Highway 60 Corridor Study is located on the south side of State
10 Route 60 and that includes a mix of vacant Commercial land within the Moreno
11 Valley Auto Mall to the west and vacant Residential Agricultural 2, Residential 5
12 (5 units per acre), Residential 15 and some Business Park and Business Park
13 Mixed Use parcels that are located adjacent to the freeway. Then we have study
14 area three which is located on the south side of Highway 60 consisting of vacant
15 phase 2 Community Commercial land within the Stoneridge Shopping Center
16 and then finally study area four is located on the north side of the freeway and
17 both the north and south sides of Moreno Beach Drive and that currently contains
18 vacant Residential 2 (2 units per acre) and Office Commercial parcels. And a
19 third aspect of the study that we are looking at is land use focus and this is where
20 the economic analysis and the land use analysis of the area with consideration of
21 highest and best use and other compatibility issues to include the three land use
22 scenarios were developed and that consists of a preferred alternative and two
23 additional alternatives for the four sub-areas that we'll be getting into in just a
24 little bit. What I do want to mention is that land uses within the corridor area will
25 not change as a result of this corridor study.
26

27 The completed study is only to be available as a policy guidance document in the
28 review of any future proposed and submitted land use modification applications
29 to anywhere in the study area which would require a separate environmental
30 review and land use consistency evaluation and those items would have to go
31 before the Planning Commission and the City Council for approval. Now Staff
32 did receive approximately a dozen calls; maybe a little bit more than that actually.
33 We got quite a few here later in the day on the study and we did include all of the
34 written correspondence and that has been provided for the review of the
35 Commission and you should have that at your dais.
36

37 Now at this time, I'd like to introduce Raimi and Associates staff who prepared
38 the Corridor Study and that includes Project Manager Matt Burris, responsible for
39 the Land Use Study and also the sub-contractor is David Bergman, Principal of
40 MR&E is responsible for the Economic Study. I'm not certain he has made it yet.
41 I know there were traffic issues out there, but before opening the comments to...
42 opening up for the comments to the public and to the Commission, I'd like to
43 introduce Matt Burris who is going to discuss the preferred alternative and the
44 additional alternative scenarios for the four subject areas or sub-areas.
45

1 **SPEAKER BURRIS** – Thank you very much for having me this evening. As
2 Mark mentioned my name is Matt Burris with Raimi and Associates. We were
3 hired by the City to essentially try to answer the question given that the economy
4 has radically changed over the last five years, are there any other considerations
5 we should make about land uses for the east SR 60 Corridor. We went through
6 a fairly extensive process of looking at what’s happening out there; taking a look
7 at what’s happening with the economy, talking with property owners and then
8 through the community meeting and listening to what the nearby residents might
9 have to say about potential alternatives. We did a background study to look at
10 the existing land uses and trends in the area. We did a market study to look at
11 what’s happening with the economy in the Inland Empire and what that might
12 mean for land uses; land use demands in Moreno Valley as well and we took
13 those things into consideration and put together several alternatives that we
14 worked through and refined with City Staff.

15
16 In front of you is the first alternative and we’ll walk you through these. This was
17 the first alternative we presented to the community on October 14th and this is
18 David Bergman our Economist who is here to answer questions as well. So you
19 have your four study areas that Mark described and I’ll just walk you through
20 briefly what we’ve got here. The first alternative shows that the detention basins
21 would be redesigned to become more of amenity and more of buffer as a linear
22 feature along the freeway, providing a little bit of distance from sound, visual
23 impacts etc. for the land uses north of the freeway. It presents essentially a
24 similar pattern of land uses or similar types of land uses as the General Plan has
25 but reconfigures them looking at what the market demands and types of things
26 that are actually happening, concentrating your office and commercial uses at
27 your interchanges. It is a little bit more plausible scenario in that configuration
28 than your current configuration of having offices strung out along the freeway and
29 then we looked at potentially having multi-family and single family residential
30 uses between the detention basins and the lower density housing that is currently
31 planned north of Hemlock.

32
33 And then you also see that we’ve got dotted lines in several of these different
34 areas and one of the things that we wanted to point out that as we were going
35 through the study, there are a few additional items that popped up beyond land
36 uses that we thought were worth mentioning and one of them in this particular
37 case was well if you are going to look at new development in this area, make
38 sure that it is highly connected to the rest of the area so that as the area around
39 Hemlock and as the area around Ironwood develops, it has easy access to the
40 new office and commercial uses that might occur at these interchanges to better
41 guarantee; not guarantee but better ensure that they’ll be successful and serve
42 the local neighborhood. The second area we have was set up to continue the
43 industrial pattern that has emerged along the south side of the east SR 60
44 Corridor where you have the Sketchers facility, which is constructed. You have
45 the Aldi facility and then there is essentially a gap between the existing
46 Stonegate development and the Auto Mall and then there is a proposal for us to

1 do industrial logistics light warehousing in that area and we looked at what was
2 happening along the 60. We looked at the economic inputs.

3
4 There is demand for additional industrial; light industrial warehousing in this area
5 of the City. We looked at whether or not it would fit there and whether it made
6 sense in there. There does seem to be some logic to continuing or finishing that
7 kind of industrial just right there. But it was clear as we were going through this
8 process that you have an existing Auto Mall. As your population grows, there is
9 additional opportunity to expand that Auto Mall and it is a good source of revenue
10 and you'd want to capitalize on that and make sure you don't lose that
11 opportunity to have that concentrated Auto Mall use. The economy is certainly
12 still recovering but intense concentrated focused Auto Malls are good economic
13 development strategies, so we wanted to make sure that opportunity didn't get
14 lost. You have that small sub-area three there which we are recommending be
15 hotel and sit down restaurant use.

16
17 The economic study determined that you probably have the potential in this area
18 of the City for two hotels of about 100,000 square feet each, so looking at the
19 development pattern there it seemed pretty clear that you should probably
20 consider having at least one on that area and maybe looking at some synergistic
21 uses of having a sit down retail, more of a service oriented keep people in the
22 City retail. You have a big retail leakage problem in your City. The people are
23 leaving the City to go to spend money, so that was a really important
24 consideration as we're developing a lot of these land use scenarios, we wanted
25 to think about why are people leaving and what can we do to keep them here.
26 Part of that answer is you probably need a greater variety of entertainment and
27 service retail uses like different variety of sit down retail. The fourth study area
28 north of the freeway; the Moreno Beach interchange; we looked at having multi-
29 family along the freeway and some sort of blander transitional multi-family; single
30 family to better map or blend into the surrounding single family uses.

31
32 Right now, most of the residential demand in the Inland Empire is for multi-family.
33 Again the economy is still recovering. The market is not back. People are still
34 trying to get back up on their feet and while home sales are improving most of
35 the demand is still multi-family. The most immediate demand is multi-family and
36 so we did want to make sure that we addressed that. We thought that the multi-
37 family would probably be a very good use to put around that interchange to help
38 support the retail concentration that you have at the Moreno Beach interchange,
39 but it should fade back into the existing residential and you do have an
40 opportunity for Office Commercial. So that was the first alternative that we
41 presented to the community and we got good feedback from the community that
42 while this was perhaps a good alternative, it needed refinement and so we did
43 make some changes to present this which evolved to be the preferred
44 alternative.

45

1 You can see the area in study area one. The multi-family recommendation is
2 gone. You won't maybe necessarily have half acre lots south of Hemlock, but it
3 shouldn't be multi-family. It was clear the community didn't support that and you
4 could probably still accommodate the transition from the freeway and buffer
5 some of the non-residential uses there with other densities of single family that
6 are not multi-family. The sub-area two recommendation stayed the same as with
7 the alternative one, as did sub-area three being hotel and retail and sit down
8 restaurant. Sub-area four also went through some changes. We recognized that
9 there were still greater opportunities for perhaps capturing retail sales in the City,
10 so we reduced the recommended area of multi-family and instead looked at
11 expanding the commercial uses.

12
13 Now there is also a very important key distinction here in looking at strategies to
14 try to keep people here; spending their money here in the City that they live. We
15 said well what's happening and why people are leaving. People are going to
16 downtown Riverside. They are going to Victoria Gardens. They're not staying
17 here in the City for entertainment and dining and so while this isn't a General
18 Plan designation, you'll see there is an EC; essentially people are looking for
19 experiences. They want to experiential commercial. It's a very big trend in retail
20 development where people want to go to a place where there is a sense of place
21 where they can have dinner, they can hang out of with their friends, they can
22 meet family members, go to a district, experience some sort of community, stay
23 there for several hours, maybe shop, maybe have a drink and dessert and go
24 home and so while it's not a General Plan designation to say experiential
25 commercial, we did want to specify that because it is really important we think
26 that you give some serious consideration to the types of retail that you have in
27 the City and perhaps focus on something like that; like a mini Victoria Gardens;
28 like Fig Gardens in Fresno; something that is oriented towards getting people a
29 place to meet and congregate.

30
31 Okay, so that was the preferred alternative. Just to give you some context there
32 were two additional alternatives that we developed and refined with City Staff and
33 presented to the community. The second alternative starting with sub area one
34 still considered that you have some potential demand for industrial warehousing;
35 logistics in the City and since you already have some pattern of industrial use on
36 the far end of the corridor, we asked a similar question. Well how do you
37 complete that industrial district? What if you look at it on the north side of the
38 freeway? While it doesn't seem to make sense in many ways, some of the
39 feedback we got from Staff and from the community indicated that perhaps that
40 was too great of a change for the character north of the freeway. The freeway is
41 a pretty effective buffer at defining different areas of your City so since you
42 already have a pattern of industrial evolving on the south side of the freeway,
43 perhaps just finish it with the recommendation in the preferred alternative,
44 however this is alternative two, so let's talk through the rest of the pieces.
45 Alternative two also considers expanding the Auto Mall but presents a slightly
46 different arrangement. Essentially it's says well what if we instead said just

1 extend the Auto Mall out along the freeway to give a little bit better freeway
2 frontage, accessibility. It's a little different from the recommendation to have a
3 concentrated node and instead focuses on freeway frontage as essentially a
4 marketing strategy. From there your land uses go from Auto Mall to multi-family,
5 fading into single family to better blend into the existing single family in the plan
6 or designated single family uses on the south and east side of that area. And
7 then you'll see there is a red concentration of retail just south of the existing Auto
8 Mall and the TC refers to Town Center.

9
10 So again we were trying to differentiate several possible retail types. I want to go
11 a little further than just paint a few parcels red and say yes that should be retail.
12 The Town Center concept is a little different from the experiential concept. It is
13 on a smaller scale, focused on serving the local residential areas of both the
14 single family and multi-family that is across the street on the other side of Moreno
15 Beach Drive and would focus more on things like Starbucks or small cafes, dry
16 cleaners and such where it would be a place where you could walk across the
17 street and get a cup of coffee and maybe stop on your way out, maybe have
18 some outdoor seating; outdoor restaurants, but not quite at the scale or the
19 intensity we were suggesting for in the preferred alternative north of the freeway.
20 For sub area three we recommended that there is enough area there that
21 perhaps you just put both hotels that have the potential on that parcel. That
22 development is already fairly intense. It is focused on non-residential services so
23 perhaps a hotel could be a good use there. Excuse me... two hotels could be a
24 good use there. It would help serve the existing retail uses that are there and
25 then north of the freeway it would be much more residential use. The multi-
26 family would be; we still recommend multi-family north of the freeway.

27
28 Again there seems to be a lot of synergy with having the multi-family close to the
29 existing retail. Several of the stakeholders indicated to us that they really wanted
30 to see more multi-family in that area to help support their businesses that they
31 are struggling now without, more rooftops in the area and since there is demand
32 for multi-family that would be great. We also got some feedback from some of
33 the stakeholders that they were looking for a variety of multi-family in the area to
34 provide their workers with housing that is closer to their jobs. So you'll see in sub
35 area four, like in the preferred alternative there is multi-family and like the
36 preferred alternative, there is some multi-family and single family; some sort of
37 blend and that serves as a buffer and fades into the existing low density pattern
38 that you have there. We also had some small commercial opportunities as
39 nodes there at that interchange to serve the pass through traffic on the freeway
40 and provide some local neighborhood serving retail uses.

41 So as I mentioned, we rejected this as the preferred alternative because the
42 industrial uses north of the freeway seemed to be too great of a change for the
43 character north of the freeway and also we wanted to take advantage of the
44 opportunity at Moreno Beach Drive to capitalize on your retail capture
45 opportunities and it seemed that having the concentrated retail that our
46 suggested preferred alternative would be a much stronger strategy for the City on

1 the corridor. So that is alternative 2 and then alternative 3 presents a much more
2 intense configuration of uses on both sides of the freeway of area one. Like
3 alternative 2, the detention basins remain with the initial design. There is much
4 more concentrated residential uses there with a little bit of multi-family; single
5 family blend. You see the oranges indicating that there should be multi-family
6 buffering anything north of Hemlock or immediately adjacent to Hemlock and
7 then Office Commercial uses adjacent to the freeway with the frontage road and
8 blending north on Redlands and Theodore. The idea here was we know that
9 there is a certain quantity or certain potential of new retail. Perhaps that is the
10 best place to put it on the east side. You have that opportunity as people are
11 entering and leaving the City and you have good freeway frontage there so
12 perhaps that's a good opportunity.

13
14 Moving on to study area 2, we still had the suggestion for extending the Auto Mall
15 along the freeway. There seemed to be generally good support for having
16 additional Auto Mall area in sub area 2. The configuration here is a little different
17 where we suggest that perhaps the Auto Mall could extend all the way south
18 down to Eucalyptus perhaps. The industrial, logistics and warehousing area
19 could be a little bit smaller than in the other alternatives. There would still be
20 multi-family in the bottom corner of that sub area and the commercial uses that
21 we have there are just your general retail commercial and essentially we were
22 considering that maybe the retail uses that you have at Moreno Beach Drive
23 should just be expanded there. There wouldn't be anything particularly different
24 except there would be more and then in sub area 3 you see that we've got a split
25 between commercial and multi-family and at this point we said okay, again you
26 could just expand your general commercial but there wasn't a desire by one of
27 the stakeholders to consider a whole gammit of uses within that shopping center.

28
29 And the final study area here for alternative 3 again shows a concentration of
30 multi-family at that interchange. If you are going to have multi-family, again it
31 does seem the best place for it is probably along Moreno Beach Drive to help
32 continue the pattern of the existing multi-family there and reinforce retail uses
33 there. The Office Commercial would be a little bit more expanded along Moreno
34 Beach Drive and we considered that perhaps both hotels could go there on the
35 north side of the freeway if you are going to have two hotels. So ultimately this
36 alternative was also rejected in part because of the more concentrated uses in
37 sub area 1 seemed to be a little less palatable to the community. The Office
38 Commercial and the General Commercial also seemed to be a less response to
39 the need for capturing more sales or preventing the retail leakage occurring here,
40 so this was a little less specific. The multi-family for sub area 3; we also came to
41 the conclusion that was perhaps not a great use, that the site that is available
42 there is perhaps too small relative to all the retail development around it and it
43 would be essentially... there would be a lot of shoehorning needed to make
44 multi-family fit there and make it fit in a way that wasn't going to result in lots of
45 problems down the road. And then the study area 4 was also found to be less
46 than ideal in comparison to the preferred alternative because the expanded retail

1 here focused on some sort of experience or experiential related to commercial sit
2 down restaurants etc. It was a better alternative; a better strategy for trying to
3 capture the retail leakage in the City and so that alternative was rejected. So
4 that's the overview of the different alternatives and the preferred alternative and
5 I'm here to answer any questions. We also have David Bergman who has done
6 a background study on what's happening in your community and what the
7 potential is and he is here to answer any questions as well.

8
9 **CHAIR VAN NATTA** – Well I have a question on the alternatives. Is further
10 combining the alternatives if we like some elements of one and some elements of
11 another for example? Just having looked at these ahead of time and compared
12 them to what is already there, I like what is laid out on the preferred alternative as
13 far as what is north of the freeway.

14
15 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Oh Chair,
16 yes I think that certainly there is the opportunity to discuss alternatives. I guess I
17 just recommend maybe that be part of your discussion after the public comment
18 section. Right now I think we're just looking for questions, but yes, these are not
19 set in concrete.

20
21 **CHAIR VAN NATTA** – But the question is then without going into details is it
22 possible to take elements of one of the alternatives and elements of a different
23 alternative and mesh them together.

24
25 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes

26
27 **CHAIR VAN NATTA** – Okay, I will leave it at that then. Any other questions of
28 Staff?

29
30 **VICE CHAIR GIBA** – This is for Staff as well right, not just for the gentleman up
31 here?

32
33 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – That's
34 correct and for David Bergman if you had any questions about the Economic
35 Study that was included in your packet.

36
37 **VICE CHAIR GIBA** – Okay so let me jump over to page 178 first on your
38 Economic Strategy. I read through your document pretty extensively. Most of
39 your data and statistics dealt with the City of Moreno Valley. Am I correct on
40 that?

41 **SPEAKER BERGMAN** – Where available employment is usually available at the
42 County level and then after the secondary sources like credit records and then to
43 employment data...

44
45 **VICE CHAIR GIBA** – But my question is this data relevant to the City of Moreno
46 Valley. Am I correct?

1 **SPEAKER BERGMAN** – What is reported in the report is also...

2
3 **VICE CHAIR GIBA** – We're working on the 60 Corridor. Did you have any
4 specific data on the 60 Corridor; the residents in that area? This seemed to be
5 the concern. It would have been nice to know how this 60 Corridor is relevant to
6 those people in that area.

7
8 **SPEAKER BERGMAN**– Okay, generally speaking labor markets are larger than
9 just a few blocks that we're talking about, so you know we can't anticipate that
10 people who are employed within commuting distance really would be the source
11 of labor that would be employed in any future establishments. Employment data
12 is really used to forecast what Moreno Valley share we could expect over a long
13 period of time and what it be given the patterns and the specializations that exist
14 from existing businesses in the community.

15
16 **VICE CHAIR GIBA** – I guess what I'm asking you then was how could
17 extrapolate what the needs are in the 60 Corridor from the data from the entire
18 City when there is a lot of other land use capabilities throughout the City that
19 could be used.

20
21 **SPEAKER BERGMAN** – That's correct

22
23 **VICE CHAIR GIBA** – I'd like to know how you drew those conclusions on this
24 specific area based on data for an entire City of almost 200,000 people.

25
26 **SPEAKER BERGMAN** – That's correct. What I did was if you look at table 3 7
27 you can take a look at the total City demand and then that City demand gets
28 allocated to State Route 60, the plan area on the basis of the location quotients
29 for the different types of activities that are happening in the community. So the
30 2.8 million square feet of total demand, it may move one way or the other. Some
31 of it takes into account the fact for example the institutional growth. This plans
32 for the medical center further south. That is probably what most of that
33 institutional use will be made up of. The retail opportunities; these are the
34 undeveloped freeway off-ramps in the City. I suppose some could be deflected
35 to the old town area that you have as well. The industrial forecast is based on
36 what is currently entitled, so that's the inventory of land that's available and
37 likewise with the office demand. I know that there was a General Plan objective
38 to see offices north of the 60, so we tried to allocate as much of that demand as
39 possible within the plan area, just again because that is where there is available
40 existing land under the current General Plan and zoning.

41
42 **VICE CHAIR GIBA** – You keep eluding to and I keep hearing this throughout this
43 entire... the stakeholders and they have determined that it is better used up
44 there. I was at the meeting by pure accident because I've asked many times that
45 you guys notify us when you have these public meetings so we can be there, but
46 I read it in the newspaper article and I was there the evening of the public

1 meeting and there might have been 30 to 40 people. I don't think that's a
2 representation of the population of the entire 60 Corridor area, but my concern
3 was when I went back and read all the comments, it's like only 15 comments and
4 then there are several of them that are negative for that matter and then you said
5 that you interviewed a lot of different people, but I don't see anything in the
6 document as to who you guys interviewed, who stakeholders were, what there
7 comments were and how they felt about the project. So I'm getting these vague
8 kind of comments about stakeholders and stuff but there is nothing in this
9 document that I can read about it and what they had to say. I don't like coming to
10 meetings where I have to ask you to fill in the blanks when you hand me a
11 document that you spent all this time on. That's all I'm trying to say. If I'm going
12 to sit down here and read this, I won't to read it and I want to know what's going
13 on it and I think the public should have that ability too. So could you answer that
14 one for me?

15

16 **SPEAKER BURRIS**- I don't have a list of stakeholders immediately available.

17

18 **VICE CHAIR GIBA** – It'd be nice to have wouldn't it?

19

20 **SPEAKER BURRIS** – Well I'm standing here in front of you and I'll tell you we
21 were given a list of property owners as well as the City Manager and the Mayor
22 by the City Staff and were directed to contact them and talk with them about what
23 they see happening around them; what forces they're experiencing relative to
24 their property; what their ideas, intentions and efforts are relative to their property
25 in the area. If I happened to say it, that they decided anything then I apologize. I
26 misspoke. Nobody has decided anything outside of City Staff directing us as to
27 what may be, would be or would not be appropriate.

28

29 What I was trying to indicate was preferences, desires, hopes and aspirations for
30 both the community members and the list of property owners that City Staff
31 asked us to interview. We contacted something close to a dozen different
32 property owners and that we were not able to connect with everybody that City
33 Staff asked us to contact, but I can tell you one thing on page 19 of our study,
34 there is a list of multiple ownerships showing the main owners along the 60
35 freeway study areas and that is an indication of our efforts to try and contact
36 different landowners. Again, we were not able to connect with everyone that
37 Staff asked us to contact. We made multiple phone calls to several people and
38 we just could not get hold of them. Other folks were available and were
39 interested and wanted to participate and engage and in some cases there were
40 one or two of the property owners that were able to contact via the telephone or
41 email that ended up coming to the October 14th meeting as well.

42

43 **VICE CHAIR GIBA** – That was the only meeting that you had for the public. Am
44 I correct?

45

46 **SPEAKER BURRIS** – That was the only meeting with the public; yes.

1 **VICE CHAIR GIBA** – I think what I’m driving at and please don’t have any
2 disrespect because it is not pointed at you directly. If I may and for the City and
3 for the Staff and the residents who are here, we need to go backwards a little bit
4 on your history. The Staff wrote up this wonderful background on page 150 of
5 the document and it starts out with January 8th, but the reality is this didn’t begin
6 January 8th. As a matter of fact, then Commissioner Owings, he sat on this
7 Commissioner as well as myself and others and requested that we have a study
8 on this and a Joint Study with the Planning Commission. That was study was
9 requested over and over. At this meeting on January 8th, when the budget was
10 approved individuals spoke up and said before you get a consultant; no offence
11 to you; why don’t we have a Study Session on this so we can study it in detail
12 and understand what’s going on and how to fix the City in general? It didn’t take
13 place and so as I’m looking at this background history, I saw nothing in place
14 here where anything that was... well forgive me, but I don’t see anything where
15 the public was really brought into this in any real detail. Unless I’m missing
16 something on your background here, I did go to one public meeting. You said
17 you’ve talked to some of the stakeholders, so I’m confused as to where we are
18 coming with up with all these wonderful ideas, unless it is just you and the Staff,
19 which is fine, but if we are going to be working with the community, we should be
20 working with the community if you follow what I’m saying. So could you could
21 you answer...

22
23 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Vice
24 Chair, the Staff tried very hard to get a Joint Study Session with the City Council.
25 It just wasn’t possible and I can’t tell you the details of it but it just wasn’t
26 possible. This is part of the public input. Your meeting tonight is part of the
27 public input. Based on the contract, we looked at there being three opportunities
28 for public input; a community meeting, Planning Commission and City Council
29 and being very honest, that was what the budget allowed. We were going to
30 have a Joint Study Session. That is what everybody talked about. I understand
31 that. It just wasn’t possible and we needed to get this study before you and
32 before the public before the moratorium that was established by the City Council
33 and east end expired in January, so this is and don’t take this wrong, but this was
34 the way we could get this through the process in the time allotted to us and it
35 would have been nice to have more up front but the schedules of the City Council
36 and the Study Sessions just didn’t allow it.

37
38 **VICE CHAIR GIBA** – So because we wanted to get this done as quickly as we
39 could, please correct if I’m wrong, because you wanted to meet this specific
40 timeline and the dollar value that you allotted to it, we just won’t bother to do the
41 stuff we probably should have done, which was for a whole year and a half, had
42 a Study Session with those who might have some input more than just three
43 hours in a meeting in the evening time. Yes or no?

44
45 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
46 because that is the time allotted and I don’t control... you know I don’t control the

1 City Council Study Session Agendas and I must say for a project of this sort,
2 where it is a policy document, this is a pretty significant amount of public input.

3
4 **VICE CHAIR GIBA** – I’m interested to hear what the public has to say if they
5 have anything to speak on that. I’m just trying to find out how all this came about
6 so quickly because I would like to have had a lot more time to involve ourselves
7 in... I don’t know about the rest of the Planning Commissioners, I’m speaking
8 only for myself. I would have liked to have had a lot more time to have
9 participated in this process and I think the record would show that I requested
10 that almost every month, so I have a lot of questions here but that would
11 probably have been better for a Study Session or something, so I’m not going to
12 hold you folks up any further.

13
14 **COMMISSIONER SIMS** – I’d like to mention it as well, I’ve been only on the
15 Commission for a few months and every time I’ve come to the Planning
16 Commission meeting there was going to be a Joint Meeting with the Council and
17 the Planning Commission. This is a very significant thing in front of the
18 Commission and it is a lot of information to... I did not attend the meeting, so Jeff
19 or Commissioner Giba you have that up on me to have gotten to at least have
20 heard some of the input from residents and property owners and more
21 information I assume from the consultants if you were there at that workshop.
22 But this is a significant policy thing and I work for a public agency. Something of
23 this magnitude that has potential significant economic impact to property
24 ownership, there would have been significant more outreach and much more
25 education done for decision making. I read through what we have here, but I
26 think you answered some of these questions as you go forward, it would be
27 interesting to hear what some of the public says.

28
29 **CHAIR VAN NATTA** – Okay any other questions from Staff or the consultant
30 here before we open it up to public comment?

31
32 **COMMISSIONER RAMIREZ** – John is there any way that we can extend the
33 deadline from January... push it back so we can continue these Study Sessions?

34
35 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I think
36 that’s a decision that City Council would have to make. I don’t believe that they
37 have... they do have the opportunity to extend the moratorium. To be very
38 honest, the more moratorium has more potential impact on property owners than
39 this study because this study doesn’t change anybody’s zoning, so it doesn’t
40 change anybody’s economic interest. It gives an indication that there might be
41 impacts. I understand that. The moratorium in effect, doesn’t allow any
42 development to occur in this study area until it expires, so that would you know,
43 certainly that would be something to forward to the City Council to see if they
44 wanted to do that, but there is more impact economically related to the
45 moratorium than this study.

1 **VICE CHAIR GIBA** – John, please don't misunderstand me but I think we've
2 seen a lot more people here since the newspapers even advertised it and it was
3 in the newspaper; the Press Enterprise pretty regularly and I would be in favor of
4 tabling it for a while and then coming back to it and giving a little bit more input. I
5 think I was trying to make that point. I think Jeff... I'm not in favor; I don't know
6 why it has to move so quickly. It was almost like we just pressed through it and I
7 understand the moratorium. I really do, but I think the quote stakeholders might
8 want to at least weigh in on that and say I'm willing to have a moratorium while
9 we discuss it even further you know and reach out to the public, because we've
10 always had those comments from individuals. We're not make as good an
11 outreach as we should and I don't know what the problem is with that one. I
12 don't know how to solve it but we really should be reaching out to it more so.

13
14 **CHAIR VAN NATTA** – Can I ask the public to please keep it quiet? You will
15 have an opportunity to talk if you put a Speaker Slip in but we don't want to slow
16 down the process of us being able to ask the questions we need to. So for
17 clarification Mr. Terell as far as this overlay goes, since it is not changing the
18 zoning, if we approve an overlay that says this is what we'd like to see in this
19 area and somebody wants to build an item that is not under the guidelines of the
20 overlay, what happens along the process?

21
22 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TEREILL** – Well the
23 overlay is again just a policy document to give an indication of... and it could be
24 even an indication of areas to study further, so it is not a definitive study. It
25 doesn't change the land use though, so if somebody wants to come in and the
26 property is zoned for a certain use today, they would just process that in the
27 normal process or whatever requirements for developing under that current zone,
28 they could just move forward and do that. If they were interested in something
29 that was in this plan or even something different, that would require a separate
30 land use application and process with the Planning Commission and City
31 Council. So the current zoning; anything in the current zoning could proceed
32 under normal process without a zone change. If it's different than that, then it
33 would require a zone change and General Plan Amendment most likely and that
34 would go forward for separate individual review.

35
36 **CHAIR VAN NATTA** – So what you saying then is that the overlay is more of
37 wish list than a mandate?

38
39 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TEREILL** – Yes I
40 think that's a good characterization. It's a wish list is as good as anything. It's
41 a... I would call it a vision plan as opposed... because it doesn't actually change
42 the existing land use.

43
44 **CHAIR VAN NATTA** – But if for example we had residential zoning north of the
45 freeway and we approved a plan that calls for logistics north of the freeway, then

1 are you saying that would be considered favored; that would be favored then
2 over the existing zoning?

3
4 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – If that
5 was the recommendation of the Planning Commission and the City Council, then
6 when somebody came in and said I'd like to build logistics on the north side of
7 the freeway we'd say well that's been considered by the policymakers and they
8 are open to looking at it. That would be as far as it would go because you would
9 have to look at all the detailed, environmental and site based information on that.
10 You'd want to look at a site plan. You'd want to look at a lot of different things
11 before you said yes we actually want to do that, so...

12
13 **CHAIR VAN NATTA** – And they would have to request a zone change then for
14 whatever use they wanted to use. The overlay doesn't by itself approve a zone
15 change?

16
17 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Correct.

18
19 **VICE CHAIR GIBA** – Two more quick questions so that I can clarify, so that I can
20 have better understanding. So if this doesn't change any zoning, this doesn't
21 change anything and it is a wish list and just kind of a guidance document is what
22 you are telling me about it, then why can't we just go forward with business as
23 usual as we continue to refine this document?

24
25 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – You
26 could do that. Again I'm just operating under the direction from the City Council.
27 They wanted to see this study back before the moratorium expired. So that was
28 the direction that was given to me.

29
30 **VICE CHAIR GIBA** – So if the moratorium expired and nothing necessarily
31 changes then nothing changes and we can continue to work on this document,
32 refine it and get it a much better document without having to worry about a
33 moratorium if that's all it is.

34
35 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And
36 certainly to be very honest and again we're kind of verging kind of the
37 deliberation...

38
39 **VICE CHAIR GIBA** – And a Study Session too

40
41 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Umm... is
42 that certainly the Planning Commission could consider a recommendation saying
43 you know we looked at it, we got this input, we have these comments, we'd
44 recommend to you City Council that you continue to study this and not adopt
45 anything without further public input as an example.

1 **VICE CHAIR GIBA** – That’s good. And my second question then was what is it
2 you would want us to do this evening because you kind of gave a little suggestion
3 there as well. What are we approving here?
4

5 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – You
6 would be basically getting public input and providing input on what you would see
7 as an appropriate vision for this area and that could be everything from we think
8 one of these alternatives is wonderful. We want to blend these alternatives into a
9 different preferred alternative or as I said we don’t have enough information and
10 we’d like to review it further before a final decision is made.
11

12 **VICE CHAIR GIBA** – Thank you John
13

14 **CHAIR VAN NATTA** – At this point I would like to open it up to Public Comment,
15 so the consultants can have a seat please. We might be calling you back up
16 later for more information. Our first speaker is Hans Wolterbeek.
17

18 **SPEAKER WOLTERBEEK** – Good evening. I hope you have received and read
19 my report on the Raimi Study of the SR East Corridor Rezoning. The report by
20 Raimi is a good understandable technical report. It is much more credible than
21 the DEIR report from the WLC. However I do have a problem with the SR 60
22 absorption rates that you mentioned. The consideration by the City Council in
23 Ordinances 859 and 861 for the health, safety and welfare of the citizens in
24 Moreno Valley is noted and appreciated. The sobering forecast study report of
25 only 76,000 jobs in all of Riverside County and 4500 new jobs in Moreno Valley
26 for the period through 2020 must be taken seriously into account.
27

28 There appears to be no need for the City to speed any consideration of any
29 rezoning for new development projects such as the WLC which do not provide
30 immediate long term jobs other than construction. It appears that the study’s
31 estimate for jobs in Moreno Valley is probably on the low side considering the
32 recent wins of Harbor Freight and Amazon, but how much is to low? I think it is
33 anybody’s guess. All of Riverside County expects to build 55 million square feet
34 of commercial real estate through 2020. Let’s look at that. Currently Moreno
35 Valley is considering an addition of 46 million square feet in just warehouses, 5
36 million square feet of which is already in or near study area 2. Only 1.6 million
37 square feet is from the proposed WLC or being considered. Reasonable or is it a
38 pipe dream?
39

40 The only way Moreno Valley will get more jobs and can afford to proceed with
41 additional commercial real estate is to take business away from our competitors;
42 other cities. We need to take market share. Moreno Valley must consider an
43 independent study; another study to determine the methodology to capture
44 market share for the entire City; not just the east corridor. Our major growth
45 areas are in education and health services and transportation and warehouses.
46 Education and health services are outlined as a primary target in this study. This

1 study should emphasize the advantages of all of Moreno Valley such as the
2 proximity to March Air Base which is why we want Amazon and the existence of
3 strong health service components in the City which we do.
4

5 The study should include comments from the community early in the study as
6 you mentioned sir. I appreciate that and not late in the study as in the East
7 Corridor Study. We met on October the 22nd. So as to balance the fiscal need of
8 the City with the desires of the community and I appreciate your comments sir. I
9 go along with the study plan one recommendation as the best option even
10 though I would have preferred that the zoning of the logistics area would be east
11 of Redlands. By law I understand that we can extend the moratorium by another
12 10 months and 15 days. Maybe you get in more studies. We could extend the
13 moratorium, stop the building or stop this moratorium and then do the study.
14

15 **CHAIR VAN NATTA** – Mr. Wolterbeek thank you very much for your comments
16 but your time is up. Okay our next speaker is Louise Palomarez. Oh excuse me,
17 I'm sorry it popped up. I'm getting used to this here. It is actually... oh you
18 switched it around. We missed Christopher Baca.
19

20 **INTERIM PLANNING OFFICIAL ORMSBY** – We'll pick him up. I would go
21 ahead with Louise.
22

23 **CHAIR VAN NATTA** – Okay Baca is on his way up. We're still getting used to
24 the computer when names pop up on it and everything on it; sorry.
25

26 **SPEAKER BACA** – Good evening Commissioners. Thank you for allowing me
27 to voice my opinion as far as the matter at hand. When considering community
28 input, I'd like you to consider the vast community, not just the specific small
29 amount of community of people involved. Let's look at the demographics of
30 Moreno Valley. I believe it is 60 percent Hispanic, 30 percent African-American
31 and 20 something percent Anglo. The average age in Moreno Valley is
32 approximately 28 to 38 years old. Okay, now who are we building or considering
33 such development to benefit. It would be the vast majority of people and not just
34 a small minority of nimbi's who usually come out and oppose the same old thing
35 over and over. They oppose the Sketchers, they oppose the Walmart Center as
36 well as the Auto Mall that is there. You know if you go way back to the 80's they
37 opposed certain growth and there is always the opposition; the same old nimbi,
38 so I'd like you to consider... I don't mean to be disrespectful to a nimbi but you
39 know in all reality whose backyard is it really? It is everybody's backyard.
40 With that consideration, I'd like you to really look into the community input and if
41 you are going to consider the actual close community that is opposed to it; let's
42 consider them only and not all the vocal people that come from all areas of the
43 City, but I believe you should consider the entire community's view of this, not
44 only a certain amount of vocal people. Thank you very much.
45

46 **CHAIR VAN NATTA** – Thank you... Louise Palomarez

1 **SPEAKER LOUISE PALOMAREZ** – Louise Palomarez, activist and advocate in
2 the community here. I've been here for 25 years. Like I said we came out here to
3 buy our dream house to the land of milk and honey 25 year ago. My husband
4 commuted for over at least five or six years to another County. Now you know
5 that is one generation. We've got my children. They all work in other counties.
6 They are in their 30's and early 40's. That is the second generation. I've got my
7 grandkids. One came back from the marines already who was out there in the
8 Middle East. He's back. No jobs. He is in college; four granddaughters in
9 college here. Where are going to be their jobs when they get out of school, so I
10 mean we're talking about all these things and I think they're great? The
11 presentation I think is good, we've just got to find out where the best place for
12 them on the east end. We need stuff out there in the east end. We need to
13 develop it, but we need jobs also, because even if we develop the hotels, the
14 stores and Victoria Mall like that and extend the Auto Mall it is all great, but we
15 need jobs to be able to spend in those places.

16
17 Like I said, the nimbi's, they don't want nothing out of my backyard. Well gee it's
18 in my backyard and I like it there. I don't have a problem with it because you've
19 got to think about it. All the way from Day Street, there are houses all along the
20 60, but their backyards are the 60 freeway and I bet all those people on the other
21 side of Nason I would say west of Nason and north of the 60, they go shopping in
22 all those stores. They're all there, so I mean I'm sure we need more housing
23 also but we need jobs. We do need a logistics center back there. I mean it is all
24 the way up to the end. We do need a Victoria Gardens. We do need a hotel
25 back there. We do need all these things, so I hope you know we get all together
26 and do all these things. You know these people that come out here, I'm sure
27 they live in that area, but I do too. I've got a daughter that lives out there; I've got
28 two daughters, so wow. I mean oh wow. They said something about the entire
29 community. I mean you know you want to retire and you don't want anybody in
30 your backyard, go to Sun City. Thank you.

31
32 **CHAIR VAN NATTA** – Thank you. Our next speaker is Bob Palomarez

33
34 **SPEAKER BOB PALOMAREZ** - Good evening again Commission. I think is a
35 great idea. Eventually something is going to be built out there. It is going to
36 happen. It's going to come, but I think we really need to look at it from top to
37 bottom and from bottom to top. Like you were saying Mr. Giba you know where
38 are the people; their comments and that's what we need to do. This way we turn
39 over every rock out there. Then we won't have anybody... well there is always
40 going to be opposition, but we did our job. You did your job. City Council did it.
41 Staff did it... the developer and there it is, because it is going to come. It is just a
42 matter of when and how we proceed. Thank you.

43
44 **CHAIR VAN NATTA** – Thank you. Our next speaker is Ruthee Goldkorn.

45

1 **SPEAKER GOLDKORN** – Thank you again. Ruthee Goldkorn, consultant,
2 private and public entities on compliance of building standards and civil rights
3 statutes. This is a very extensive report. I think this is one of the... and I don't
4 mean to be disrespectful, we are saying that tonight. Those words are coming
5 out of everybody's mouth. This is one of the few times that I can absolutely,
6 positively, 1,000 percent look anybody in the eye and say this is money well
7 spent. This is a very balanced presentation of various options for a very, very
8 defined area that has an extremely controversial and negative image in the City.
9 Some people call it Iddoland, some people call it Benzeeville, and some people
10 call it home; a lot of people call it home. We have HUD requirements for
11 housing, multi-family, densities, low income housing. In real estate, what it is...
12 location, location, location. I look at this and the approximately and correct me if
13 I'm wrong, but I seem to remember that we are approximately 53 square miles
14 that is Moreno Valley. We need positive public policy.

15
16 I look at this study as the jumping off point. I didn't see or hear one negative
17 comment. I don't think you read any negative comments in your packet that we
18 are not privy to. This is a jumping off point. This is where we start; yes. Mr. Vice
19 Chair, how many people were spoken to. I don't know. I look at this as a
20 jumping off point. This is the start. This is where we go from here. This is how
21 we present structure and common sense to the community and we say okay,
22 these are the things that the experts; the people who went to school. This is
23 what they do for a living. This is what they see as Econ 101, Econ 101 and Econ
24 101 and how we balance that with family, family and family in your location,
25 location, location. Those are the fundamentals of public policy and the highest
26 and best use of land. We have seemingly a lot of it, we have a little of it. That
27 depends on your perspective. How is it used, how it benefits the community, it is
28 for everyone, not someone or anyone. That is how we look at universal design
29 standards. That's how I look at various parcels of the City and I'd really like to
30 see a similar study in the Edgemont area, highest and best land uses. There is
31 no negativity here. This is an excellent presentation. It is balanced. It is
32 extensive and there are options, which is what we want for our City and for our
33 residents to be able to say okay, like you said Madam Chair, one from column A,
34 one from column B, let's make a hybrid. What is the best use? Thank you. I
35 appreciate the time.

36
37 **CHAIR VAN NATTA** – Thank you very much for your comments. Thank you.
38 Our next speaker is Brandon Carn.

39
40 **SPEAKER CARN** – Hi, good evening Commissioners. My name is Brandon
41 Carn. I do think you should as Commissioner Giba did say, table this item until
42 after the Federal investigation of our City Council is complete. I believe the idea
43 that this item even went forward was for an ulterior motive because if you look at
44 the parcels mentioned and the original land map that was drafted in January,
45 land maps and parcel uses were all subpoenaed by the FBI back during the
46 summertime and also the second to last City Council meeting. They were all

1 subpoenaed and they are under investigation as evidence in grand jury going on
2 in downtown Riverside every Wednesday. It is also suggested Marcelo Co's
3 affidavit, when he pleads guilty to 2.3 million dollars in bribery last week. He
4 mentions a similar idea of getting a consultant. I have nothing against the
5 consultant. They have done a very professional study; very unbiased. They did
6 everything they needed in the time frame the Council gave them. I believe the
7 Council was acting in a process that is not ethical. I believe when it was
8 mentioned it was intended to be a way of preventing any land use north of the
9 freeway to not be entered into industrial zoning and not prevent competition with
10 both logistics center. How good is that to create jobs? There is no job creation.

11
12 That is bias and skewing the free market in order to favor one developer and his
13 ability to compete. Everything south of the freeway is largely owned; 1,600 acres
14 by Iddo Benzeevi through several deals and LC's he owns or it is also owned by
15 Jerry Stevens, also in the northern portions on the other side of the freeway near
16 Moreno Beach and the Auto Mall. This is being done for an ulterior motive. I say
17 do not favor or forward this process at this point until this investigation is
18 complete. I also believe that for a second point this study does not include any
19 land uses for agricultural uses. How many times have we gone through San
20 Timoteo Canyon or the Citrus Park in Riverside or Redlands and we see that
21 some of that is being used for active citrus production and it is actually being
22 used at large times. You can't sell citrus grown in California to Californians
23 because it is a trade issue, but you can donate a lot of that to food banks and to
24 charity and things like that. Even Huell Howser on PBS once did a special about
25 the conservatory in San Timoteo Canyon and Redlands advocating balancing
26 urban and conservative uses for preserving citrus. If you change the land
27 ordinances in all of these different areas and zones, that's the last actual use of
28 public citrus land or agricultural land in the entire City. It's gone and you're not
29 getting it back but you also have an option that maybe someday like in the cities
30 like Loma Linda; like Redlands; like Riverside that somebody want to create a
31 conservatory in which they can actually preserve the citrus. We have a
32 significant citrus heritage. The Mission Inn used to... Frank Miller the owner of
33 the Mission Inn used to own land here. It was also the home to the largest citrus
34 grove in the world in the 1890's, so you should make a stab to preserve some
35 agricultural use in this plan. Thank you.

36
37 **CHAIR VAN NATTA** – Thank you for your comments. Our next speak is David
38 Marquez

39
40 **SPEAKER MARQUEZ** – Good evening Planning Commission, Staff, viewers
41 here and viewers out there in TV land. My name is David Marquez. I've been a
42 resident for over 30 years in Moreno Valley. I also live in the east part of town.
43 My understanding of all this layover is they proposed one these deals and you
44 agree to take one, two or three, that this would require a zone change, but now
45 listening to some of the speakers and you Commissioners up there. I'm
46 confused. What is this for? I mean a zone change? Is it for a vision for what

1 you want to see in the future? If it is a vision that the City wants to see in the
2 future, the only thing that I have a problem is with I keep hearing about this
3 warehousing. I don't see any warehousing in part of these plans; these
4 proposals. Why isn't it included? I don't understand. I just don't want to see
5 these proposals be jammed down our throats, just like the City Council did with
6 the appointment of Dr. Gutierrez. I'm asking the City or the Planning
7 Commission to put this aside, this one proposal of this one plan and put it aside
8 and wait; let's wait for maybe the first of the year to bring it back. Let's wait and
9 see what happens with our City Council. You know Marcelo Co said a lot of
10 things. They might be true. They might be false. We don't know. I don't know
11 and you probably don't know, but the way the City Council has been performing
12 lately, I'm asking you the Commissioners up there to table this plan and wait till
13 sometime beginning next year and see what direction the City Council goes,
14 because once this is given to the City Council, who knows what is going to
15 happen. Who knows? I just don't want to be in that predicament with what they
16 did with the appointment. I know the City spent 50 thousand dollars, but come
17 on honestly, the City has spent more money and wasted more money than this
18 50 thousand dollars. We can wait. Also, I want to say thank you to the Moreno
19 Valley Educator's Association; 1,694 certified members and what these people
20 voted for... not voted but motioned for the support of the whole City Council and I
21 thank them for doing that. Thank you.

22

23 **CHAIR VAN NATTA** – Thank you for your comments. Our next speaker is Pat
24 Cavanagh

25

26 **SPEAKER CAVANAGH** – Good evening Planning Commission Council. I'm Pat
27 Cavanagh. I'm with Prologis and we are the owner of approximately 120 acres.
28 It is on the south side of the 60 freeway that is part of the study zone that we
29 have owned since 2007 and we bought that property at that time with the intent
30 of developing it into an industrial park and at that time we had great support from
31 Council and we made a decision to move forward based on that. Then along
32 came a recession and we decided to table our project and the entitlement
33 process that goes with it because of the cost of doing it and the fact that we
34 couldn't feel very comfortable predicting how long the recession was going to last
35 so we put that on hold and in mid-2011 we decided to move forward again with
36 the project. A lot has happened since 2007. We have a new Council. We have a
37 Highland Fairview project that is entitle 40 million feet and I want to make it
38 perfectly clear that Prologis is a publicly traded company and has no
39 involvement, no attachment and no connection to Highland Fairview. We are not
40 in any way connected with them. Our project is a project that we felt good about,
41 still feel good about; feel it is a great job creation center for the City.

42

43 Just in the way of background, Prologis is the largest industrial development
44 company in the world. We have a lot at stake with our reputation. We pride
45 ourselves with doing great projects and feel that this project would be one that
46 the City would be proud of if we can get to that point. The frustration has been

1 enormous. We were advised that there was a moratorium put on a parcel of land
2 that included us. We were the only site below the 60 other than a couple of out
3 parcels that were included in that. Highland Fairview was not included in that.
4 That didn't feel very good and didn't sit too well with us. We weren't advised of
5 that in advance, but we met with Mayor Owings and his Staff after the
6 moratorium was announced and we were told that it was only a 45 day
7 moratorium and not to worry about it.

8
9 There was another subsequent meeting where we found out that a 10 month
10 extension of that moratorium was put in place and we weren't advised of that
11 either. So we feel that there has been some things that have taken place that
12 have been troubling to us and we've sat by and watched this. We are still sitting
13 by and watching it. The recommendations that the consultant made were in my
14 mind pretty favorable for what we felt all along, that the project is well suited and
15 the highest and best use is what we had intended to do. The expansion of the
16 Auto Mall is market driven and if the demand is there, so be it and we sit by and
17 wait patiently but do hope that... especially the fact that the overlay and this
18 whole concept as John referred to a wish list with no demands put on anybody.
19 It leaves the zoning alone. It leaves every project to stand on its own and be
20 supported on its own merit, that to continue to delay this thing and delay this
21 thing to us is a pretty difficult pill to swallow.

22
23 **CHAIR VAN NATTA** – Okay, before you sit down, can we have the map back up
24 on the screen for a moment whoever is working that; the overlay plan... maybe
25 the preferred alternative.

26
27 **SPEAKER CAVANAGH** – The first alternative is the...

28
29 **CHAIR VAN NATTA** - Can you show us on the map there exactly where the
30 Prologis property is?

31
32 **SPEAKER CAVANAGH** – So the property that we own is effectively this property
33 and this Auto Mall designation and that mall designation are partially ours. This
34 piece down here is not ours. This piece down here is not ours, so our property
35 kind of is that block of space. It is approximately 120 gross acres. The useable
36 acreage is about 109 acres, so our plan was to improve Eucalyptus through the
37 property and then as you may know Ridge has ownership of this property that is
38 fully entitled for industrial use and then is the Sketchers site.

39
40 **CHAIR VAN NATTA** – So does it go down into that low... how far down into that
41 lower section does it go?

42
43 **SPEAKER CAVANAGH** – That's the end of our property right there.

44
45 **CHAIR VAN NATTA** – So the preferred alternative is the one that leaves most of
46 your property for industrial logistics overlay

1 **SPEAKER CAVANAGH** – That’s correct ... yes

2
3 **CHAIR VAN NATTA** – Okay, thank you. Our next speaker is Kathleen Dale.

4
5 **SPEAKER DALE** – Yes my name is Kathleen Dale. I’ve basically been a lifelong
6 resident of Moreno Valley and I’ve for 33 years worked as a Planner and an
7 Environmental Consultant. I guess I didn’t know we were going to be subject to
8 the same time limit that we are subject to at Council so before I get cut off, I just
9 want to say I wholeheartedly support Commissioner Giba’s suggestion that there
10 is no need to rush this and this be tabled and we should do this right. I don’t
11 think this information provides anything that the Council needs in order to
12 address the moratorium and let Prologis get on with their process, so I hope
13 that’s where this ends up tonight. I provided you some written materials and the
14 first part of it kind of addresses what we’ve all heard is the confusion about what
15 on earth this is. Is this an overlay? Is this a vision? Is this a land use change?
16 Is this policy guidance? The record that was put out to support this meeting
17 tonight characterizes this at least ten different ways that I’ve outlined for you
18 there and I think that the bottom line is this isn’t an overlay.

19
20 An overlay is a zoning tool that refines the uses of underlying district. This plan,
21 although you have to really dig into it to find out because there is no analysis of
22 the change in the existing land use designations and zoning, changes intensities,
23 it changes uses. That is something that has to be done by amending your
24 General Plan and your zoning if you are going to it formally. I think that the vision
25 that is represented in this report; it is a very detailed map with very detailed uses
26 on specific properties and it goes far enough that anybody who picks this report
27 up three months from now or three years from now is going to open it up to that
28 preferred plan and assume that those uses are endorsed, so I think it has to be
29 looked at that that way and if that is the case then this triggers CEQA analysis
30 now and you need to also do some CEQA analysis before any affirmative action
31 is taken on this plan.

32
33 I wanted to just address quickly the economic study and I read through it three
34 times. I think I understand what it says, but in the end it seems to assign 70 to
35 80 percent of basically the retail and hospitality uses to this 400 acre part of the
36 City, which is 50 square miles and as the Commissioner indicated, there is a lot
37 of underutilized and vacant properties in other parts of the City where some of
38 this development could be directed. It’s just not enough time. This is a big issue
39 and a big concern and there is a lot that really needs to be addressed. I think the
40 preferred land use plan; there are a few aspects that need closer attention.

41
42 The OC that’s recommended at Redlands Boulevard north of the freeway doesn’t
43 really seem to be feasible because of the access restrictions that are going to be
44 there because of the Cal Trans ramps. The multi-family and experiential
45 commercial adjacent to that established residential community east of Petit
46 seems to be an issue. The Auto Mall expansion; there is really no analysis to

1 show that there is any demand for that other than the assumption that our
2 population is going to double, so we might need more area and I think that the
3 endorsement of the changes for the Prologis Project which I'm not making any
4 statement about whether I support that project, but it seems to be inappropriate
5 to endorse something that endorses those changes while that project is active. I
6 mean that is still an active application before the City. It doesn't seem
7 appropriate that you should endorse it here before it comes before you. It has an
8 EIR that has been out for public review before it comes before you and the
9 Council. That's as much as I could get through I guess through the time. Thank
10 you very much.

11
12 **CHAIR VAN NATTA** – Okay thank you for your comments. And our last
13 speaker, Tracy Hodge.

14
15 **SPEAKER HODGE** – Good evening. I am Tracy Hodge. I have been here in the
16 community for just over 20 years and I've got some mixed emotions about being
17 here tonight because I've really been waiting to see what is rolled out to us as a
18 community. I'm one of the first neighborhoods south of south 60 freeway off of
19 Redlands Boulevard and I never hear anything about anything going on in the
20 east end of town yet I'm the very first neighborhood that most development is
21 going to affect and so unless I'm hearing it on Facebook or through other
22 individuals in the community I don't know what's going on and I would love to
23 know what's going on in the east end of town. Off the cuff, I would say that the
24 preferred alternative is a great potential vision for where we do go because I do
25 think that our community does need to have the highest and best economic
26 sustainability for whatever development that we do and the one thing that I'm
27 really confused about is I thought there was tons of World Logistics Center that
28 was going out on the east end of town and the preferred alternative shows
29 nothing about industrial building, which I absolutely would support 100 percent
30 what the consultants had presented here tonight because logistics don't belong
31 on the east end of town. It belongs over there off of the 215 with the most
32 appropriate freeway access for those trucks, so thank you and I do ask that you
33 do blend some of these different concepts together because the preferred
34 alternative isn't a perfect plan but it definitely gives us some guidance to building
35 some economic sustainability for our community. Thanks.

36
37 **CHAIR VAN NATTA** – Thank you for your comments. I don't see any other
38 speakers here so I'm going to close the Public Comments and we'll go into
39 Commissioner Discussion.

40
41 **COMMISSIONER LOWELL** – I have a question for you Mr. Terell. It looks as
42 though there is no implementation of the 60; the SR60 Study. Is that correct or
43 is...?
44

1 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes there
2 is no implementation identified. That would be a future... either a future action
3 direction by the City Council or individual actions by individual property owners.
4

5 **COMMISSIONER LOWELL** – So if this is accepted today the next step it would
6 go to City Council and if they accepted it, then what would happen. It would just
7 be hey this is our pipe dream for what we want the City to look like and we'll have
8 to amend our Specific Plan later or our General Plan or what's the...
9

10 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes it
11 would be hopefully we're not smoking something that would be a pipe dream, but
12 hopefully it's a vision plan and again the Planning Commission and City Council
13 could give direction on whether they want to proceed with a more in-depth study
14 or implementation of one or all parts of this.
15

16 **COMMISSIONER LOWELL** – And the other thing is I firmly believe that this is a
17 pretty in-depth study and I personally would like a little more time to review it
18 before we actually vote yes or no. There is just a lot of meat in here to digest
19 and we've had it for a few days and I'd like a little more time on it.
20

21 **COMMISSIONER SIMS** – I'd like to ask a question. If the Planning Commission;
22 if this was to be tabled and we have this moratorium, so what is the mechanism
23 that the City... does the moratorium die on its own or is there an action that the
24 Council takes to release the moratorium.
25

26 **CITY ATTORNEY BRYANT** – The moratorium has an end date I believe in
27 January and it will die on its own unless it is extended in some fashion. There is
28 no application before you tonight, so there is no voting yes or no. It's more of a
29 receiving a report, giving your comments on it and putting your input into the
30 results of the study, so when you talk about tabling something, a tabling of a
31 motion basically takes that off of the Agenda. It doesn't come back unless it is
32 specifically requested in some fashion, so perhaps tabling is not an option that
33 you would really want to think about in this situation. Perhaps you're looking for
34 more time to digest it and look into it, but tabling it essentially would kill it.
35

36 **COMMISSIONER SIMS** – So I guess to respond to that, I totally get that. It's the
37 recommendation on the Planning Commission Staff Report on page 149, says
38 recommend the SR60 East Corridor Study to the City Council, so I'm not sure
39 what that means. Is that a statement by the Planning Commission that we
40 validate this; it's a recommendation or is it we see it and it just goes you know, so
41 I'm not quite sure what that means and that's why I was kind of leaning
42 towards... when I see the word recommend, then that means that we are trying
43 to do something here.
44

45 **CITY ATTORNEY BRYANT**- And I understood the recommendation was to
46 receive in the study from the consultant, accept it as it is received and then just

1 go ahead and file it. That means that the City Council would also have the ability
2 to receive it in, look at, comment on it, take further comments on it and then if it is
3 filed, then it would go to the Planning Department for them to you know share it
4 as Mr. Terell has indicated.

5
6 **INTERIM PLANNING OFFICIAL ORMSBY** – The specific recommendation if I
7 may is actually on page 156, which is consistent with what Suzanne just
8 described.

9
10 **COMMISSIONER SIMS** – I apologize. I was looking at the front page and
11 getting back to that page there. It had a little bit more depth to it, but I get that.

12
13 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And I did
14 want to point out as Suzanne mentioned, I don't think the Planning Commission
15 is in the position to table it. It will go to City Council and when Vice Chair Giba
16 asked earlier, that's kind of the types of recommendations that are possible; yes,
17 no, something in-between or we haven't come to a conclusion because we'd like
18 more time.

19
20 **COMMISSIONER SIMS** – Okay, well I guess just as a comment, this is a lot of
21 information and I think that it's a very significant... I think it's a significant
22 document. If you've got to prepare for 50 thousand dollars or whatever the
23 budget; if that is what the budget is for, a lot of work went into this and I think
24 there is a lot good points. I think there is a lot of good in the preferred alternative.
25 I don't want to minimize the effort that went into the thinking. A lot of that has
26 some very good vision thinking of a lot of good that could happen, however, I
27 just, I personally as a Planning Commissioner would like to have been involved
28 more in a Joint Study to have seen and heard more of the vision from what the
29 Council was and from the community at large on this, so that's just my two cents
30 on that.

31
32 **VICE CHAIR GIBA** – Ruthie, thank you because you know sometimes I'm not as
33 articulate as I should be but, I had this written at the top. It says this is a citywide
34 study you are trying to apply to one small area. It doesn't encompass everything
35 with our City, so Chris' comments about bringing in more of the community was
36 something that I had noted and written down also. It affects a lot of people. I like
37 it. I mean the study is really in-depth. You got your money's worth. You guys
38 should have worked with Claudia who was doing the other study and you guys
39 could have shared information very well together. I know nothing about what
40 Brandon Carn brought up, but that's neither here nor there. Meli made a very
41 valid point about cut and paste. Can we take this or that, so what I'm seeing
42 here is it continues to lead down the same direction. We've got a document here
43 that we want to maybe to apply, but we definitely need to have a lot more valid
44 input. We want a good document. I mean it's good to have something like this,
45 but I think we need more input from more of the community. I think we need
46 more input from the stakeholders whoever they are and I think we just need a

1 little more time. I don't see a rush for it to be honest with you. I think John you
2 made it very clear that this isn't going to really affect a whole lot if we wait. If the
3 moratorium isn't till January, we still have another month or so, so I would
4 probably be in the position of recommending it. We don't have enough time.
5 We'd like to have more studies. We'd like to sit down together and have these
6 discussions with them because they did such a good job, so don't ever think
7 we're kind of picking on you or anything, but I still want to see how it all applies to
8 the entire community at large and not just this one little area, because we are a
9 community and I'd like buy in from everybody so they'll all be happy with what
10 they have or not everybody you know...

11
12 **CHAIR VAN NATTA** – Carlos, anything to say?

13
14 **COMMISSIONER RAMIREZ** – Well I appreciate everybody's comments tonight.
15 This is a very important matter because whatever we build today will be here
16 long after we're gone for our kids and our grandkids, so we have to take
17 everybody's stake into consideration; everybody from the landowners to the
18 community, to our kids, so personally I think we do need more time. We do more
19 input and I mean this isn't a bad thing that we're trying to do. We're trying to
20 improve our community. We're trying to find a way to get our community so we
21 can provide more funding for our public service, for our Police Department, so we
22 can improve the way we live here and if there is any way that we can extend this
23 or recommend to the City Council that we can extend this, I think that would be
24 appropriate, given everything that is taking place in the light right now, so I
25 personally I think that we should find a way to find more time; we need more time
26 to further evaluate this properly. Thank you.

27
28 **CHAIR VAN NATTA** – I don't really think we have more time. It is going to go to
29 the City Council. They are going to make their decision. You know, I think our
30 opportunity now is to look at the alternatives we have and pass it on to the City
31 Council with our thoughts as to which we feel most palatable of the alternatives.
32 Because am I right in that the City Council can take whatever action they want
33 regardless of our recommendation?

34
35 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well the
36 Council can always... is the final authority.

37
38 **CHAIR VAN NATTA** – Yes and yet we have people who are waiting on action
39 being taken on a moratorium being released before they can go ahead with plans
40 for their project which has been a long time coming too, so yes I would have
41 preferred to be in a position where we had that special Study Session with the
42 Council which was scheduled at least four different times and cancelled for
43 various different reasons and I would have liked to have been able to sit down
44 with them and go over this as the Planning Commission in concert with the City
45 Council, but we have seen before where we've made a recommendation and
46 they've made a completely different decision than what our recommendation

1 was. I think it's important that the Council hear from us if they are going to adopt
2 one of these overlays that they hear from us which one we feel would be the
3 most appropriate one.

4
5 Personally I like the preferred alternative because it doesn't put any logistics
6 north of the freeway and I think residential north of the freeway should be
7 preserved. It also preserves the rights of the Prologis people and the property
8 that they had already gotten initially the green light on it before the economics
9 came in. Now as to whether anything is actually going to be built according to this
10 plan, a lot of that is going to depend what people want to do with their own land.

11
12 You know if we designate an area and we say okay we want this to be
13 entertainment and commercial or engagement commercial or whatever you want
14 to call it and nobody comes along who has a project that wants to put that there
15 and it may end up being something completely different when somebody who
16 owns that land comes up with an idea of what they would like to do with it. I think
17 the fact that this is not a change in the General Plan, that this is not changing the
18 existing zoning, that this is just giving a suggestion of as you called you called it,
19 a vision; somebody else called it a pipe dream. I called it a wish list. It is just
20 giving some direction as to what we would like to see go in in those areas.

21
22 I think the preferred alternative is the one that most protects the existing land use
23 and most follows the existing zoning and General Plan for that area and we're
24 not in a position really of approving it, but of just making a recommendation to the
25 Council. In a perfect world we would have had plenty of time for meetings and
26 going over it but I'm inclined to let the Council know that the preferred alternative
27 is the one that seems to have the best options and the best application for that
28 side of town and all we're doing is just accepting and filing the study and it
29 doesn't make any concrete changes.

30
31 **INTERIM PLANNING OFFICIAL ORMSBY** – Chair Van Natta, it's just a point of
32 order... we did have one Speaker Slip that came in. I know that basically it was
33 already closed as far as the Public Comment period but I just wanted to bring it to
34 the Commission's attention in the event that you wanted to hear...

35
36 **CHAIR VAN NATTA** – I don't have a problem with reopening the Public
37 Comment Hearing to hear from a Speaker. Do you have name... Thomas Hines.

38
39 **SPEAKER HINES** – If this guy has been waiting for six years and of course the
40 economy was part of the reason, can't we just go ahead and expedite him. The
41 zoning was already done for him. Everything is already ready for him. Can't we
42 just make an exception for him, so we can get a few jobs here in town? That's
43 all.

44
45 **CHAIR VAN NATTA** – Thank you for your comments.
46

1 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Just to
2 clarify, the thing that is holding up their application is the moratorium and their
3 proposal would require a General Plan Amendment and a Zone Change, so that
4 item would come to the Planning Commission and City Council for you to review
5 and make a recommendation on after the moratorium is over.

6
7 **CHAIR VAN NATTA** – Yes but can the Council, if they see an overlay in place
8 and they approve it, they could lift the moratorium could they not?
9

10 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
11 currently the choices they have is to let the moratorium expire or to extend the
12 moratorium and so those are the two options they have. I wouldn't presume to...
13 I'm not quite sure I understand. You are saying if they extended the moratorium,
14 yes they could get; they could end it at any point in time.

15
16 **CHAIR VAN NATTA** - Yes, that's what I'm saying. Could they shorten the
17 moratorium from the time that it is, but I mean if it is only going to January, that is
18 only a month and half away.

19
20 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right, at
21 this point in time that really doesn't make a difference because nothing really
22 could be scheduled for Planning Commission before it expires anyways. It's not
23 that close.

24
25 **CHAIR VAN NATTA** – I'm just concerned that if we urge them to not make a
26 decision on this overlay that they may feel that it is necessary to extend the
27 moratorium until the overlay has been fully vetted.

28
29 **COMMISSIONER BAKER** – You know my feeling on this... you know when we
30 got and I've been on here the longest of any of you guys, so we got into this and
31 the thing was my take was to protect that Auto Mall. If we box it in and I think the
32 follow from Prologis and that is in this preferred alternative, we do have Auto
33 Mall. I don't if that is enough acreage there, but it is more than we've got now.
34 That's the one thing and the other thing was no industrial north of the freeway,
35 which that preferred alternative gives and we've got a little bit of industrial and
36 logistics in there and I know the one lady pointed out about the entertainment
37 center and I don't quite understand that around Moreno Beach, but generally
38 people want to go where there is easy access off of the freeway, which you do
39 have there and maybe I'm missing something on that, but I guess that
40 entertainment center is what that AC is and that was one thing and the hotel spot
41 that is pretty decent.

42
43
44 I think this preferred alternative, rather than just put this on the shelf, we've got to
45 do something to the City Council and we can't... You know the thing here is...
46 here is my take on it on this and I've lived here 28 or 30 years, we can't make

1 every decision on the City on what is going on with the corruption deal and I'm
2 not for or against that one way, but we have to move forward here on these
3 decisions whether you like it or not.

4
5 We've got a town here of 200 thousand and I'm not preaching to the choir here in
6 any way, but I really think this is just a suggestion and we have to send
7 something over to the City Council. We can't just say hey we don't like it and
8 these guys have done a whale of a job. I'll tell you what, I don't know if any of
9 you have worked to get permits within cities. I have. I have worked for a
10 National restaurant chain. It is a real pain in the butt when you get tied up in
11 deals like this; trust me and what happens is you go down the street where it is a
12 little easier, so I really think and here is my opinion being the senior member
13 here, I think we need to not just... I think we need to put over if this preferred
14 alternative is something that we can all get together on and I think that is kind of
15 the general consensus. We have the three. It looks like the one to go with and
16 I'm not trying to take floor around, but we can't push this down the street. Our
17 Federal Government on this... too much of this pushing the can down the street.
18 We just cannot do that. And this is just a vision, but there is a lot of good visions
19 in here and I took a list here, we have a lot more plusses than there are
20 negatives. I really wish we could have talked more like you call the stakeholders,
21 but unfortunately I guess they weren't contacted and I assume maybe the owner
22 of Stone Ridge would have been in that. Do we have a list of those
23 stakeholders? Are they listed in here somewhere? I couldn't find them.

24
25 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – I believe
26 they are listed in the Staff Report and Mark did remind me that we did send
27 notice to the stakeholders of this meeting as well as the October meeting.

28
29 **COMMISSIONER BAKER** – Really the only one that is here is Prologis right?

30
31 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – No, the
32 only one that is here is not Prologis; others have chosen not to speak to you
33 publicly.

34
35 **COMMISSIONER BAKER** – But they're here

36
37 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – They're
38 here and several of them sent written comments; emails regarding this and many
39 of them were at the October meeting, in addition to whatever conversations they
40 had with the consultant and that I what we wanted. We wanted them to be able
41 to give their comments unvarnished to the consultant not worrying about what
42 Staff or somebody else thought about it. So that is the reason why. I don't want
43 to call it deep cover, but it was background information for the consultants to use
44 for their professional work that wasn't colored by the judgment of Staff or others.

45

1 **VICE CHAIR GIBA** – Can I get a point of clarity Chair? This moratorium was set
2 because they wanted to do this specific overlay. Is that correct? Is that why that
3 moratorium was established to begin with?
4

5 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – They
6 wanted to take a ... I guess the answer is yes they wanted to look in more detail
7 at this area prior to considering any projects that were in process or might be in
8 process.
9

10 **VICE CHAIR GIBA** – So the moratorium I think Suzanne you said that it will
11 expire on its own in January. Can they take it off the table, the moratorium
12 before January or are they going to have to wait till January, so I don't know if
13 they could...?
14

15 **CITY ATTORNEY BRYANT** - Well I think we only have two more meetings of the
16 City Council before January.
17

18 **COMMISSIONER BAKER** – You've got the holidays in there; doesn't make any
19 difference in there anyhow.
20

21 **VICE CHAIR GIBA** – I'll tell you where I'm going with this if you just let me finish
22 my train of thought... so what we do here and any recommendation that you
23 send to the City Council is really not going to make any difference on the
24 moratorium for all intents and purposes and then they have the choice whether to
25 renew the moratorium or just let it die, so that would be in their choice of hands.
26 Am I correct on that?
27

28 **CITY ATTORNEY BRYANT** – Yes and I believe...
29

30 **VICE CHAIR GIBA** – Okay, so we've already said this document really is nothing
31 more than guidance and nothing changes, so nothing changes and the
32 moratorium is not controlled by us, it is controlled by the City Council and it
33 doesn't hurt to have more information put in, so I don't see a rush to judgment on
34 that piece of paper, so if the moratorium is the big concern here to allow the
35 building go place with Prologis or whatever, then the City Council has a choice to
36 just say hey nothing changes, let's keep fixing this document, let's look at it a
37 little bit closer, let's improve on it, let the moratorium die, let them build Prologis if
38 that's what they chose to do because nothing changes. Am I correct on that or
39 am I misinterpreting something?
40

41 **CITY ATTORNEY BRYANT** – I think you could say that that is correct. I believe
42 part of the purpose of the moratorium was to enable the time to get this study
43 performed.
44

45 **VICE CHAIR GIBA** – And everyone wants to accomplish that for all intents and
46 purposes I think.

1 **CITY ATTORNEY BRYANT** – Right, I mean here is the presentation of the
2 study and then it will be presented to the City Council.

3
4 **VICE CHAIR GIBA** – And as Ruthie mentioned this is a beginning point this
5 starting... you know when I was in research, we would have all these documents
6 and get all this data and I mentioned that before, now we begin the analysis, but
7 what you are asking us to do right now is to come to a conclusion without really
8 having analyzed all the data completely. I mean that's the world I used to come
9 from. That's why many times maybe I am a stickler about this, so I just wanted to
10 clarify that. Whether we approve this or not approve this, the City Council can do
11 whatever they want.

12
13 **CITY ATTORNEY BRYANT** – Right and it also will be... it's a document that's
14 available so the landowners can also refer to it as look someone has already
15 studied. What is the highest and best use for this property? Maybe that will
16 affect what they present as an application to the Planning Department.

17
18 **VICE CHAIR GIBA** – This could also be considered a living document at this
19 point. We could continue to work on it. It continues to improve. They could still
20 refer to it and say we'd like to follow this document choice; City Council or the
21 City Council could just approve it as it is and say yes this is our document we
22 want to follow from now on? Am I correct on that?

23
24 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes and
25 again it has been said, the action of the Council would be to receive and file as
26 well.

27
28 **VICE CHAIR GIBA** – And so the receive and file, would be receive and file and
29 this document as it stands right now with these recommendations, with these
30 suggestions and these priorities and if we felt the community at large and the
31 Planning Commission felt that we still don't have enough information, then we
32 couldn't necessarily file it as it is right now, but it could still worked on. Am I
33 correct?

34
35 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
36 there are some contractual that are wrapped up in that statement, but yes it could
37 be received and filed and still be as you said a document that would be subject to
38 future study.

39
40 **VICE CHAIR GIBA** – Right, so we would be part of that recommendation in
41 saying City Council this is a great starting point, let's keep going, but I don't
42 agree with recommending to filing it as it is right now because I don't think it is
43 complete yet. It's a starting point. Can we do that as well? I don't even know
44 how to suggest what we do here unless each one of us make a comment of
45 some kind.

1 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – At the
2 end of the day you need to work it out among yourselves but you don't
3 technically have to take any action.

4
5 **CHAIR VAN NATTA** – No but accepting it and filing it is not putting into stone
6 any particular development or any particular land use. We still have the General
7 Plan. We still have the zoning. This is just a recommendation for this is how we
8 would like to have it go out and as Commissioner Baker said, this does preserve
9 the residential on the north side of the freeway. It allows for some logistics but
10 not an overwhelming amount as far as what is in this corridor study area, but I
11 think the main thing is engineers and people who have an engineer's mind want
12 every little piece in place. They want every little question answered and
13 sometimes we are going with a concept that we have to move forward with in
14 order to accomplish an objective and I think yes we could study it for another
15 three weeks and someone would still feel that oh we don't have enough study,
16 we don't have enough information, but when you are looking at it and you're
17 saying okay this looks like overall a forward thinking plan to be used in planning
18 for future development, you say yes we can receive it, we can accept it and we
19 can file. That does not etch it in stone and the additional adjustments can be
20 made even after it has been filed. We've got the study. The study has been
21 done. The landowners; the stakeholders in that area had the opportunity to
22 make comments and some of them did by email and of the comments that I've
23 seen more of them seemed to prefer the preferred alternative and I would be all
24 for just going ahead and passing it on to the Council and say okay we've
25 accepted and filed it.

26
27 Let the Council make a decision and if they also accept it and file it, as each
28 project comes up for approval it is going to go through all the steps that it would
29 have to if there had been no overlay, but with a little additional guidance to
30 people who are coming in and thinking well you know maybe I can get a change
31 and put a warehouse on the north side of the freeway or something and we're
32 saying no this is our vision and try to come up with something that is going to fit
33 in with that.

34
35 **CITY ATTORNEY BRYANT** – If I could also add... since Staff was tasked with
36 going out, getting a consultant and to study this area, another way of looking at it
37 is here are the results of Staff's work to get that consultant. Here is the product
38 that the City was able to get and this is the opportunity to present it to the
39 Planning Commission and to the City Council.

40
41 **CHAIR VAN NATTA** – Are there any other comments?

42
43 **COMMISSIONER SIMS** – Everything you said I hear you Commissioner Van
44 Natta. I just think that you know... the moratorium... the extension of a
45 moratorium or not, from what I understand, from what the City Attorney just said
46 is that it will without action from Council go away unless there is affirmative action

1 by the Council to extend it and so I think is within their right to do or decision to
2 do. I would feel more comfortable as a suggestion is to recommend to Council
3 not to take action on this East Corridor Study until a Joint Planning Study is held
4 with the Planning Commission and with the provision that the moratorium would
5 not be extended. That would give time for this very difficult meeting to get
6 scheduled that has been over a year to have been able to schedule this meeting,
7 is get this Joint Study done. We could roll through this and get some more input
8 and it gives time and the decision to do the moratorium... There is really no
9 urgency to do this except for Prologis... I may have messed that up; your
10 company, but in a month a half or so this moratorium will go away unless the
11 Council re-ups it and if Prologis goes forward under the current zoning it is going
12 to go through the process anyhow, so if we say yes let's go and push an
13 alternative, I get that it doesn't change the zoning and they are still going to go
14 through the process, but I just think for a transparency and for what the City
15 needs right now is complete transparency and it goes through the Joint Study is
16 a proper step that we should do.

17
18 **CHAIR VAN NATTA** – I think my concern is that the City Council if they feel like
19 we're very much opposed to this study, either the overlay or whatever and we are
20 insisting on having a Joint Meeting before we take any action on it, they may feel
21 that they need to extend the moratorium until some sort of a consensus is
22 reached on the overlay.

23
24 **COMMISSIONER SIMS** – And I think everything I read in the study that there is
25 not going to be a rush to entitle out all the acreage out there.

26
27 **VICE CHAIR GIBA** – And I don't see a problem. The Council is a wise bunch of
28 people. If they're wise in what they are doing they'll understand that we're trying
29 to assist in the process and we're not trying to hold anything up, but it doesn't
30 hold anything up, so I don't see that. I just think as I've said before it is not quite
31 a complete document yet. That's all I'm saying and we need a little bit more time
32 to finish the document appropriately so that the Staff's hard work and the
33 consultant's hard work has been put into good play as Jeff said; as
34 Commissioner Jeff said, we have a good transparency in the things that we are
35 doing and everybody is as happy as we can make them and the world is not
36 always going to be happy but enough people have their say so that they are
37 going to be very satisfied. Because I've heard a lot of satisfaction out here from
38 those. There are things they like, things they don't like and some that do like and
39 some that don't like and so if we flush it out a little bit more and the fact that we
40 have this many people here this evening and the newspaper is actually
41 advertising it, we're getting more notification about it, more people will be able to
42 get involved themselves and I think that's what this City needs a little bit more
43 personal involvement on it. That is going to be my position. The way I look at is I
44 suggest they give us a little more time to finish this up and maybe get a Joint
45 Session on that and the public more involved in that.

46

1 **CHAIR VAN NATTA** – And what reasonable expectation on getting a Joint Study
2 Session when we went months trying to get one scheduled and it didn't happen.
3
4 **COMMISSIONER SIMS** – I think how you get there Commissioner Van Natta is
5 that is what we recommend and that is our vote is that we recommend that the
6 Council not take the action until they do the Joint Planning Study and if they
7 chose to do something different, well okay, we've made a recommendation. That
8 is our job to make a recommendation.
9
10 **CHAIR VAN NATTA** – Well I was disappointed we weren't able to get together
11 with them and have that Study but...
12
13 **COMMISSIONER SIMS** – Can I make a recommendation? I'll throw one out
14 and...
15
16 **CHAIR VAN NATTA** – You can make a motion to recommend and word it how
17 you wish and we'll...
18
19 **COMMISSIONER SIMS** – Okay this could be wordsmithed, so I'll make a
20 **RECOMMENDATION** that Council not take action on the East Corridor Study
21 until a Joint Planning Study is held with the Planning Commission and to not
22 extend the moratorium.
23
24 **VICE CHAIR GIBA** – And can we add in there that we have more outreach to the
25 community too.
26
27 **COMMISSIONER SIMS** – As amended.
28
29 **VICE CHAIR GIBA** – I'll second that if we are seconding anything.
30
31 **CHAIR VAN NATTA** – Okay we have a motion and a second. Can we have a
32 roll call vote?
33
34 **COMMISSIONER SIMS** – Aye
35
36 **COMMISSIONER LOWELL** – Nay
37
38 **COMMISSIONER BAKER** – Nay
39
40 **COMMISSIONER RAMIREZ** – Aye
41
42 **VICE CHAIR GIBA** – Aye
43 **CHAIR VAN NATTA** – Nay. Don't tell what to do.
44
45 **UNKNOWN SPEAKER** – This is not an emergency. This is what is happening in
46 our City. You don't involve the community. There is no transparency. Where is

1 it? We don't get it from our City Council and we're not getting it from you right
2 now. This isn't an emergency.

3
4 **CHAIR VAN NATTA** – It's not an emergency and we were transparent. Can you
5 sit down please?

6
7 **UNKNOWN SPEAKER** – You are not being a team player

8
9 **CHAIR VAN NATTA** – Okay so the results of the vote are...

10
11 **INTERIM PLANNING OFFICIAL ORMSBY** – I had the vote as 2 to 4... 4 nays

12
13 **CHAIR VAN NATTA** – It's 3 to 3

14
15 **INTERIM PLANNING OFFICIAL ORMSBY** – 3 to 3... It fails

16
17 **CITY ATTORNEY BRYANT** – The motion fails

18
19 **INTERIM PLANNING OFFICIAL ORMSBY** – The motion failed

20
21 **CHAIR VAN NATTA** – Okay so that motion has failed and do we have a wrap up
22 now from Staff as to what will happen next.

23
24 **CITY ATTORNEY BRYANT** – Well you can still have a motion if you wanted to
25 still receive, accept and file this study.

26
27 **CHAIR VAN NATTA** – So we have to come up with a motion that we can pass

28
29 **CITY ATTORNEY BRYANT** – Or you don't have to do anything

30
31 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – You don't
32 have to do anything. You don't have to do anything. You try to come up and
33 craft a recommendation that you all feel comfortable with or we would just
34 forward it saying that no action was taken.

35
36 **CHAIR VAN NATTA** – What they wanted to say was no action was taken.

37
38 **CITY ATTORNEY BRYANT** – We would also probably include what the motion
39 was and that it failed.

40
41 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
42 they'll get...

43 **VICE CHAIR GIBA** – They'll get our recommendations on that John...

44
45 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
46 they'll get a set of your minutes is what they'll get...

1 **VICE CHAIR GIBA** – Do they actually...

2
3 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
4 some do and some don't

5
6 **VICE CHAIR GIBA** – I'm more concerned about the community's involvement on
7 something like this and I never considered this a rush to get it done, but the
8 Council can make their decisions as they'll make them and we made our
9 recommendations.

10
11 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right and
12 what we normally do is we'd obviously say that on a 3 to 3 or whatever, the
13 motion failed and that no action was taken if that is what you chose to do and we
14 would generally characterize that several people came and generally
15 characterize what you said tonight is that some Commissioners had a concern
16 that they would like more time and others felt comfortable with the Study as
17 presented and we can certainly characterize that and the minutes will be there so
18 that they can actually get the blow by blow if they choose to read them.

19
20 **COMMISSIONER LOWELL** – Can I interject. Even if this just a book report, it's
21 a study of what the ideal situation of the City should be. This does not include
22 the World Logistics Center. It's an area that I live in and I'm directly affected
23 along with several of my other Commissioners. I'd like to make a
24 recommendation that the City Council receive and accept this report and file it as
25 it is, given that there is no implementation. I say I'd like to make a motion that
26 the City Council **RECEIVE, ACCEPT AND FILE** the SR 60 East Corridor Study.

27
28 **CHAIR VAN NATTA** – Okay we have a motion. Do we have a second?

29
30 **COMMISSIONER BAKER** – And I'll second that.

31
32 **CHAIR VAN NATTA** – We have a motion and second. Can we have a roll call
33 vote again please?

34
35 **COMMISSIONER SIMS** – No

36
37 **COMMISSIONER LOWELL** – Yes

38
39 **COMMISSIONER BAKER** – Yes

40
41 **COMMISSIONER RAMIREZ** – No

42
43 **VICE CHAIR GIBA** – No

44
45 **CHAIR VAN NATTA** - Yes

46

1 **INTERIM PLANNING OFFICIAL** – Okay, well it's still a 3 to 3 vote, so no action.

2
3 **CITY ATTORNEY BRYANT** – The motion fails

4
5 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And
6 obviously I've been working with the Commissions for a long time. This is
7 certainly not the first time that we've had a tie vote and I appreciate you both
8 three's putting the reasons; their motions forward, so that gives the Council there
9 two motions, this was the vote and still and correct me I'm wrong, characterize
10 the Commissioners that do not want to move forward at this time, that really your
11 concern is not that the study is in error, it's just that it hasn't been fully vetted.

12
13 **VICE CHAIR GIBA** – It's not flawed, there is nothing wrong, it's just that I don't
14 see it complete yet and that completion means more input from the community,
15 so yes you've got that right John, thank you.

16
17 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Okay,
18 move on to the next item.

19
20 **CHAIR VAN NATTA** – Okay do we have any next items?

21
22
23
24 **STAFF COMMENTS**

25
26 **INTERIM PLANNING OFFICIAL ORMSBY** – We do have some Staff Comments
27 as far as future items for the Agenda and those would include pretty much a full
28 Agenda for the next meeting. We have a Plot Plan for... (Interruption by a
29 member of the public).

30
31 **CHAIR VAN NATTA** – (Interruption by a member of the public) You are out of
32 order. Could you please leave?

33
34 **INTERIM PLANNING OFFICIAL ORMSBY** – We have a Plot Plan proposed for
35 a 12,000 square foot dialysis center in close proximity to the existing Kaiser
36 Hospital on Iris Avenue. Also on the Agenda is a 400,000 square foot
37 warehouse in the Moreno Valley Industrial Area that would be in the vicinity of
38 Perris and San Michel and that would project would include an Environmental
39 Impact Report and then also we've or I've mentioned at a previous meeting that
40 we might have an 8 lot Tentative Tract Map for your review which is a Habitat
41 project and we should have it this time for December and that is located on
42 Myers Street and then also a Conditional Use Permit for a telecommunications
43 facility on Box Springs Road at an existing office building and so those are the
44 projects for the next meeting. I did want to mention that we received some pins
45 from City Council office or I guess through the City Manager's office as well and I
46 believe Vice Chair Giba was instrumental in some way perhaps coordinating that,

1 so we do have those for you which I'll provide those at the end of the meeting;
2 very nice lapel pins. So with that I'll turn it back to the Chair. Oh, that's
3 December 12th.

4
5 **VICE CHAIR GIBA** – So what you're saying is Merry Christmas but you've got a
6 lot of work to do.

7
8 **INTERIM PLANNING OFFICIAL ORMSBY** – That's correct

9
10
11
12 **PLANNING COMMISSIONER COMMENTS**

13
14 **CHAIR VAN NATTA** – Okay are there Planning Commissioner Comments...

15
16 **VICE CHAIR GIBA** – This was a difficult evening. I spent several days laboring
17 over it and you know I really enjoy being here and I really enjoy working and I
18 think we have such a wonderful working relationship where we can vote 3 and 3
19 and walk out and smile and know that we've done what we all felt was in the best
20 interest of this City. We just have different interests. That's why we are
21 supposed to have seven people, so somebody please let the City Council know
22 we need that seventh up here to break those ties, but that is why we have seven
23 people, not elected from the community at large to represent almost 200,000
24 people. Two hundred thousand people don't always have the same points of
25 view, so it is not always easy for us to do that. I always appreciate it. I've said it
26 a hundred times, when the folks come out to tell us their feelings, that also helps
27 me understand whether we are doing the right thing or not. It's not easy. This
28 job is not always easy and the Staff does... sometimes I'm a little short or terse;
29 that's just my nature sometimes and I apologize for that, but you guys always do
30 a wonderful job and when I call Mark or when I call Chris and they send us
31 information when I ask them for it because they don't usually know that, that
32 we're on the phone sometimes and say send me more. I need more information.
33 I can't do this without that and so I appreciate it. I think it's so much that you do
34 and in light of what has been going on recently, so I know you guys are really
35 burdened and shorthanded with everything that has been going on; volumes of
36 work that you are doing on the side, so I do want to thank you for all your help
37 Chris.

38
39 **CHAIR VAN NATTA** – Are there any other comments? I just want to say that the
40 decisions that we make individually and as a group may not always be popular
41 with certain people and no matter what we say there is somebody that likes it or
42 doesn't like it, but I just want to say personally I try to look at what is good for the
43 community as a whole and what's going to further the progress for people who
44 have been waiting for approvals and that was the basis of my decision this
45 evening and if a handful of people weren't happy with it, then that is always going
46 to happen. So, are there any other comments?

1 **ADJOURNMENT**

2

3 **CHAIR VAN NATTA** – Would somebody like to move to adjourn?

4

5 **COMMISSIONER BAKER** – I move we adjourn

6

7 **VICE CHAIR GIBA** – Second

8

9 **CHAIR VAN NATTA** – All those in favor. We are adjourned.

10

11

12

13

14

15

16

17

18 _____
Chris Ormsby
19 Interim Planning Official
20 Approved

_____ Date

21

22

23

24

25

26

27

28 _____
Meli Van Natta
29 Chair

_____ Date

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1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 DECEMBER 12TH, 2013

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

15 **ROLL CALL**

16
17 Commissioners Present:

18 Chair Van Natta
19 Vice Chair Giba
20 Commissioner Baker
21 Commissioner Lowell
22 Commissioner Ramirez
23 Commissioner Sims
24

25 Staff Present:

26 John Terell, Community and Economic Development Director
27 Chris Ormsby, Interim Planning Official
28 Claudia Manrique, Associate Planner
29 Gabriel Diaz, Associate Planner
30 Jeff Bradshaw, Associate Planner
31 Julia Descoteaux, Associate Planner
32 Mark Sambito, Land Development, Principal Engineer
33 Michael Lloyd, Transportation Engineer
34 Hoang Nguyen, Land Development Engineer
35 Vince Girón, Land Development Engineer
36 Randy Metz, Fire Marshall
37 Suzanne Bryant, City Attorney
38
39
40

41 **PLEDGE OF ALLEGIANCE**
42
43
44

1 **PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE**
2 **MEETING**

3
4 **CHAIR VAN NATTA** – Okay the public is advised that the procedures to be
5 followed in the meeting are on display in the rear of the room. At this point we
6 are going to begin with comments by any member of the public on any matter
7 which is not listed on the Agenda but is within the subject matter jurisdiction of
8 this Commission. Do we have any speakers?

9
10 **INTERIM PLANNING OFFICIAL ORMSBY** – We have no Speaker Slips.

11
12 **CHAIR VAN NATTA** – No Speaker Slips. Okay then we are going to close the
13 Public Section and we will begin with our Public Hearing Items. Oh, I skipped
14 something; sorry.

15
16
17
18 **APPROVAL OF AGENDA**

19
20 **CHAIR VAN NATTA** – Okay gentlemen, you’ve had a chance to review the
21 Agenda. Do I hear a motion to approve?

22
23 **VICE CHAIR GIBA** – I approve

24
25 **COMMISSIONER BAKER** – I’ll second

26
27 **VICE CHAIR GIBA** – I’ll second

28
29 **CHAIR VAN NATTA** – All those in favor?

30
31 Opposed – 0

32
33 **Motion carries 6 – 0**

34
35
36
37 **PUBLIC HEARING ITEMS**

38
39 **1. Case Description: PA13-0029 Conditional Use Permit**

40
41 **Case Planner: Claudia Manrique**

42
43 **CHAIR VAN NATTA** – Okay the first item that we’re going to be considering is
44 Case PA13-0029, a Conditional Use Permit. The Applicant is AT&T and the
45 Case Planner is Claudia Manrique.

1 **ASSOCIATE PLANNER MANRIQUE** – Good evening. The proposal is for a
2 Conditional Use Permit for the installation and operation of a new wireless
3 telecommunications facility. The proposed facility is to be located at 21250 Box
4 Springs Road, which is an existing office building. The proposed tower is a 75
5 foot monopalm and improvements include expanding an existing storage area
6 inside the building one the first floor to hold the equipment cabinet, planting two
7 new live palm trees and bushes to camouflage the base of the monopalm. The
8 project will move the existing flag pole at approximately five feet east of the
9 proposed tower. The project site is located off the southeast corner of an
10 existing office building complex near Box Springs Road. The tower is
11 approximately 175 feet from the church across the street and approximately 350
12 feet from the classrooms and the gymnasium that is part of the church across the
13 street, approximately 275 feet from the nearest residence on the northeast and
14 approximately 300 feet from future multi-family to the west and the parcel is
15 currently vacant.

16
17 The proposed site is within the Office zoning district. Staff has reviewed this
18 project and determined this item will not be a significant impact to the
19 environment and therefore is exempt under CEQA. Public notice was sent to
20 owners within 300 feet of the project as well as posted on site and in the local
21 newspaper. As of today I received no calls regarding this project and we
22 recommend that we recognize that this item is exempt under CEQA, Class 32,
23 Categorical Exemption and approve PA13-0029 based on the findings in the
24 Resolution. Thank you.

25
26 **CHAIR VAN NATTA** – Okay, do we have any Public Speaker slips?

27
28 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no Speaker Slips for this
29 item.

30
31 **CHAIR VAN NATTA** – No Speaker Slips and seeing no one coming forward, I'll
32 close the public comment section on this except for the... I'm sorry, first we'll
33 hear... does the Applicant have anything they want to say on it?

34
35 **APPLICANT JENNINGS** – Good evening. We agree with everything that was
36 said here tonight from Claudia and I'd like to thank you guys for your time
37 Commissioners and Planning Department and I'm here to answer any questions
38 that you might have. My name is Troy Jennings, representing AT&T.

39
40 **CHAIR VAN NATTA** – Does anybody have questions?

41
42 **COMMISSIONER RAMIREZ** – Good evening Mr. Jennings, thank you for coming
43 tonight. My question is what service areas are going to be enhanced as a result
44 of this project?

1 **APPLICANT JENNINGS** – Good question. So if you look at the rendering here
2 on the map, you see Box Springs Road and towards the freeway there is a
3 significant gap in coverage there and that is what we are trying to fill. It will also
4 enable carriers and commuters and also residents to also be able to have cell
5 phone service that they do not have currently, so it provides for all types of
6 different areas for commuters and it is about I'd say a two mile radius there in the
7 ring.

8
9 **COMMISSIONER RAMIREZ** – Very well, thank you.

10
11 **VICE CHAIR GIBA** – A real simple one... more times than not, those are not put
12 out on the very front of buildings, they are usually set back, so if you could
13 explain why for this specific one you didn't put that farther back or in a different
14 location and not right up on the street level.

15
16 **APPLICANT JENNINGS** – Good question. The reason why we did put it up
17 closer is because there is an existing greenbelt there already and there are also
18 some palm trees that will enable it to be camouflaged, but the primary reason
19 why we didn't put it in the rear of the building is because there is an elevation
20 drop that wouldn't enable us to cover the gap in coverage there and we are also
21 going to plant to other palm trees as Claudia said to provide greater camouflage
22 in that area.

23
24 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Oh
25 Commissioner Giba, the other reason was that it is placed back of the front of the
26 building, so the building itself will actually provide a fair amount of screening,
27 especially from the west.

28
29 **VICE CHAIR GIBA** – Yes looking from the west, coming from the other direction
30 or across the street ort the church, it'll be...

31
32 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right,
33 with the palm trees around it; yes

34
35 **VICE CHAIR GIBA** – It's just curiosity because mainly they are set back; that's
36 all.

37
38 **APPLICANT JENNINGS** – Yes and also if you look in the rear of that parking lot,
39 it would encroach on some parking spots of that business and I know that they
40 really have a high occupancy there; very few parking spots available, so we'd
41 have to encroach on the parking spots back there and quite honestly, putting the
42 tower back there as we considered with the elevation drop, wouldn't enable us to
43 have the gap in coverage covered, but if you look, also there are some homes
44 back there and they would be peering at that tree all day and night, so I think with
45 the parking lot consideration and especially the elevation drop, that we selected
46 that spot and the landlord also wanted it there in the front.

1
2 **VICE CHAIR GIBA** – Thank you
3
4 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes he
5 pointed out and I confirmed with Claudia that they don't have any extra parking
6 so they couldn't lose any spaces. The other consideration I know that Staff had
7 was that at the back of this property is a day care center with their outdoor play
8 area and it didn't seem appropriate to have this facility be adjacent to that area
9 as well.
10
11 **VICE CHAIR GIBA** – I went to the site and looked around and probably came to
12 the same conclusion, so I just thought I'd air it out here in case anybody had...
13
14 **CHAIR VAN NATTA** – When the letters went out, was the church notified also?
15
16 **ASSOCIATE PLANNER MANRIQUE** – They were included, but no one
17 responded.
18
19 **CHAIR VAN NATTA** – No response; okay
20
21 **VICE CHAIR GIBA** – I know there is a different church occupancy now... it was
22 Foothill Baptist and it's not anymore; it was taken over by another church which
23 has a tremendous (Inaudible...no sound) ...they notified.
24
25 **ASSOCIATE PLANNER MANRIQUE** – It's the labelling; the way it goes through
26 the title company. It goes to the property owner and so it should have had that
27 address on there.
28
29 **APPLICANT JENNINGS** - In this case and were within the 300 feet, which is the
30 notification range at that; they were notified.
31
32 **CHAIR VAN NATTA** – Any other questions? Thank you very much.
33
34 **APPLICANT JENNINGS** – Thank you for your time.
35
36 **CHAIR VAN NATTA** – We'll go to Commissioner Discussion.
37
38 **COMMISSIONER RAMIREZ** – No I think it is a great idea especially if there is no
39 signal in that particular area. It enhances the service area for ATT customers. I
40 don't see any significant impacts, environmental that would be cause to the
41 neighborhood or schools around there, so I'm ready to vote this in.
42
43 **VICE CHAIR GIBA** – I thought it was just fine. It was a good location; good
44 choice. The palm tree extra is I had a note there about that and you guys
45 covered that... fencing and planting additional palm trees and I went okay we're
46 good. I visited the site. It looks quite appropriate.

1
2 **COMMISSIONER BAKER** – I think it's a good location and obviously we need
3 some more coverage for ATT in that area so I'm for it.

4 **COMMISSIONER LOWELL** – I have no comments or concerns
5

6 **COMMISSIONER SIMS** – I think it's a good use of the... it's a good project.
7 Planting the additional palm trees to look the site; there is already palm trees
8 there so it will blend in well. I also like that the equipment that goes along with it
9 is going to be concealed inside the building; get the sublease of the building in
10 there. I thought that was a really nice touch.

11
12 **CHAIR VAN NATTA** – I also like the idea. I've quite often gone through that
13 area and lost cell service as I'm driving between Moreno Valley and Riverside, so
14 you're right, we did need additional. Would someone like to make a motion?
15

16 **COMMISSIONER LOWELL** – I'll motion. I motion to **APPROVE** Resolution No.
17 2013-32 and thereby:
18

- 19 1. **RECOGNIZE** that this item is exempt from the provisions of the California
20 Environmental Quality Act (CEQA) as a Class 32 Categorical Exemption,
21 CEQA Guidelines, Section 15332 for Infill Development; and,
- 22 2. **APPROVE** PA13-0029 (CUP) based on the findings contained in the
23 Resolution and subject to the conditions of approval included as Exhibit A
24 of the Resolution.
25

26 **CHAIR VAN NATTA** – Okay we have a motion and a second. All in favor?
27

28 Opposed – 0
29

30 **Motion carries 6 – 0**
31

32 **CHAIR VAN NATTA** – Okay our next case... Oh I'm sorry; wrap up... I'm
33 skipping things tonight; sorry.
34

35 **INTERIM PLANNING OFFICIAL ORMSBY** – The action is final unless an appeal
36 is filed within 15 calendar days.
37

38 **CHAIR VAN NATTA** – Thank you.
39
40
41

42 **2. Case Description: PA13-0048 Plot Plan**
43

44 **Case Planner: Claudia Manrique**
45

1 **CHAIR VAN NATTA** – Our next case is PA13-0048, Plot Plan. The Applicant is
2 O'Reilly Automotive Stores and the Case Planner again is Claudia Manrique.

3
4 **ASSOCIATE PLANNER MANRIQUE** – Good evening again. This proposal is
5 for a Plot Plan for a new retail auto parts store to be located at 23334
6 Sunnymead Boulevard. The parcel is currently vacant. Properties surrounding
7 the project include the Comfort Inn Hotel to the north, Shakey's Pizza to the east
8 and a discount tire retail store to the west. The proposed site is within the Village
9 Specific Plan and is zoned Community Commercial. The neighboring parcels to
10 the north, east and west are also zoned Community Commercial. The main
11 entrance to the project will be accessed from the existing driveway off of
12 Sunnymead Boulevard. The driveway is shared by adjacent existing commercial
13 buildings. It will also be possible to access the property from driveways off of
14 Olivewood Plaza Drive and Graham Street with some driving throughout the
15 existing parking lots. The proposed parking lot design for the retail building
16 includes 29 parking spaces, which meets the minimum parking requirements for
17 the commercial building. The retail building is approximately 6,600 square feet
18 and includes two tone split face blocks, which subtle reveals and conditioned to
19 include decorative lighting on three sides of the building that is visible from the
20 parking lot and the street. Landscaping will be provided per the City standards.
21 Staff has reviewed the project and determined that the item will not impact the
22 environment and therefore is exempt under CEQA. Public notice was sent to
23 property owners within 300 feet of the project as well as posted on site and then
24 published in the local newspaper. As of tonight I received zero calls regarding
25 this project. Staff recommends that we recognize this item is exempt under
26 CEQA Class 32 Categorical Exemption and approve PA13-0048. Thank you.

27
28 **CHAIR VAN NATTA** – We'll open the Public Hearing portion of this item. Do we
29 have any Speaker Slips?

30
31 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no Speaker Slips

32
33 **CHAIR VAN NATTA** – Would the Applicant like to be heard? Go ahead and
34 come on up in case there are questions.

35
36 **APPLICANT** – I'm Mark Berquest with O'Reilly Auto Parts, 702 East Bethlehem
37 Road, Phoenix, Arizona. I represent O'Reilly Auto Parts. I'm here to answer any
38 questions.

39
40 **CHAIR VAN NATTA** – Okay, does anybody have any questions?

41
42 **COMMISSIONER RAMIREZ** – Thank you for coming this evening. It is just a
43 simple question. Is there any concern that there are two other auto parts stores
44 within 1,000 feet of that location.

1 **APPLICANT** – That’s actually not my arena. We have a whole department and
2 that’s all they do. I’m sure that that was well planned. We actually ironically and
3 I don’t know the reasons for this, we do like to place our stores near other auto
4 parts stores for competition.
5
6 **COMMISSIONER RAMIREZ** – Alright that makes sense
7
8 **APPLICANT** – That’s what I’m told
9
10 **COMMISSIONER RAMIREZ** – Thank you
11
12 **CHAIR VAN NATTA** – I wonder if they like it.
13
14 (Inaudible – no sound)
15
16 **VICE CHAIR GIBA** – I do
17
18 **CHAIR VAN NATTA** – Oh you do
19
20 **VICE CHAIR GIBA** – I just want to make sure; the light is on, so you never know.
21
22 **CHAIR VAN NATTA** – Oh okay
23
24 **COMMISSIONER BAKER** – And I don’t know if you aware, you’ll still going with
25 the location in the southern part of town, just off JFK and Perris. Are you familiar
26 with that location?
27
28 **APPLICANT** – Yes, we’re also doing that one in that location too
29
30 **COMMISSIONER BAKER** – Which one is going to go first? Do you have any
31 idea?
32
33 **APPLICANT** – Actually at this point, they’re going to be about the same time.
34 We are actually waiting for building permits on both of them right now.
35
36 **COMMISSIONER BAKER** – Okay, very good, thank you.
37
38 **COMMISSIONER LOWELL** – I had a question. On the conditions of approval
39 they are saying that we have to address water quality concerns, but I don’t see
40 anything in the precise grading plan or the site layout that addresses... (Inaudible
41 - no sound). Has a preliminary WQMP been prepared for the project? Is one
42 prepared?
43
44 **LAND DEVELOPMENT ENGINEER HOANG** – Hoang from Land Development...
45 it is my understanding that this project is exempt from a Water Quality
46 Management Plan.

1 **INTERIM PLANNING OFFICIAL ORMSBY** – It is exempt under CEQA and the
2 size of the parcel didn't trigger a Water Quality Management Plan, however I
3 assume there are still water quality measures that are included in the conditions
4 of approval and such.

5
6 **COMMISSIONER LOWELL** – I was under the impression that if you added 5,000
7 square feet of impervious area to any site you had to... (Inaudible - no sound)

8
9 **INTERIM PLANNING OFFICIAL ORMSBY** – We've looked at that and based on
10 the language along with the prior City adopted policy on that or City internal
11 policy on it, the determination was that this site would be exempt based on the
12 size of the site as well as the other aspects we talked about.

13
14 **VICE CHAIR GIBA** – I've got a couple... The plot line on this seems to be part of
15 the way it is laid out; be part of the parking lot that is being used for the motel. Is
16 that correct? At least that is what it looks like when I'm looking at the plot line
17 and the hotel. Have you got that one you can throw up there to take a look at?

18
19 **ASSOCIATE PLANNER MANRIQUE** – Yes along the north end of the building...

20
21 **VICE CHAIR GIBA** – Yes the north end; right

22
23 **ASSOCIATE PLANNER MANRIQUE** – And those parking spots that line up with
24 the hotel are also a part of the area that they are leasing for O'Reilly's, so those
25 parking spots are now counted for the 29 that are required for O'Reilly's.

26
27 **VICE CHAIR GIBA** – Are those parking spaces going to remain like that; kind of
28 look like that... are they just going to stay there or are they going to re-do that
29 whole parking space, because it looks like the same parking spaces are
30 remaining there.

31
32 **ASSOCIATE PLANNER MANRIQUE** – Yes

33
34 **VICE CHAIR GIBA** – Okay so you're just going to build kind of, leaving that as
35 part of your parking lot already. Am I correct... and I didn't see any real
36 landscaping. It is facing Sunnymead Boulevard and part of the mitigations and
37 stuff and the fees were the Sunnymead Boulevard beautification and all that and
38 I really didn't see anything about how that was going to be done along
39 Sunnymead Boulevard because it faces Sunnymead Boulevard. I'm looking
40 through for anything in particular specific to it and I am probably missing it.

41
42 **INTERIM PLANNING OFFICIAL ORMSBY** – The existing palm trees will remain
43 but there is a condition...

44
45 **VICE CHAIR GIBA** – (Inaudible – no sound)... things around, but I didn't see
46 anything extra or specific to that.

1 **INTERIM PLANNING OFFICIAL ORMSBY** – Right, there is a requirement for a
2 final landscape plan that would be required to meet our landscape guidelines as
3 well as any additional provisions of the Sunnymead plan area there. Certainly
4 the conceptual plan doesn't really provide or doesn't show shrubs or other
5 landscaping along there. We would be looking to enhance that to meet the City's
6 required landscape plans.

7
8 **VICE CHAIR GIBA** – I assumed so Chris. Thank you very much. I thought the
9 location seemed... (Inaudible – no sound)

10
11 **CHAIR VAN NATTA** – Are there any other questions?

12
13 **COMMISSIONER SIMS** – Now that Commissioner Lowell brings it up about the
14 water quality component on this thing, this is just... you know if it does... if it is
15 exempt I guess it is exempt, but you know a lot of times the people that go to the
16 auto parts stores, there are a lot of and I have noticed it, there are a lot of oils
17 and grease in the parking lot associated with that kind of use and whether it is
18 exempt or not it seems like a best management practice for overall benefit of the
19 community would be to avoid having that grease and oils come off of the parking
20 lot. I don't know what those cost, but it would seem like an appropriate mitigation
21 to include into that as a new business in the City.

22
23 **COMMISSIONER LOWELL** – That was my primary concern also. It is says
24 apply best management practices, but in the grading plan I didn't see anything
25 called out.

26
27 **CHAIR VAN NATTA** – There is a question there for someone.

28
29 **COMMISSIONER SIMS** – Excuse me... I would suggest that they look into
30 requiring, you know even if it is a best management practice, I think to take into
31 consideration the actual use of the property. I mean if similar to like a gas station
32 where you have a high concentration like that where people are going in to get
33 parts to fix their cars and typically a lot of them are leaking oil or whatever, that is
34 just one of those type of uses that even if it is exempt it might be the right thing to
35 do. So just a consideration.

36
37 **INTERIM PLANNING OFFICIAL ORMSBY** – We could have Land Development
38 further elaborate on our response if you would like.

39
40 **LAND DEVELOPMENT ENGINEER SAMBITO** – Mark Sambito, Land
41 Development Division Manager. Commissioner Sims I couldn't agree with you
42 more as far as best management practices for that type of use and of the BMP's
43 it would certainly make sense to incorporate maybe the readily available
44 absorbent material much like we do at the gas stations in the event of spills, so I
45 think that would be one of the BMP's that that type of an operation would need to

1 incorporate in addition to the others which could include education and that type
2 of signage and things like that around the parking area.

3
4 **COMMISSIONER LOWELL** – I have an additional question. I didn't see
5 anywhere in this submittal; is there any language in the conditions or going to be
6 posted saying you are not allowed to work on your vehicles in the parking lot of
7 the O'Reilly or when people do that they spill oil and grease?

8
9 **CHAIR VAN NATTA** – I've seen that type of sign with other O'Reilly's. There is
10 one close to my house and there is a sign very prominently posted there.

11
12 **COMMISSIONER LOWELL** – Is there any way we could add some sort of
13 requirement for that. I mean I think that would be beneficial.

14
15 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes

16
17 **COMMISSIONER LOWELL** – Perfect

18
19 **CHAIR VAN NATTA** – Anything else? I'll close the Public Comment portion and
20 go to Commissioner Discussion.

21
22 **COMMISSIONER SIMS** – I think it's a good project. It is good to have a lot of
23 competition between auto parts and if you can't get your part at one you can get
24 it at the other.

25
26 **COMMISSIONER LOWELL** – I agree. I really like the idea this project is an infill
27 project. It is going to occupy a vacant lot that is normally an eyesore and I really
28 like the idea of competition, more variety. I think all in all I think it's a great
29 project. I would like to see some sort of water quality items addressed. Maybe
30 add some sort of infiltration basin of some sort just to get the first flush of oils and
31 grease off of the asphalt because the vehicles that do tend to go to an auto store
32 are not usually in the best of running conditions. All in all I think this is a great
33 idea and a great project.

34
35 **COMMISSIONER BAKER** – Yes I like the project. I think it's a great infill project.
36 It will help that area of that block and O'Reilly, they run a good program there,
37 trust me, I'm familiar with that company out of Phoenix, so I'm for it.

38
39 **VICE CHAIR GIBA** – You also have a warehouse in Moreno Valley. Am I
40 correct, so distribution is close and available for us so I like that as well and I just
41 ditto everything they just said. Thank you.

42
43 **COMMISSIONER RAMIREZ** – Well I echo the sentiment of all the
44 Commissioners; took the words out of my mouth. I'm ready to vote this in.

45

1 **CHAIR VAN NATTA** – That’s the nice thing about going last. It probably has
2 already been said by the time it gets to me, but there is one of your stores just
3 very close to where I live and it was taken over from another place. I’ve been in
4 there a few times. It’s always very well maintained inside and out and a pleasant
5 place to go shop so we welcome you. Does somebody want to make a motion?
6

7 **COMMISSIONER SIMS** – I’ll do that. I recommend we consider **APPROVING**
8 Resolution No. 2013-33 and,
9

- 10 1. **RECOGNIZE** that this item is exempt from the provisions from the
11 California Environmental Quality Act (CEQA) Guidelines as a Class 32
12 Categorical Exemption, CEQA Guidelines, Section 15332 for Infill
13 Development, and;
14
- 15 2. **APPROVE** PA13-0048 based on the findings contained in the Resolution,
16 subject to the conditions of approval contained in Exhibit A of the
17 Resolution.
18

19 **VICE CHAIR GIBA** – I’ll second it
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**
26

27 **CHAIR VAN NATTA** – May we have a staff wrap up please?
28

29 **INTERIM PLANNING OFFICIAL ORMSBY** – The action is final unless an appeal
30 is filed within 15 calendar days.
31

32 **CHAIR VAN NATTA** – Thank you.
33
34
35

36 **3. Case Description: PA13-0041 Plot Plan**
37

38 **Case Planner: Jeff Bradshaw**
39

40 **CHAIR VAN NATTA** – Moving right along to our third item which is PA13-0041, a
41 Plot Plan for J.G. Stouse Constructors Inc. and the Case Planner is Jeff
42 Bradshaw.
43

44 **ASSOCIATE PLANNER BRADSHAW** – Good evening Chair Van Natta and
45 members of the Planning Commission. The item before you this evening is a
46 Plot Plan. The proposal here is for the Fresenius Medical Office facility. The

1 proposal is to develop a 12,285 square foot medical office building for use as a
2 dialysis center. The site is located at the northwest corner of Iris Avenue and
3 Olive Street and the medical office site itself is an approximately one and half
4 acre portion of a larger 18 acre parcel. The building site will be located
5 approximately 500 feet north of Iris Avenue and the selection of this location
6 within the larger parcel allows them to site the building in close proximity to the
7 adjacent community hospital that is located right there.

8
9 The site is comprised of two zones; Neighborhood Commercial and Office.
10 Permitted uses within the project site are then further restricted by the Medical
11 Use Overlay District and the proposed medical office building is a permitted use
12 both in the Neighborhood Commercial and Office zones as well as being
13 consistent with the intent of that Overlay District. The project includes a single
14 story medical office building with red brick and tan cement plaster finish. Details
15 on the building would include cornices over the entrances and windows and a
16 tower feature. There is a horizontal band of similar trim used to separate the
17 brick finish from the cement plaster finish on each of the elevations. The site has
18 been designed to provide parking that exceeds the standard for a medical office
19 building. There are some walls on the site. There is a retaining wall along the
20 south part of the building as well as some wall enclosures for a backup generator
21 and a trash enclosure. Those would be of decorative block and consistent with
22 our code which offers some guidelines for screening and for walls.

23
24 The project has been reviewed by Staff. The design as proposed for the use is
25 consistent with the standards of the NC and Office zones as well as design
26 guidelines for commercial uses. In review of the project, Staff has determined
27 that this item will not have a significant effect on the environment and is exempt
28 from the provisions of the California Environmental Quality Act as a Categorical
29 Exemption as an Infill Development Project. Public notice was completed for
30 this project consistent with our standards. The site was posted, notices were
31 sent out to all property owners within 300 feet and notice was published in the
32 paper. As of this evening, I hadn't received any inquires on the project or
33 questions about it.

34
35 The applicant has had a chance to review the Staff Report and the conditions
36 and he did have some concerns. I had a conversation with him earlier about
37 some Planning conditions and about some Special Districts conditions. I believe
38 we were able to resolve the concerns about the Planning conditions without the
39 need to make any changes. The question about the Special District condition;
40 we did have an opportunity to talk with him as well as Special Districts Staff and
41 the recommendation is to revise Condition SD2, which is referenced in the memo
42 that we provided to you this evening. That language is preferred by Staff and I
43 believe addresses the concern by the applicant as well. With that, Staff would
44 recommend approval of the project. Planning Commission recognizes that the
45 project will not have a significant effect on the environment and is exempt from
46 the provisions of CEQA as an infill exemption and approve the project based on

1 the conditions of approval that are presented to you this evening. That
2 concludes my report and I'd be happy to answer any questions that you might
3 have.

4
5 **CHAIR VAN NATTA** – Are there questions of the Planner?

6
7 **COMMISSIONER SIMS** – I was trying to pull up on my iPad. Can you guys pull
8 up the overall site plan; not the site plan, but kind of the map showing the
9 surrounding development around it.

10
11 **ASSOCIATE PLANNER BRADSHAW** – That particular slide I don't think is
12 included here.

13
14 **COMMISSIONER SIMS** – Okay and I'll go on. I've noticed in three or four of
15 these actions tonight that we are considering that we're using the CEQA Section
16 15332 or whatever it is on the infill and I pulled that up to review that and I was
17 kind of trying to get my sense of you know how far can you stretch the term infill,
18 because there is a specific overlay for that area for development which would
19 indicate to me that for new development going in and not per say an infill. There
20 are two hospitals right there, so I'm not trying to make a mountain out of a
21 molehill but you know how does City Planning get themselves to say this is infill.
22 So that would be my first question.

23
24 **ASSOCIATE PLANNER BRADSHAW** – It goes back to I think the exhibit you
25 are probably... that you are referring to the aerial...

26
27 **COMMISSIONER SIMS** – Yes the aerial map. If you pull up Google, there is
28 really nothing around it except for the hospital.

29
30 **ASSOCIATE PLANNER BRADSHAW** – Right, we're looking at the degree or
31 the amount of development that has occurred in the immediate proximity to those
32 sites. We're looking at the public improvements at the edge of the property as
33 well as again how much development has occurred in the immediate proximity.
34 Here you have development on all sides of the property further to the north. The
35 site transitions from there into the vacant property that is part of the Aquabella
36 Specific Plan, but this particular site is consistent with the way that we have
37 applied that particular exemption for other sites in town where the uses around it
38 are largely urban and developed.

39
40 **COMMISSIONER SIMS** – I guess it is my comment to my fellow Commissioners
41 here; the prior project we just approved for the O'Reilly, that to me is an infill
42 project. This you know, I just would be concerned that the circumvents going
43 through more of a negative declaration type of a more formal CEQA process, but
44 you guys are the professionals and so I would rely on your judgment on that.

45

1 **INTERIM PLANNING OFFICIAL ORMSBY** – Commissioner Sims, there has
2 been some guidance provided, although rather general guidance from the office
3 of Planning and Research, the State Agency that monitors this kind of thing and
4 provides some direction, but again it does wind up being up to the cities and
5 counties to interpret that, but they have provided some guidance and I think our
6 determinations have been in line with that.

7
8 **COMMISSIONER SIMS** – Because my only concern is there is whole medical
9 thing there, which I think is probably a good use with the hospital uses there.
10 Would the balance of all of that be all infill and there would never be any kind of
11 CEQA on it?

12
13 **INTERIM PLANNING OFFICIAL ORMSBY** – The balance... if it is over a five
14 acre development, it wouldn't qualify, so anything five acres or more wouldn't
15 qualify regardless of the surrounding uses.

16
17 **COMMISSIONER SIMS** – Okay, so my second kind of goes into my second
18 question and thank you for those answers. So I'm not a subdivision map expert,
19 so you have an 18 acre parcel of which 1.52 is leaving and 16.5 acres
20 approximately is left of a vacant parcel. So is the ownership of the 18 acres
21 going to continue on this 1.5 use of the dialysis facility? Is there like a financial
22 parcel map to create a separate lot for this or how is that working?

23
24 **ASSOCIATE PLANNER BRADSHAW** – The ownership aspects of it, I'll
25 probably defer to the Applicant; he is here and can probably speak better to what
26 happens when the building is built; whether that is a transfer of ownership or a
27 lease. I'm not sure what is going to occur there. There is a tentative map
28 already approved at this site from 2005 and a final map actually has been
29 submitted to public works and is reviewed to record on this site and from what I
30 recall there is six parcels and in this particular location is what would be I think
31 parcel three on that map. The site is designed so that the dimensions are
32 consistent with what would be the final layout I guess or parcelization of the site,
33 so the ultimate aim of the owner is to be able to subdivide and be able to develop
34 distinct and separate uses on the surrounding parcels and that is a process that
35 is ongoing currently.

36
37 **COMMISSIONER SIMS** – Thank you.

38
39 **CHAIR VAN NATTA** – Any other questions of staff?

40
41 **VICE CHAIR GIBA** – Yes, just a real simple one; page 84. I don't often see
42 these notes there, so I'm curious if you can give me an answer to this. Eastern
43 Municipal Water District requested for a consultation on this project. Can you
44 enlighten me to as why?

1 **ASSOCIATE PLANNER BRADSHAW** – That is the standard form that we are
2 receiving from them now and I'm not sure of all the specifics, but I think once
3 they have been made aware of a new project, I believe they're interested in being
4 able to consult and to coordinate with those developers early on to work through
5 any concerns or considerations they might have as the project moves toward
6 construction and eventually coordinates through them their use of sewer and
7 water, but the way the form letter is written, is it comes to the City and then the
8 City forwards the information on the applicant so they can begin that
9 consultation.

10
11 **VICE CHAIR GIBA** – I'm not familiar with having seen that and it kind of...

12
13 **ASSOCIATE PLANNER BRADSHAW** – It is a recent a more recent approach
14 the Water District is taking.

15
16 **VICE CHAIR GIBA** – On page 98, I'm assuming that is what part of that is all
17 about where they were saying after the local water company signs the plans, the
18 original shall be presented to Fire Prevention and all of that, so it is contingent
19 upon that discussion with the Water Company because they have to buy off on it
20 so to speak.

21
22 **ASSOCIATE PLANNER BRADSHAW** – Yes, there is a level of coordination that
23 needs to occur with the Water District.

24
25 **VICE CHAIR GIBA** – And Mr. Sims you were asking a lot of questions... you
26 know the site and the location is in the middle of this and off to one side and yet
27 you are requiring mello-roos and all kinds of things on that property. Am I
28 correct?

29
30 **ASSOCIATE PLANNER BRADSHAW** – There is a requirement to participate in
31 some assessment districts. I don't know the history of the three parcels. There
32 is the hospital site. There is the site that Kaiser has development more recently
33 with their medical office building and this one. All three have an office or
34 commercial zone in them and I don't recall the specifics and those are all
35 surrounded by but not within the Moreno Valley Ranch Specific Plan and going
36 back to whenever the hospital site was developed, it appears the parkway was
37 also established on the adjoining parcels and the assessment district I believe is
38 to recapture the costs of maintaining those areas.

39
40 **VICE CHAIR GIBA** – Yes because I reading SD 10 and it is talking about mello-
41 roos public safety and the lighting. I know about that, that's okay and then SD 9
42 and major thoroughfares and our freeways.

43
44 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
45 the mello-roos related to public safety services, that condition has been around
46 for at least the last 10 or 15 years and it is contingent on the City setting up a

1 mello-roos district. The City has never seriously pursued that, so the condition is
2 to stand there and then as projects develop, they are exempted from it once they
3 develop because the City hasn't established the district.

4
5 **VICE CHAIR GIBA** – That answered that question for me. Thank you.

6
7 **CHAIR VAN NATTA** – Okay we're going to open the Public Comment portion of
8 this hearing and we'll start with the Applicant if there is anything they want to say.

9
10 **APPLICANT STOUSE** – Good evening Chair and Commissioners. My name is
11 Jack Stouse, with JG Stouse Constructors. I'm the Applicant representing the
12 landowner Inland Land LLC. I'm here to answer any questions. I'm sure you will
13 after hearing your comments.

14
15 **CHAIR VAN NATTA** – Do we have any questions?

16
17 **VICE CHAIR GIBA** – I have just a curiosity. Maybe it's an insignificant question,
18 but is it supposed to be a dialysis?

19
20 **APPLICANT STOUSE** – Yes

21
22 **VICE CHAIR GIBA** – I noticed that there is two trash receptacles required for it,
23 one for regular trash and one for recyclables as is normal, but isn't there some
24 blood waste and stuff that usually...

25
26 **APPLICANT STOWSE** – They have their own process

27
28 **VICE CHAIR GIBA** – Is there a specific area set aside that I'm missing...

29
30 **APPLICANT STOWSE** – It's in the facility

31
32 **VICE CHAIR GIBA** – So you'll have your own disposal methodologies for that. It
33 doesn't go out in our standard trash.

34
35 **APPLICANT STOUSE** – And what we're doing is actually we're providing a build
36 to suit for Fresenius We have a lease with the tenant and they will be providing
37 their own improvements for the building, so it will be a building shell and they'll be
38 providing that, so that will go through another process.

39
40 **VICE CHAIR GIBA** – That was my only major question because I know with type
41 of... there is a lot of blood waste and what is classified hazardous waste.

42
43 **CHAIR VAN NATTA** – Thank you very much

44
45 **APPLICANT STOUSE** – Thank you

46

1 **CHAIR VAN NATTA** – Do we have any Speaker Slips?

2
3 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no Speaker Slips

4
5 **CHAIR VAN NATTA** – If there are no Speaker Slips, then we will close the
6 Public Comment section and go to Commissioner Discussion.

7
8 **COMMISSIONER RAMIREZ** – Well I think it's a good project. It is definitely
9 within the radius of medical facilities. The architectural design is beautiful. There
10 is not too many brickwork architectural designs that come across us. I'm ready
11 to vote this project through.

12
13 **VICE CHAIR GIBA** – Short and sweet. I think we need it our here. It's in a great
14 location right next to the hospital, so I'm looking forward to it being constructed.

15
16 **COMMISSIONER BAKER** – This is kind of in the area where we've been looking
17 for the Medical Corridor and I think it fits perfect in here. It's just the kind of kick
18 this building that kicks that area off, so it's good. Let's go for it.

19
20 **COMMISSIONER LOWELL** – I agree. I think this project is a good match for the
21 Medical Corridor that is being established in that area. I like the architecture and
22 the look of it so far.

23
24 **COMMISSIONER SIMS** – I think it's a good project and I agree it is a good start
25 for the whole medical area over there. I do though have concerns about
26 adopting the resolution as an infill. Personally I think there is a precedent that
27 that is nearly all vacant land out there in the medical area except for the hospital
28 and the Kaiser office building and this could be in the absence of doing a more
29 formal... if everything... you know if you take a look at the bookends of the
30 things, if everything was 4.99 acres and didn't trigger, you could have a whole
31 medical campus out there and never analyze for CEQA. I'm not saying this is a
32 bad project and I'm planning to vote for this project tonight, but I just think that's it
33 is something to take into consideration. I understand your judgment and whatnot
34 and calling this is an infill. I just think there is a lot of vacant property within the
35 overlay zone that this project is being approved as and so I find it inconsistent
36 with the infill that we just did for the O'Reilly and I see it inconsistent for instance
37 on the 8 lot subdivision that we are going to be looking at later on today, so that
38 seems like a fairly large spectrum of infill. That's my comment.

39
40 **CHAIR VAN NATTA** – I don't have a concern with the idea of it being an infill
41 simply because it is going someplace where there is already roads and services
42 and everything are already there and I see infill as you know even though it is a
43 lot of vacant land out there, if you are not creating streets and creating roads and
44 having to bring services in that weren't there before, then yes I could see where
45 that would be more of an issue. This I can see; I can understand why we would
46 call it an infill. Having said that, I like the project. I'm glad to see that the medical

1 services are expanding in that area and we can get those types of services here
2 rather having to go out of the area. Okay, if someone would like to make a
3 motion, make sure it is going to include as revised with the... (Inaudible – no
4 sound)

5
6 **VICE CHAIR GIBA** – Okay, Staff recommends that the Planning Commission
7 **APPROVE** Resolution No. 2013-36 and thereby:

- 8
9 1. **RECOGNIZE** that the project will not have significant effect on the
10 environment and is therefore exempt from the provisions of the California
11 Environmental Quality Act (CEQA) as a Class 32 Categorical Exemption
12 as an Infill Development Project per CEQA Guidelines Section 15332 and;
13 2. **APPROVE** PA23-0041 Plot Plan based on the findings contained in this
14 Resolution, subject to the attached conditions of approval included as
15 Exhibit A with the addition or correction of SD 2 in that.

16
17 **CHAIR VAN NATTA** – Sounds okay to me.

18
19 **COMMISSIONER LOWELL** – I second

20
21 **CHAIR VAN NATTA** – We have a motion and a second... all in favor?

22
23 Opposed – 0

24
25 **Motion carries 6 – 0**

26
27 **CHAIR VAN NATTA** – Staff wrap up please

28
29 **INTERIM PLANNING OFFICIAL TERELL** – The Planning Commission’s action
30 shall be final unless an appeal is filed within 15 calendar days.

31
32 **CHAIR VAN NATTA** – Thank you

33
34
35
36 **4. Case Description: PA13-0045 Tentative Tract Map No. 36598**
37 **P13-125 Variance**

38
39 **Case Planner: Gabriel Diaz**

40
41 **CHAIR VAN NATTA** – Okay moving on to Case PA13-0045, Tentative Tract
42 Map 36598 and P13-125 a Variance Application. The Applicant is Habitat for
43 Humanity and the Case Planner is Gabriel Diaz.

44
45 **ASSOCIATE PLANNER DIAZ** – Thank you Chairman and Commissioners. I’m
46 Gabriel Diaz, Associate Planner here for the City. I think Chris is putting up some

1 slides of the proposed product for the site. Case number PA13-0045, Tentative
2 Tract Map and then Case P13-125, Variance Application. The proposed project
3 is located on the south side of Myers between Heacock Street and Indian. It is
4 within the Specific Plan 204 Village Residential Zone. The Applicant is Habitat
5 for Humanity.
6

7 The Tentative Tract Map number is 36598 which will subdivide a 1.36 gross acre
8 parcel of land or actually two parcels of land into an eight single-family residential
9 lot subdivision. The lot sizes range from 8,207 square feet to 4,117 square feet.
10 Access to the tract is being proposed through the construction of a new street A
11 off of Myers. Lot one will be the only lot that will have access directly onto Myers
12 and on lot one there is a little turnout for the driveway to give the owner of that
13 parcel a little bit of extra room to maneuver onto Myers.
14

15 The Variance application requests that the minimum lot size be reduced for lots
16 four through eight. The minimum lot size for the Village Residential zone is 4,500
17 square feet and lots four through eight range between 4,117 square feet to 4,225
18 square feet, just shy of the 4,500 square foot requirement. All proposed lots do
19 meet the minimum lot depth of 85 feet and lot width of 45 feet. Somehow in our
20 code lot depth and width don't equal out to the 4,500 square foot requirement.
21 Another part of the variance is proposing the minimum street side yard setback of
22 15 feet be reduced to 5 feet for lot A and that's the side yard adjacent to Myers
23 Avenue on the north side of the project.
24

25 The housing product is not part of the approval today but there are two boards up
26 there to kind of give you a sense of the product that is going to be built and the
27 reason why a variance is required or is being proposed. The rest of the project
28 meets or exceeds the minimum criteria of the SP204 Village Residential Zone.
29 As submitted the density is at 8.42 dwelling units per net acre, which is under the
30 maximum of 15 units per net acre allowed by the zone.
31

32 The zone does allow for single-family and multi-family to be built and you can see
33 the two multi-family and single-family driving around in the existing
34 neighborhood. Land uses within close proximity of the site does consist of a
35 mixture of single-family and multi-family residents and the project is an infill
36 project within the established neighborhood. I know there have been some
37 issues or comments on infill.
38

39 Public notice was sent to all property owners of record within 300 feet of the
40 project. The site had been posted and published in the newspaper. I did have
41 one neighbor call. I don't know if he is present here today but he said he is a
42 neighbor who had concerns about the proposed wall around the project and I did
43 contact Habitat to see how the wall will be built and neighbor's concern is that he
44 has a fence and the fence may be taken down and during the duration of the
45 construction that his lot would be open. I talked to Habitat and they told me that
46 they typically don't do that. The fence wall will just go on their property and leave

1 the person's fence alone, so that should resolve any concerns hopefully. That
2 was his only concern and that was my only call. Environmentally, again it is an
3 infill project under CEQA as a Class 32 Categorical Exemption, Infill
4 Development. Staff recommends approval of the resolution recognizing that it is
5 an infill project and approving case number PA13-0045 the Tentative Tract Map
6 and the associated Variance P13-125. This concludes Staff's presentation. Do
7 you have any questions?
8

9 **CHAIR VAN NATTA** – Are there any questions from the Commissioners?
10

11 **COMMISSIONER LOWELL** – The infill project seems to be the key word for
12 tonight. I understood the O'Reilly was an infill because it wasn't creating any
13 new streets. I also understand that the dialysis center was considered an infill
14 because again it wasn't creating any new public streets. This project is creating
15 a new street. How is that going to be classified as an infill?
16

17 **INTERIM PLANNING OFFICIAL ORMSBY** – Well based on I think well some of
18 the direction from like I said the Office of Planning and Research and that it is
19 reasonable if the surrounding area is already developed that a tract map;
20 because it applies to both residential and commercial, so the idea being the
21 street itself doesn't necessarily the trigger point for that.
22

23 **ASSOCIATE PLANNER DIAZ** – I have a comment regarding infill projects. I as
24 a young planner you know saw the same thing going on. I have been assigned
25 infill projects and that was our standard infill; under five acres; everything around
26 there is developed; around here is developed. I think Jeff's project you see more
27 open space, but under CEQA when you read the definition, it gives you a better
28 understanding of what infill is and according to Chris we've also complied with
29 the rules and regulations of the different interpretations that come across.
30

31 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I must
32 say this is really the reason a situation like this was the reason the infill
33 exemption was actually created. Central Sunnymead has obviously been a
34 neighborhood for not quite a hundred years, but a long, long time and the basic
35 infrastructure is not changing.
36

37 **CHAIR VAN NATTA** – Any other questions before we go to Public Hearing?
38 Okay we'll now go to Public Comments and we'll start with the Applicant.
39

40 **APPLICANT BARNES** – Madame Chair and Commissioners, I want to thank you
41 for giving us the opportunity to bring the project before you. My name is Jeff
42 Barnes. I'm with IW Consulting Engineers, representing Habitat for Humanity. I
43 also want to thank the Staff for their efforts in putting together a project that was
44 constrained by a somewhat difficult site and I think we've ended up with a project
45 that Habitat is really looking forward to bringing to Moreno Valley. We're in
46 agreement with all the conditions as presented except a minor change to TE6.

1 We've like to insert the word modified in front of the reference to the cul-de-sac
2 standard. Because of the site's limited space, the cul-de-sac at the end of A
3 Street is slightly modified from the standard. Other than that we are in complete
4 agreement and look forward to starting construction. Hopefully the Commission
5 finds in our favor, since we've already had the ground breaking and it's been in
6 the paper and things like that. If I can answer any questions, please...

7
8 **CHAIR VAN NATTA** – What page is it on? I'm trying to find...

9
10 **APPLICANT BARNES** – Page 86 at the back

11
12 **ASSOCIATE PLANNER DIAZ** – Page 174

13
14 **CHAIR VAN NATTA** – Okay I was almost there.

15
16 **TRANSPORTATION ENGINEERING DIVISION ENGINEER LLOYD** – This is
17 Michael Lloyd with Transportation Engineering and the Transportation
18 Engineering Division would support that request and we modify or revise
19 condition TE6 to read "the cul-de-sac shall conform to City standard plan number
20 126 modified" as requested. That is condition TE6.

21
22 **CHAIR VAN NATTA** – But you said standard plan number...

23
24 **TRANSPORTATION ENGINEERING DIVISION ENGINEER LLOYD** – 124
25 modified.

26
27 **APPLICANT BARNES** – 126?

28
29 **TRANSPORTATION ENGINEERING DIVISION ENGINEER LLOYD** – 124

30
31 **APPLICANT BARNES** – We'll stay 124 modified

32
33 **TRANSPORTATION ENGINEERING DIVISION ENGINEER LLOYD** – 124
34 modified; yes sorry for the confusion there.

35
36 **APPLICANT BARNES** – Thank you, I appreciate it.

37
38 **VICE CHAIR GIBA** – I understand the variance squeezes as many houses in
39 there as you possibly can. Had you considered doing less and staying with a
40 little bit larger lot size on those or was the whole idea to get as many families as
41 you could in that location?

42
43 **APPLICANT BARNES** – Well I think the idea was that Habitat had a product that
44 they are used to building and very comfortable putting forward and coming up
45 with a product that might have eliminated the variances and maintained the
46 density would have been cost prohibitive to them and I know that that can't be a

1 factor but they felt with the size of the backyards they were able to obtain
2 because of the depths, that it was worth the planning for the variance.

3
4 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
5 and Staff suggested that because it is an affordable housing product and it needs
6 to be affordable for the families that actual own the houses, so usually we try to
7 keep the lot sizes relatively low because of that.

8
9 **CHAIR VAN NATTA** – Was consideration given to maybe doing them on a zero
10 lot line to provide a little more room between the houses?

11
12 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – You
13 mean a useable side yard. The distance between the houses wouldn't change
14 but it would I guess provide more of a useable side yard. I'm not sure we thought
15 of that because one side there is a very large side yard and I've seen these
16 houses built elsewhere. It is large enough to have a garden and some other
17 things on the side behind the garage in some of these units and then the back
18 yard is rather large as well, so the 10 feet or so between the houses is not
19 unusual as we know in a standard subdivision.

20
21 **APPLICANT BARNES** – The other disadvantage of the zero setback is that I
22 think there is some structural cost increases because now you've got a building
23 wall on a property line, so its fire code is different.

24
25 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – You
26 can't have windows there is another down side of the zero lot line.

27
28 **CHAIR VAN NATTA** – So the current plan is going to allow for sufficient yard
29 space I believe and sufficient set back from the street so you could actually park
30 cars in the driveway?

31
32 **APPLICANT BARNES** – Yes the front yard setbacks range from 20 to 23 feet on
33 lots 3 through 8, which are the ones on the west side and then the other two on
34 the east side are substantially longer so yes to answer your question.

35
36 **COMMISSIONER LOWELL** – This neighborhood is not exactly the wealthiest of
37 neighborhoods and there is not a lot of landscaping maintained there. Is a HOA
38 being thought of to help keep the appearance of the neighborhood?

39
40 **APPLICANT BARNES** – No, at this point and possibly Kathy should speak to
41 that.

42
43 **SPEAKER KATHY** – I'm Kathy Mahalik (?). I'm the Construction Manager for
44 Habitat for Humanity Riverside. I'm also the incoming Executive Director, so I'll
45 be around for a while. Typically with our Habitat home owners, because we
46 really are family oriented, we want to make sure there is not a lot of time and

1 energy spent on the yards, so they do spend more time with their families, so we
2 do zero-scaping; a lot of drought tolerant landscaping; very low maintenance
3 landscaping and we have a pretty rigorous follow-up with our homeowners.
4 We've been known to on a regular basis, as part of our family support system,
5 we go by and check on our homeowners, and so if there are any issues with
6 landscaping, we make sure it gets taken care of immediately. A habitat
7 homeowner is always a habitat homeowner. We carry the mortgage for the
8 homeowner and so they are with us for a long time as part of our family of
9 homeowners, so we support them as they go along and they develop and they
10 go through a yearlong process of training to teach them how to be responsible
11 homeowners and how to make a difference in the community, so it is not your
12 typical one person coming into the neighborhood. In this case we are going to
13 have 8 new families in the neighborhood and we will be there to help support
14 them. But we try to make these homes as low maintenance as possible and still
15 look really nice. Does that answer your question?

16
17 **COMMISSIONER LOWELL** – Yes it does answer my question. Most new
18 homes don't have a backyard. Are there going to be backyards installed on
19 these lots also or are they just going to be dirt lots also.

20
21 **SPEAKER KATHY** – No, when they get their house, it is a completely finished
22 house. It has landscaping front and back. If you are a first time homeowner, you
23 want some yard; you want some grass. It seems to be one of those American
24 dreams; you have a little yard for your kids. We have a partnership with a lot of
25 local companies and one of them is Toro. Toro gives all of our new homeowners
26 a lawnmower power mower; weed eater; nice equipment and also take care of all
27 of the sprinkler systems for us, so we actually have smart sprinkler systems, low
28 water use and controllers, so they are well taken care of.

29
30 **COMMISSIONER LOWELL** – I had a site question. I'm not terribly familiar with
31 exactly what goes on with Habitat for Humanity. The residents when they move
32 in, do they get furnished with appliances or do they have to provide their own
33 appliances?

34
35 **SPEAKER KATHY** – Another national partnership we have is Whirlpool donates
36 all of the basic appliances for all of our homes across the country, so they have
37 all of their appliances. They are set to go the day they move in.

38
39 **VICE CHAIR GIBA** – Aren't these homes supposed to be super energy efficient?

40
41 **SPEAKER KATHY** – We meet or exceed energy star standards on all of our
42 homes. They are all; they get all the bells and whistles. They get tankless water
43 heaters, typically solar panels. We work with other non-profits like Great
44 Alternatives to help us get solar panels on for our homeowners, so we'll hit all of
45 the energy star ratings on these homes. In fact I think the last thing I saw we
46 were going to exceed it by 24 percent for Title 24.

1 **COMMISSIONER BAKER** – Kathy I assume the quality of this product is similar
2 to the two you built on Graham north of the freeway.

3
4 **SPEAKER KATHY** – They are

5
6 **COMMISSIONER BAKER** – I remember touring those; excellent product; good
7 product.

8
9 **SPEAKER KATHY** – And the three bedroom floor plan is going to blow you away
10 when you see it; when you walk inside these houses. They are super-efficient.

11
12 **CHAIR VAN NATTA** – For those that aren't real familiar with Habitat for
13 Humanity, you mentioned something about it's a Habitat home and always will
14 be. Can you explain how that works and what happens if you have a family who
15 moves out of the area and how you replace them?

16
17 **SPEAKER KATHY** – These are low income affordable homes, so typically there
18 are provisions in our mortgages that they will remain low income homeowners for
19 a set number of years. Usually it depends on the municipality we are working in,
20 but it is probably 30 to 40 years I would imagine that they would have to be a low
21 income homeowner. Very rarely and I think we have 60 something mortgages; it
22 is very rare for us to have a homeowner move out and if they move out soon, it is
23 typically; we have first right of buying the home back and getting another
24 homeowner in there; another Habitat homeowner in there; not always, but
25 typically.

26
27 **CHAIR VAN NATTA** – There is a mortgage but they actually own the home;
28 right?

29
30 **SPEAKER KATHY** – They own the home. It is a zero interest mortgage. We
31 carry the loan and it is a zero interest mortgage.

32
33 **CHAIR VAN NATTA** – Are there any other questions?

34
35 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Oh
36 Commissioner Baker, the four bedroom model is the model that was built on
37 Graham Street.

38
39 **SPEAKER KATHY** – The same exact one. That is why do them efficiently. We
40 build homes and we use the same floor plan when we can and we know what
41 works for a family and...

42
43 **CHAIR VAN NATTA** – What is the square footage range on these homes?
44

1 **SPEAKER KATHY** – 1300... the three bedroom home is 1315 square feet and
2 the four bedroom I think is a little bit bigger than that; 1350 somewhere in there;
3 two car garages.

4
5 **COMMISSIONER LOWELL** – Since you guys have already broke ground, what
6 kind of timeline are you looking to move in?
7

8 **SPEAKER KATHY** – Actually we haven't broken ground. We had our
9 ceremonial ground breaking.

10
11 **COMMISSIONER LOWELL** – That's what I meant; the first shovel full.

12
13 **SPEAKER KATHY** – Exactly we did that. That was about as much ground as
14 we've broken. We would like to get this thing going as soon as possible, so with
15 partnership with the City, we'd like to move forward. We'd love to have our
16 homeowners in by August of next year.

17
18 **VICE CHAIR GIBA** – If I remember correctly you had all but one house already
19 had an occupant. Did you get that last occupant?
20

21 **SPEAKER KATHY** – Yes we did. I actually went to a 2 hour family selection
22 committee with the board on Monday night.

23
24 **CHAIR VAN NATTA** – I read up on that

25
26 **SPEAKER KATHY** – Yes

27
28 **CHAIR VAN NATTA** – Are there any more questions for the Applicant. If not
29 we'll move ahead to other Public Comments. Thank you very much.

30
31 **SPEAKER KATHY** – Thank you

32
33 **CHAIR VAN NATTA** – Do we have any Speaker Slips?
34

35 **INTERIM PLANNING OFFICIAL ORMSBY** – There is one for a Tom Thornsley.

36
37 **CHAIR VAN NATTA** – For some reason this stuff isn't popping up on our
38 screens tonight.

39
40 **SPEAKER THORNSLEY** – Hi, good evening Commissioners. I actually hadn't
41 planned to talk on this particular project tonight, but you are all proceeding once
42 again with a variance for a project. Please forgive me, I'm not against your
43 project, but you are failing to meet the State criteria in analyzing a variance. You
44 are giving this property... what is this thing here... it does constitute granting
45 special privileges inconsistent with the limitations of the properties in the City
46 under the same zoning. Out of these six, you are violating five of them for sure.

1 If you look at the surrounding property, you can't make the finding that what they
2 are trying to do should be granted because there are other similar uses and they
3 should be entitled to do it too. It doesn't exist out there. This is a project where
4 once again somebody wants to put more on a parcel than they have room to do
5 so. By you granting this here, you are giving them that special privilege.

6
7 I truly want to see Habitat for Humanity have the opportunity to do projects, but
8 you really can't let the Planning Department start processing a project that should
9 never have come forward in the first place and given false hopes not only to these
10 people but anybody else in the future. You really should take the time to read
11 into the record what you are stating here.

12
13 Number two, these are pardon me, but the printing is blotted out on here, are
14 exceptional and extraordinary circumstances conditions applicable on the
15 property involved to the intended use of the property which is not applicable.
16 Generally to other properties in the vicinity in the same zone classification, no it
17 is, all these properties are within the same Specific Plan area. There are a lot of
18 pre-existing lots and when you own a piece of property you can only do as much
19 as the size of that property will allow you to do. By granting the variance as you
20 as doing so here, is giving them something more. They simply don't have
21 enough land to make it work if people build more on a lot or they want to take
22 advantage of the full density of the property, they need to basically consolidate
23 enough land to make it fit with all the requirements that are needed.

24
25 I really wish that this City would start to pay attention to this because variances
26 throughout the State of California are actually a very rare thing. If any of you
27 would take the time to look up and see what variances have been processed and
28 what have litigated, you'll find that almost anything like this would litigated and
29 the applicant would lose and so I'm hoping for future reference the Planning
30 Department makes real note of this and not let this continue. Okay, thank you.

31
32 **CHAIR VAN NATTA** – Thank you for your comments.

33
34 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I'm
35 sorry I have to disagree.

36
37 **VICE CHAIR GIBA** – I was going to ask you to respond to that John

38
39 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes,
40 State law requires us to make great accommodation for affordable housing and if
41 I say the one unique condition of this property is it is affordable housing under
42 State law and it is eligible for special consideration simply because of that. I
43 would not disagree that if this was somebody coming off of the street and these
44 were market rate houses that the variance findings would be more difficult or
45 maybe impossible to find for a market rate residential project, but for an
46 affordable housing project, there is both the variance law as well as affordable

1 housing requirements in the State that led us to this recommendation to you and
2 I would agree, variances are very rare. We have very few variances come
3 forward. They are required to come to the City Planning Commission so you see
4 all the variances that come forward and they are very rare and I would agree we
5 would want to keep it that way.

6
7 **VICE CHAIR GIBA** – John could you answer a question for me. I was curious.
8 Thornsley mentioned something about be open to litigation. Who would litigate a
9 situation like this out of curiosity? I mean what would be the purpose for it and
10 why would they do it? What types of... as an educated thing for me here?

11
12 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Who
13 would litigate this particular one; I'm not sure, but in general variances, like any
14 other planning action, any affected person could litigate that. I would assume
15 that most likely where that has come up is in conjunction with a large project
16 where there are other issues or it certainly would be a neighbor could often be
17 interested in litigating a variance that they felt was inappropriate.

18
19 **VICE CHAIR GIBA** – In this particular case, can you speculate at all whom or
20 what type of neighbor might be...?

21
22 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – In this
23 case?

24
25 **VICE CHAIR GIBA** – Yes, just out of... I just want to cover all the bases.

26
27 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – You
28 know, we have never had litigation related to a variance in Moreno Valley, so I'm
29 not sure, but I would think there is certainly communities where there is much
30 more and it has nothing to say about this neighborhood, but say you were in
31 Malibu and someone was granted a variance, there are certainly people in
32 Malibu that might litigate that because they felt they were aggrieved and they
33 were willing to spend the money to do that and that's... but here we haven't had
34 any comments.

35
36 **CHAIR VAN NATTA** – And we certainly do have properties within Moreno Valley
37 that are smaller lot sizes, even than the ones that we are granting variances on
38 here, although of them were built prior to Moreno Valley incorporating, they are
39 still out there and people buy them and live in them.

40
41 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And
42 we've certainly... there has been planned unit developments and other types of
43 small lot residential developments built since incorporation that would certainly
44 have side yards that were similar to this or smaller.

45
46 **CHAIR VAN NATTA** – Or smaller; yes.

1 **VICE CHAIR GIBA** – This variance appears to me to be a situation where you
2 are maximizing the use of the property for a very specific reason; like you
3 mentioned low income housing and a very well known organization that has done
4 it. Again, we didn't have any letters or anything Chris?

5
6 **INTERIM PLANNING OFFICIAL ORMSBY** – There were no letters

7
8 **VICE CHAIR GIBA** – For the wall; right?

9
10 **INTERIM PLANNING OFFICIAL ORMSBY** – That's right; the phone call. We do
11 have one additional Speaker Slip though that we just received.

12
13 **CHAIR VAN NATTA** – That's like it would be preferable to having houses on
14 slightly smaller lots than to have somebody go and put an 8-plex in there.

15
16 **INTERIM PLANNING OFFICIAL ORMSBY** – It should be noted too that the lot
17 width and depth actually meets the code. It is just the square footage of the lot
18 that is not in that case.

19
20 **CHAIR VAN NATTA** – Okay and our next Speaker Slip that you have there.

21
22 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes that would be Julie De Veny I
23 believe is the name

24
25 **SPEAKER DE VENY** – Hi I'm Julie De Veny and I am the neighbor to this lot and
26 I never received a notice to this until a week before they put up the fencing and I
27 did come out and I said hi to Kathy and of course I am in my pajamas and I am
28 considered low income of course, so I mean this does not bother me. It is not
29 anything like that but we do have concerns and none of the neighbors knew
30 anything about this. Nobody received any notices in this area to this property
31 that was happening, so...

32
33 **CHAIR VAN NATTA** – Are you the owner of the property?

34
35 **SPEAKER DE VENY** – No, the owner we think had passed away we think
36 approximately... my landlord maybe 20 years ago that we know of. We don't
37 know what happened to him.

38
39 **CHAIR VAN NATTA** – My understanding is these go out to the property owners

40
41 **SPEAKER DE VENY** – Well they usually come to me because they don't have
42 his address, so I get his mail or the front neighbor does. They don't where he
43 lives. They don't even know his name.

44
45 **VICE CHAIR GIBA** – Was there posting on that property area so if the neighbors
46 went down the street they would have seen that.

1 **ASSOCIATE PLANNER DIAZ** – Yes it was posted and posted in the newspaper
2 and it is a 10 day notice.

3
4 **SPEAKER DE VENY** – I don't get the newspaper

5
6 **ASSOCIATE PLANNER DIAZ** – It's a 10 day notice. I know you talked about
7 the fencing going up. The fencing was put up way before any notice was sent
8 out for this public hearing meeting.

9
10 **SPEAKER DE VENY** – One week before, because I had an epidural on my neck.
11 I had a doctor's appointment, so it was like one week before.

12
13 **CHAIR VAN NATTA** – So the fence went up and then the posting went up for the
14 hearing after the fence went up? Is that correct Mr. Diaz?

15
16 **SPEAKER DE VENY** – Yes

17
18 **ASSOCIATE PLANNER DIAZ** – I know when I got the project there wasn't any
19 fencing. When I went out for the ground breaking ceremony there was fencing
20 up and that was months ago; two months ago; a month and half and then
21 recently we needed a 10 day notice officially to be posted on site and in the
22 newspaper and sent out to the adjacent neighbors, so if there was a letter sent
23 out, it would be pretty recent.

24
25 **CHAIR VAN NATTA** – Then the property itself was posted for neighbors to be
26 able to see that?

27
28 **ASSOCIATE PLANNER DIAZ** – Correct

29
30 **SPEAKER DE VENY** – My neighbor didn't receive a notice either and they live
31 there.

32
33 **CHAIR VAN NATTA** – Did you see the posting on the property; any sign on the
34 property?

35
36 **SPEAKER DE VENY** – That was after the groundbreaking

37
38 **CHAIR VAN NATTA** – Right, but there was a sign on the property prior to this
39 meeting though.

40
41 **SPEAKER DE VENY** – Yes, now that there is a hearing, now of this but not as to
42 what was happening to the property, which everybody really was going on like
43 what's happening and that kind of like wow and the property that is adjacent to
44 the house next to us and the vacant field, they were going to do apartments and
45 we all turned that down, so we were really worried about that because there are
46 so many low income where we are. It seems like low income on that street which

1 is a very... we call it the M Block. It is a very horrible street in a sense.
2 Shootings go on. Murders go on and we just don't want... we're not against any
3 more terrible people but a lot goes on, on that street, but...
4

5 **CHAIR VAN NATTA** – How do you feel about the people who would be living in
6 Habitat for Humanity?
7

8 **SPEAKER DE VENY** – I met them... very kind. We like that. It's not against
9 that. It's just... we're glad to get this. We're happy. My concerns though have to
10 do with if they are going to build this brick wall, it has to do with that I have a
11 fence also. It has to do with the trash. When the wind blows, am I going to have
12 to pick the trash up and if they do have the brick wall in front because they said
13 will do a cul-de-sac, who is going to be responsible for the trash in front of that,
14 because when they built the new street and cemented it, apparently I heard they
15 were supposed to re-do Myers and they never did, but if you do put the brick wall
16 in front and make the cul-de-sac come in front of the street...the cul-de-sac; if
17 you do make it outside and you have a thing that says this is this area...
18 (Inaudible – no sound).
19

20 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – The
21 owner of lot 8 is responsible for that parcel.
22

23 **SPEAKER DE VENY** – And lot one?
24

25 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – On lot
26 one, there house will actually face Myers
27

28 **SPEAKER DE VENY** – Okay, then my house I have a chain link fence...
29 (Inaudible – no sound)
30

31 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
32 yes, there will be a block wall there and so any trash and debris would not be
33 flowing across this property any more.
34

35 **SPEAKER DE VENY** – Yes, so we try and keep it clean, but now we're trapped
36 with the debris in there trying to get it out. Okay our other concerns were...
37

38 **CHAIR VAN NATTA** – I'm sorry, but I think we're way over the three minute time.
39

40 **SPEAKER DE VENY** – Okay because; well okay because my other thing had to
41 do with the water pressure on the street which is... okay because we have low
42 water pressure on our street too.
43

44 **CHAIR VAN NATTA** – I doubt the new project would effect that in any way.
45

46 **SPEAKER DE VENY** – Okay

1 **CHAIR VAN NATTA** – They’ll actually have to demonstrate that there is a
2 minimum acceptable level of water pressure.
3
4 **SPEAKER DE VENY** – Okay, thank you
5
6 **CHAIR VAN NATTA** – Thank you
7
8 **VICE CHAIR GIBA** – Will they be building a brick wall prior to building the... will
9 that be the first thing to go up? In other words, if they had the brick wall there
10 then she wouldn’t be concerned about any...
11
12 **SPEAKER KATHY** – Actually it is a decorative block wall I think is what is in the
13 plan and yes once we get the grading done, I would love to put the decorative
14 block wall in for security reasons if nothing else. There actually was a chain link
15 fence across this lot, but it had been bent over and wasn’t doing a whole lot of
16 good and so it was on the ground, so we actually pulled that out and put in
17 temporary fencing in to secure the lot.
18
19 **VICE CHAIR GIBA** – Prior to building the units, you’ll have that decorative wall
20 up.
21
22 **SPEAKER KATHY** – It makes a lot of sense because it helps with security and it
23 stops all the stuff blowing across back and forth... absolutely yes.
24
25 **VICE CHAIR GIBA** – Does that make you feel a little bit better? You’ll get that
26 block wall before they start building so that you won’t have that mess.
27
28 **SPEAKER KATHY** – It actually helps us.
29
30 **CHAIR VAN NATTA** – Thank you. Do we have any other Speaker Slips?
31
32 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no other.
33
34 **CHAIR VAN NATTA** – I think somebody had a comment.
35
36 **SPEAKER THORNSLEY** – Really into my discussion about the variance and
37 John’s response regarding doing what you can and for low income housing.
38 You’re variance the way it is written, nowhere does it utilize that as a rationale.
39 I’d recommend that you have some language put into that so that you validate
40 your reasoning, therefore somebody else on a neighboring property cannot use
41 this project as their rationale for wanting a variance to do the very same thing
42 and is not low income housing.
43
44 **CHAIR VAN NATTA** – Thank you
45

1 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I
2 would agree that that is a good idea

3
4 **VICE CHAIR GIBA** – And that is something we can do now?

5
6 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes

7
8 **VICE CHAIR GIBA** – I love your shorts

9
10 **CHAIR VAN NATTA** – You said it is something that we can do here. If we were
11 to do that would that be put in... where would that be inserted?

12
13 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – You
14 would adopt the environmental with the provision that it was based on the fact
15 that the project is lower income housing as well as the other findings that are in
16 the attachment and that would be... we'd insert that based on that action.

17
18 **CHAIR VAN NATTA** – So, when we are recognizing that the project is exempt
19 and so forth, we would also recognize the fact that this is planned to be
20 affordable housing. Put that in the motion or what?

21
22 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – It
23 would be in the motion. Chris might have some more direct thoughts on that.

24
25 **INTERIM PLANNING OFFICIAL ORMSBY** – We may want to also add
26 affordable housing project to the title of the Resolution as well in Attachment 2.
27 That's page 141 of your packet, so to just add the language approving an 8 lot
28 single family affordable housing subdivision or something on that order or some
29 language added right there.

30
31 **CITY ATTORNEY BRYANT** – As well as in the findings in the draft resolution.

32
33 **INTERIM PLANNING OFFICIAL ORMSBY** – Alright

34
35 **CHAIR VAN NATTA** – Well it could be inserted right in there under Section 1,
36 under the "whereas the application for the approval for the 8 single family
37 residential subdivision an affordable housing project". Would that be an
38 appropriate place to insert the wording?

39
40 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes that would be appropriate but I
41 think also Suzanne is suggesting placing it also into the facts of the findings as
42 well there, so that we have that addressed.

43
44 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes I
45 suggest you do it as part of your motion. It would be inserted several places in
46 the resolution.

1 **CHAIR VAN NATTA** – Okay. So you just put at the end like paragraph one, put
2 recognize that this is a low income housing project.

3
4 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I
5 would actually put it as part of number 2, where the variance is mentioned.

6
7 **CHAIR VAN NATTA** – The variance based on the findings...

8
9 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – At the
10 end of that paragraph

11
12 **CHAIR VAN NATTA** – Based on the fact that it is an affordable housing project.
13 Okay, so whoever does the motion just add that at the end of the second
14 paragraph.

15
16 **COMMISSIONER SIMS** – Condition TE6 was it that we need to get that one
17 squared away.

18
19 **CHAIR VAN NATTA** – Oh yes, we did put that...

20
21 **COMMISSIONER SIMS** – So it was modified...

22
23 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
24 for that one I think just at the end of that motion you'd say as amended.

25
26 **COMMISSIONER SIMS** – I'm ready to try a motion.

27
28 **CHAIR VAN NATTA** – Okay do we have any other discussion among any other
29 Commissioners? Okay go ahead.

30
31 **COMMISSIONER SIMS** – Alright so if I get this botched up I'm sure somebody
32 will help me out here. Okay I make a motion we **APPROVE** Resolution No.
33 2013-34 and;

- 34
35 1. **RECOGNIZE** that this project is exempt from the provisions of the
36 California Environmental Quality Act (CEQA) as a Class 32 Categorical
37 Exemption, CEQA Guidelines, Section 15332 for Infill Development; and,
38
39 2. **APPROVE** PA13-0045 Tentative Tract Map and P13-125 Variance based
40 on the findings contained in the Resolution subject to conditions of
41 approval included in Exhibit A along with the finding that in Resolution
42 2013-34 Section 2 that we add at the end of the fact paragraph that it is
43 based on the project that the variance based on the project be affordable
44 housing project and also taken into account TE6 as amended.

45
46 **COMMISSIONER BAKER** – I'll second that

1 **CHAIR VAN NATTA** – Okay it's been moved and seconded... all in favor?

2
3 Opposed – 0

4
5 **Motion carries 6 – 0**

6
7 **CHAIR VAN NATTA** – May we have the Staff wrap up please

8
9 **INTERIM PLANNING OFFICIAL ORMSBY** – The action is final unless an appeal
10 is filed within 10 days.

11
12
13
14 **5. Case Description: PA13-0043 Conditional Use Permit**

15
16 **Case Planner: Gabriel Diaz**

17
18 **CHAIR VAN NATTA** – Now go on to our next case which is PA13-0043
19 Conditional use Permit. The Applicant is HC&D Architects and the Case Planner
20 is Gabriel Diaz.

21
22 **ASSOCIATE PLANNER DIAZ** – Okay, Gabriel Diaz, Associate Planner here for
23 the City. Thank you Chairman and Commissioners. The proposed project is
24 located on the northeast corner of Nason Street and Fir Avenue. The zone is
25 Community Commercial. The applicant is HC&D Architects. The proposed
26 project is a Conditional use Permit for a development of a 2,562 square foot Taco
27 Bell fast food restaurant with a drive-thru, open 24 hours a day on a .84 gross
28 acre site. The fast food restaurant is a permitted use within the CC Community
29 Commercial zone, but with a fast food restaurant with a drive-thru located within
30 300 feet of residential requires a Conditional Use Permit and that is the reason
31 why we are here at the Planning Commission today.

32
33 Staff has reviewed and determined that the proposed fast food restaurant and
34 drive-thru and open 24 hours a day is a use that is compatible at this location.
35 The location is close proximity to the 60 freeway and within an existing shopping
36 center. Two pads to the north is a Jack-in-the-Box and in-between is a bank
37 building. The closest residential to the project is located across Fir Avenue to the
38 south. The project has been reviewed and meets or exceeds the development
39 standards for fast food restaurants with drive-thru's with the CC Community
40 Commercial zone.

41
42 The site is partially developed. Currently existing is the parking lot with
43 landscaping and the landscaping on the outside on Nason and Fir. The
44 proposed building is mostly rectangular in shape with some stone columns to
45 break up the massing and give the building some character and has a modern
46 feel to it. It also conforms to the stone theme or the architecture of the Stone

1 Ridge Shopping Center. We did have some discussions going back and forth on
2 the architecture with the Architect and the Applicant and this is the outcome of
3 those going back and forth. The colors and materials are earth-tone and will
4 conform with the approved material color palette for the Center. Another
5 architectural feature is the horizontal slats on the walls on the front and rear of
6 the property. The maximum building height is 22 feet, 7 inches for those column
7 areas. The drive-thru lane, if you go to the Site Plan it does provide a 3 foot high
8 decorative masonry wall with a stucco finish around the west and south portions
9 of the drive-thru lane for shielding vehicle lights, noise and vehicles. The
10 proposed project conforms to the requirements of the City design guidelines.

11
12 The project was notified to property owners within 300 feet were sent letters.
13 The project was posted and also put in the local newspaper. I have no public
14 comments to report. Environmentally again this is an infill site, therefore Staff
15 recommends that you approve Resolution No. 2013-37, recommending that the
16 Planning Commission should recognize the project because it is exempt per
17 CEQA under the Infill Development of Section 15332 and approve Conditional
18 Use Permit No.PA13-0043. This concludes Staff's presentation and are there
19 any questions?

20
21 **CHAIR VAN NATTA** – Yes I have one very important question. Where am I
22 supposed to put my lawn chair to watch the fireworks now? That was a perfect
23 location for that and now they are going to put a building there... oh well.

24
25 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I
26 guess you could linger in the drive-thru lane.

27
28 **ASSOCIATE PLANNER DIAZ** – You could still park in the parking lot.

29
30 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
31 you'd be higher than the wall

32
33 **CHAIR VAN NATTA** – Could we have them you know like a flat roof and maybe
34 stairs up to the roof or something...? Any serious questions?

35
36 **VICE CHAIR GIBA** – Only one and just fill me in here. On page 199, P11... It
37 say to reduce noise impacts to below the level of 5db at one time beyond the
38 boundaries of property and you have the hours of 6 am to 10 pm for trucks to
39 arrive and unload. Why those hours? I know there is a reason for that... that
40 those are the hours for normal business operations and people aren't sleeping.
41 Is that correct? Is that why?

42
43 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes that's correct. I believe it is a
44 code provision, but certainly those would be reasonable hours that we would
45 want to limit the deliveries for.

1 **VICE CHAIR GIBA** – Yes I go to bed at 8

2
3 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – It is a
4 standard condition of approval for fast food restaurants... for actually retail, but
5 drive-thru restaurants we've had I don't know, as long as I... before you know I
6 can remember; many, many years.

7
8 **VICE CHAIR GIBA** – Deliveries after 10 o'clock or before 6

9
10 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
11 Correct

12
13 **VICE CHAIR GIBA** – I would have thought it would be the best time... quiet

14
15 **CHAIR VAN NATTA** – Any other questions? We'll open this up for public
16 comment and begin with the Applicant if somebody wants to speak to the
17 fireworks issue.

18
19 **APPLICANT HENSON** – Good evening. My name is Dan Henson, Project
20 Architect. I'd like to thank Staff for all their help and I'm here to help answer any
21 questions you may have. We have a large landscape area there that you set
22 lawn chairs up there I'm sure for your fireworks in the front right there, but we can
23 make some provisions.

24
25 **CHAIR VAN NATTA** – It kind of goes down the hill from there from where you
26 have the...

27
28 **APPLICANT HENSON** – Not sure where the fireworks are located but...

29
30 **CHAIR VAN NATTA** – Southwest from there

31
32 **APPLICANT HENSON** – Well... I'm sure the operator will be more than happy to
33 help you out with that. He's a very, very nice gentleman and owns other stores in
34 the City as well.

35
36 **CHAIR VAN NATTA** – This architecture, although it is very congruent with the
37 area, I just always remember the Taco Bells having that Spanish architecture
38 with the... but I guess that was some time ago.

39
40 **APPLICANT HENSON** – Yes Taco Bell has moved into a more contemporary
41 look. We are doing some re-models now. They tend to attract a younger crowd,
42 so it is a little more... (Inaudible – no sound)

43
44 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – So
45 you are saying it is hip and modern

1 **APPLICANT HENSON** – Absolutely, hip and modern

2
3 **CHAIR VAN NATTA** – And I'm old fashioned

4
5 **VICE CHAIR GIBA** – And a short walk to the high school

6
7 **COMMISSIONER SIMS** – Yes there was actually an article in today's paper
8 talking about the Taco Bell and that they are concerned because they are turning
9 50 this year as a franchise or as a business and they were wondering well how
10 do they get current and relevant and that's why they came up with Dorito taco
11 shells as kind of their big splash to get current and relevant.

12
13 **CHAIR VAN NATTA** – Are there any more questions of the Applicant?

14
15 **APPLICANT HENSON** – Thank you

16
17 **CHAIR VAN NATTA** – Do we have any Speaker Slips?

18
19 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no Speaker Slips on the
20 item

21
22 **CHAIR VAN NATTA** – Okay then we'll close the Public Hearing portion and is
23 there any Commissioner Discussion. This really does qualify as an infill. The
24 pad was already there and everything.

25
26 **VICE CHAIR GIBA** – I was going say that I went up there and that's a really nice
27 location for a Taco Bell. It is perfect for the kids at lunch time and after school.
28 You are going to get a lot business. You do know that. It is going to work out
29 except... well you know what, if you set up the lawn chairs in the parking lot, then
30 you get business from people watching the fireworks.

31
32 **CHAIR VAN NATTA** – Any other discussion? Would someone like to make a
33 motion?

34
35 **COMMISSIONER BAKER** – I'll do it. Okay, I move that we **APPROVE**
36 Resolution 2013-37 and thereby;

- 37
38 1. **RECOGNIZE** that this project is exempt from the provisions of the
39 California Environmental Quality Act (CEQA) as a Class 32 Categorical
40 Exemption CEQA Guidelines, Section 15332 for Infill Development; and,
41
42 2. **APPROVE** PA13-0043 a Conditional Use Permit based on the findings
43 contained in the Resolution and subject to the conditions of approval
44 included as Exhibit A of the Resolution.

45
46 **VICE CHAIR GIBA** – I'll second that

1 **CHAIR VAN NATTA** – Okay we have a motion and a second... all in favor?

2
3 Opposed – 0

4
5 **Motion carries 6 – 0**

6
7 **INTERIM PLANNING OFFICIAL ORMSBY** – The approval is final unless an
8 appeal is filed within 15 calendar days.

9
10 **CHAIR VAN NATTA** – Thank you

11
12
13
14 **6. Case Description: PA12-0023 Plot Plan**

15
16 **Case Planner: Julia Descoteaux**

17
18 **CHAIR VAN NATTA** – Our next case is PA12-0023 a Plot Plan. The Applicant is
19 First Industrial LP and the Case Planner is Julia Descoteaux. Did I get it right
20 that time?

21
22 **ASSOCIATE PLANNER DESCOTEAUX** - Yes

23
24 **COMMISSIONER LOWELL** – Due to my familiarity with the project I need to
25 recuse myself from this.

26
27 **CHAIR VAN NATTA** – You are excused. Okay Ms. Descoteaux. There is just
28 so many letters there, it just seems like there should be more syllables to it than I
29 want to give it. Go ahead.

30
31 **ASSOCIATE PLANNER DESCOTEAUX** – Good evening Planning
32 Commissioners, I'm Julia Descoteaux, Associate Planner and before you this
33 evening is a request by the Applicant, First Industrial for the approval of a Plot
34 Plan to construct a 400,130 square foot warehouse distribution facility on 17.69
35 acres located in the Industrial Area Specific Plan 208 I on the southwest corner
36 of Perris Boulevard and San Michele Road. The project is proposed as being
37 built as a single or multi-tenant occupancy; however a tenant has not been
38 identified yet. The building will include approximately 59 loading docks with
39 rollup doors and a truck staging and parking areas on the west side of the
40 building. The Staff Report does say the east side but it will be the west side, with
41 auto parking on the north and south sides of the building.

42
43 The existing site has a truck storage facility on the south portion of the site in
44 conjunction with the existing building to the west. The north portion of the site is
45 currently vacant, however there is a truck storage facility approved for that site.
46 Additionally on the existing truck storage facility area which is on the south side

1 of this site, there is an approved 181,031 square foot warehouse building already
2 approved, so there are already two entitlements for this property. Once precise
3 grading plans are completed for this new building should it be approved, then the
4 other two projects would be closed. All of the surrounding land uses are within
5 the Specific Plan. Properties to the east and west are developed industrial uses
6 and properties to the north include some vacant land and a vacant single family
7 residence and to the south has some existing development as well. The project
8 will have access from San Michele Road and Nandina and that will be for both
9 trucks and vehicles. They'll both have access from both of those streets. The
10 existing driveway along Perris Boulevard will be closed and no trucks or vehicles
11 will enter from that side of the building. The architectural design of the building is
12 a concrete tilt-up design. The colors of the building will include earth-tones with
13 some accent colors and designed to complement the existing building to the west
14 and roof top equipment will be screened from public view. All the landscaping
15 will be required per the current City standards.

16
17 An Initial Study was prepared by the consultant T & B Planning and based on the
18 Initial Study a focused Environmental Impact Report was recommended. The
19 draft of the Environmental Impact Report was distributed per the CEQA
20 Guidelines and then the Final EIR was completed and distributed per CEQA
21 Guidelines. The response to comments and related documents were mailed to
22 all the interested parties who had commented on the Draft EIR on November
23 27th, noting that the Final EIR was provided and T & B Planning is the consultant
24 who prepared the Environmental Impact Report and Tracey Zen is here tonight
25 as well to answer any questions that you might have on the Environmental
26 Impact Report. The mitigation measures; there are approximately 22 mitigation
27 measures as provided to you in Exhibit C of the Resolution and the mitigation
28 measures are included to reduce the environmental impacts where possible even
29 where the impacts could not be reduced to less than significant levels. There is
30 an error in the Staff Report under Approval and Certifications.

31
32 The Planning Commission will take Public Testimony on the EIR on the project.
33 Before action on the proposed project the Planning Commission will review the
34 Final Environmental document and make a determination on it. It's not required
35 to go to the City Council unless it is appealed. Public notice was sent to all
36 property owners within 300 feet, noticed in the newspaper and posted on the site.
37 Notice was also sent to all those who commented on the EIR and to date I have
38 received two emails, both of which you have received copies of... one from
39 Johnson and Sedlak and one from Sierra Club. Staff recommends that the
40 Planning Commission approve Resolution No. 2013-30 and thereby certify that
41 the Final Environmental Impact EIR for the First Inland Logistics on file in the
42 Community and Economic Development Department has been completed in
43 compliance with the California Environmental Quality Act, that the Planning
44 Commission reviewed and considered the information contained in the Final EIR
45 and that the Final EIR reflects the City's independent judgment and analysis and
46 adopt the findings and statement of overriding considerations, approve the

1 Mitigation Monitoring Program and then approve the project Plot Plan PA12-
2 0023. The concludes my presentation and again Tracey Zen is here from T & B
3 Planning, Larry Cochrane is here from First Industrial and Bernie Burnt is here
4 from Web is here as the Engineer. Thank you.

5
6 **CHAIR VAN NATTA** – Thank you. Does anybody have questions for Staff
7 before we call up the Applicant? I am going to open up the Public Hearing
8 portion for this item and start with the Applicant.

9
10 **APPLICANT COCHRANE** – Hi, good evening. My name is Larry Cochrane. I
11 am with First Industrial Realty. First off, I'd like to thank Staff for all their hard
12 work in putting all this together and I'm here to answer any questions that you all
13 might have and look forward to hearing them.

14
15 **CHAIR VAN NATTA** – Okay who wants to start with questions?

16
17 **VICE CHAIR GIBA** – First of all I want to say I've read a lot of these and this is
18 probably one the cleanest ones that I've ever had. Thank you very much for the
19 hard copy because I'm an old man and I use hard copies.

20
21 **APPLICANT COCHRANE** – You can thank Tracey for that. She worked very,
22 very hard on it.

23
24 **VICE CHAIR GIBA** – Thank you. There are several items here that were
25 significant, right and so you had a lot of mitigation measures to take.

26
27 **APPLICANT COCHRANE** – Yes

28
29 **VICE CHAIR GIBA** - I'm not going to waste a lot of our time with a lot of
30 questions but the one thing that I did want to enquire about is when I was reading
31 this over and also was surprising there wasn't really too many letters or any
32 concerns, however the one letter of concern had a question in there dealing with
33 assertions that a feasible and environmentally superior alternative exists that
34 must be adopted; the word must bothered me anyway and your response to that
35 basically was that no there isn't and yet when I was reading the alternative
36 projects, you actually stated that there was and that would have been
37 alternative... I think it was (h)... am I correct where you actually made that
38 statement that this is was the most environmentally friendly alternative. Am I
39 correct on that and I'm flipping through my book here...

40
41 **APPLICANT COCHRANE** – I'll bring up Tracey to answer that question directly.

42
43 **VICE CHAIR GIBA** – So in response to the letter and by the way I appreciate
44 that. You line itemed every dog gone response and trust me I read through it,
45 but that one caught my eye. On the one hand you are saying in the document

1 that there is a better environmental option alternative, but in here you are
2 responding that there isn't, so can you help me with that one.

3
4 **SPEAKER ZENS** – Sure, under the Environmental Quality Act we are required to
5 analyze a reasonable rate of alternatives that are available to the decision
6 making body in light of the environmental impacts that the project will cause. As
7 mentioned in the Staff Report, the project site is already entitled with a trailer
8 yard on the south side which is constructed, a trailer yard on the north side which
9 is approved but not yet constructed and a building on the south side. Those are
10 considered the no project alternatives and under CEQA if the no project
11 alternative is environmentally superior and in this case it would be in regards to
12 there would be less trucks attracted to or from the truck yard as compared to the
13 building proposed, because that truck yard is primarily serving the building
14 immediately adjacent, then a different alternative has to be selected because you
15 can't pick the no project alternative under CEQA; that's not allowed, so we did
16 analyze a variety of alternatives. Most of them are smaller buildings similar to
17 what is already entitled on the property, so again it is environmentally superior
18 because less trucks are attracted to and from, but in the bigger scheme of things,
19 that does not diminish the fact that there is a demand for this type of use and the
20 City and the Region and it is very likely that the use if this project is not approved
21 would just be displaced somewhere else, so for a project like this where the
22 impacts are mostly mobile source emissions or traffic, if that use displaces to a
23 different property, you don't improve the environmental result, you just move it
24 somewhere else. So that is the logic in dismissing part in part to dismiss the
25 alternatives that are environmentally superior for this property when you look at
26 the property insolation, but not the City or the area as a whole. Does that make
27 sense?

28
29 **VICE CHAIR GIBA** – Yes it does, but going to move forward on that so you
30 understand where I'm coming from on this because you have an alternative and I
31 found that alternative four reduced project north building alternative and you said
32 the north building alternative is identified as the environmentally superior
33 alternative. Now you didn't say that in the other ones. This is the one that you
34 are stating and implementation of this alternative would reduce the proposed
35 project significant unavoidable impacts to near and long term air quality, near
36 term noise, near term transportation and traffic but would not result in a reduction
37 in demand of industrial park. In other words, what you are saying is let's leave
38 what we've got on one side and build half the size of the unit. Okay, you've
39 already got a building. You've already got a truck lot, so let's reduce it to
40 200,000 square feet, instead scrap the whole thing and build one 400,000 square
41 feet, right, so my question then leads to a very important point for me if I was the
42 public or anybody else out there. You are building this without having a tenant
43 already available. You are going to out and shop for a tenant. Am I correct?

44
45 **APPLICANT COCHRANE** – Correct
46

1 **VICE CHAIR GIBA** – So I would like to know and understand that how many
2 tenants... there is not everybody out there. There is not... not every tenant
3 needs a 400,000 square foot warehouse, so if you were to go with alternative
4 number 4 and just reduce the size of the warehouse which reduces the size of
5 the impacts, then you would have to look for a tenant that is looking for a 200,000
6 square foot site. Am I correct? So what is the limitation there for you because
7 you are making the case that if you don't do what we want for the whole thing,
8 then it is going to be displaced to somebody else, but you are just out to sell the
9 lot, the property to a certain tenant, so why wouldn't alternative four be an
10 actually good option for you? Are there so many... are there not enough tenants
11 out there for a 200,000 square foot warehouse that already has an existing
12 warehouse and lot?

13
14 **APPLICANT COCHRANE** – That is correct

15
16 **VICE CHAIR GIBA** – They are all looking for the big stuff.

17
18 **APPLICANT COCHRANE** – That actually is a correct statement. Primarily the
19 larger facilities are what attract tenants right now. They are looking to do e-
20 commerce type of facilities. An e-commerce type of facility is usually greater
21 than 300,000 square feet though they can be smaller, but you drive past a lot of
22 completed older 200,000 square footers on your way to get out here that are
23 available to the public with less drayage; so drayage being trucking costs, so that
24 being said, it is going to be awhile till we see a strong demand for the 200,000
25 square foot below market in this area. Does that make sense? Does that
26 answer your question?

27
28 **VICE CHAIR GIBA** – Yes but you already have a how many square foot
29 warehouse already on that south side of the property.

30
31 **APPLICANT COCHRANE** – It is 184,000 square feet I believe

32
33 **VICE CHAIR GIBA** – Oh... and then the reduced one would make 194,000 or
34 196,000 and so there is your almost... right...the north side; if you just build the
35 north side; roughly half, but you'd still have between the two warehouses of over
36 300,000; almost 400,000 square feet. Am I correct? Am I missing something?

37
38 **APPLICANT COCHRANE** – I think you are losing me there.

39
40 **VICE CHAIR GIBA** – No way to connect the two

41
42 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Oh
43 Vice Chair...

44
45 **SPEAKER ZENS** – That alternative is alternative three that discusses buildings
46 on both the north and south sides of the parcels. Additionally when you get down

1 into the smaller spaces the trip generation rate is actually higher on a square
2 footage basis, so alternative three would actually generate more traffic than the
3 building that is currently proposed.

4
5 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Vice
6 Chair... There is no building on the site right now, there is just an approval for the
7 half the site.

8
9 **VICE CHAIR GIBA** – Oh an approval for it; the truck lot there

10
11 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Right;
12 half the site is a truck storage lot, so that is the only development that is on the
13 site, but there is an approval where that storage lot is for an 184,000 square foot
14 building and I think the basic premise is when you look at something, there is an
15 assumption that something that is smaller on a site is environmentally superior
16 because it has less impacts, but if there is a demand for the product, whether it's
17 that size or a larger size, if the development doesn't occur there, it does occur
18 elsewhere, so you don't reduce the impacts within this area.

19
20 **VICE CHAIR GIBA** – I understand that totally. My question was leading to why
21 couldn't we do a smaller one. Is it really that big of a demand; you know
22 alternative four really gave a feasible alternative for you. If it is not from an
23 economic standpoint than building the thing, that is what I wanted to find out after
24 digging through all of this. They still would have the lot on the one side; maybe
25 you built it later or whatever. In other words, I'm asking these questions not just
26 for myself. Okay, thank you.

27
28 **CHAIR VAN NATTA** – Actually environmentally, it would be better to not build
29 anything you know. You could put a few trees there and a little bit of grass, but
30 that doesn't make for highest and best use of the land right?

31
32 **APPLICANT COCHRANE** – Right, correct

33
34 **CHAIR VAN NATTA** – And I'm not sure that you'd really call 400,000 a large
35 building these days. We're talking about millions of square feet; you know 1.1
36 million or 1.2 or 1.8 you know is what we are seeing going up and approving, so
37 it's not that it's that huge of a project.

38
39 **APPLICANT COCHRANE** – And again, I want to reiterate it is already approved
40 to be a trailer yard and with our final design we would be taking that curb off of
41 Perris Boulevard, which that itself would help traffic flow on Perris.

42
43 **CHAIR VAN NATTA** – Yes...are there any other questions of the Applicant?

44
45 **COMMISSIONER SIMS** – On page 286 of the Staff Report here or the packet,
46 there is and I won't go into a lot of the details here but it is talking about the

1 application of some mitigation measures to address the NOX emissions you
2 know for the air quality for the proposed project and so I was just curious you
3 know, it looked like and based on what I was reading, that there is no way to
4 mitigate the long term totally, just looks like essentially that more of a regional
5 solution with having South Coast Air Quality eventually through regulations,
6 getting more cleaner diesel will regulate itself towards smaller emissions,
7 however on the mitigation measures that are going to be implemented into the
8 facility if is approved, is there or was there a calculation showing you know and it
9 is saying here there is 221 and 236 depending on the time of the year, the NOX
10 poundage going in. With the mitigation how much is that knocked down?
11

12 **SPEAKER ZENS** – The Air Quality Consultant is here and I think he is looking
13 that up right now for you. I don't believe we quantified that numerically after the
14 Final EIR was published. As a result of the public comments on the EIR, 14
15 mitigation measures were added as a result of public comment and we fully
16 vetted all of the recommendations that were made and discussed with City Staff
17 of what was feasible and what was not feasible and as I mentioned,
18 approximately 14 measures were added as a result of public comment.
19 Quantitatively the Air Quality Consultant will need to answer that for you.
20

21 **COMMISSIONER SIMS** – Yes I guess for the record, I just was I guess... it looks
22 like the threshold is 55 pounds per day and this is about a magnitude of four
23 times over; close to 5 times over without the mitigation... I was reading how the
24 mitigation measures closed the gap between the 221 down to the 55 threshold.
25

26 **SPEAKER QUERESHI** – Good evening...I'm Haseeb Quereshi, Urban
27 Crossroads. I can answer that for you here. As Tracey mentioned, what we did
28 as a conservative measure is not take any numerical credit for those
29 approximately 14 mitigation measures, so the results you see in the analysis are
30 without mitigation and kind of the worst case scenario if you will. But to put the
31 results in context if you will, the regional air quality thresholds are relatively low in
32 that you could have a variety of uses that are not an industrial use if you will. If
33 you had commercial uses; shopping center let's say, you'd have a similar type of
34 impact in that you'd significantly exceed the NOX threshold of 55 pounds per
35 day. So just putting that into context a little bit. It is not uncommon for you know
36 most relatively large projects if you will; you know 5 or 10 acres plus to have a
37 significant impact as it relates to that NOX threshold.
38

39 **CHAIR VAN NATTA** – Are there any other questions?
40

41 **VICE CHAIR GIBA** – I just had a note here about your noise levels. A lot of the
42 information I was reading was over a year ago. Any significant changes in the
43 noise levels?
44

45 **SPEAKER COCHRANE** – No
46

1 **VICE CHAIR GIBA** – It's all staying pretty much the same?

2
3 **SPEAKER COCHRANE** – Everything is...

4
5 **VICE CHAIR GIBA** - The traffic studies were from 2007 I think they were
6 showing; they were using 2007 data. Was that it? I was just curious, are there
7 any recent or current traffic studies being used?

8
9 **SPEAKER ZENS** – Sorry the 2007 date was referring to the City's guidelines for
10 preparation of traffic reports. It was early this year in 2013 that the traffic study
11 was published, which means the data was from 2012. While I'm up here, I did
12 want to make one comment. Staff mentioned that two letters were received
13 yesterday. Referring to the Johnson and Sedlak letter, I did review the
14 comments made in that letter. On page 3, there are some comments made
15 regarding the mitigation measure 4.1-30 regarding import of earth materials.
16 This project is going to require a minimal of earth materials to be brought into the
17 site as part of the grading operation. Mr. Sedlak was correct that the calculation
18 was done incorrectly. When the calculation was performed we were assuming
19 that the trucks would be coming in using kind of double belly dump truck, which
20 may not be the case, so we would like to City to change mitigation measure 4.1-
21 30 which currently states the limitation of 66 inbound trips per day carrying earth
22 materials to 66 total trips per day. So if 33 trucks were coming in and 33 trucks
23 were going out, that would total the 66. It is not inbound that was said, it is an
24 error in the wording of mitigation of 4.1-30 which we would like to have
25 corrected.

26
27 **VICE CHAIR GIBA** – In the impact report, it is 4.1-29

28
29 **SPEAKER ZENS** – That would be in mitigation monitoring reporting program

30
31 **VICE CHAIR GIBA** – What were those numbers again?

32
33 **SPEAKER ZENS** – That was mitigation measure 4.1-30

34
35 **VICE CHAIR GIBA** – Yes and you said that you wanted a change from where to
36 what?

37
38 **CHAIR VAN NATTA** – She said instead of 66 inbounds, it would be 66 trips total,
39 which is basically half of that amount

40
41 **SPEAKER ZENS** – Correct

42
43 **CHAIR VAN NATTA** – Okay, I think we can do as modified to cover that

44
45 **VICE CHAIR GIBA** – As modified, yes

1 **CHAIR VAN NATTA** – Is there anything else you wanted to address in response
2 to the letters we received?

3
4 **SPEAKER ZENS** – If you would like I can respond to the entire letter. If there
5 are particular points I'm happy to address just those. I could hit the highlights for
6 the record if you have the patience listen to me for five minutes or so. I'm not
7 going to go in the order of the letter, I'm going to start with traffic because the
8 order of the letter starts with air quality but on a project like this, the air quality
9 impacts are primarily driven by the traffic, so I'd like to address traffic first. The
10 two main points raised in the letter are that the comment was that the traffic trips
11 on the regional highway facilities; so the freeways weren't studied far enough out
12 was a comment that was made. The traffic report was prepared per City
13 guidelines and per Cal Tran's guidelines for a peak hour, 2 way trips on freeway
14 facilities and 50 peak hour trips on local road intersections. Mr. Johnson peak
15 suggests that the 100 2 way peak hour trips is not sufficient and that the traffic
16 study should have studied more freeway segments. The significance threshold
17 that is stated in the EIR on which the analysis was based was a 100 2 way peak
18 hour trips. For this particular project the traffic is circulating down Indian to Harley
19 Knox and accessing the freeway at the Harley Knox interchange. So the freeway
20 segments both north and south of Harley Knox Boulevard were analyzed. After
21 that the traffic dissipates to less than 100 2 way peak hour trips, so it is not
22 necessary to study that further because even though if it was studied it would
23 acknowledge that there are congestion on other freeway segments and I think
24 that any rational person really realizes that there is congestion on freeway
25 segments and that this project trips are circulating beyond the two segments just
26 north and south of Harley Knox Boulevard.

27
28 The EIR discloses that the trips go as far as 20, 30, 40, 50, 60 miles some of
29 them. It is absolutely not feasible and not appropriate and not professional
30 standard to chase every single trip down to one trip. We would be studying the
31 entire way up to the City of Los Angeles if that was the case and that is not done;
32 that is not a professional standard to do. The other comment that was made was
33 regarding the timing and funding of improvements at Harley Knox interchange at
34 I-215. Under CEQA impacts are considered sufficiently mitigated if there is a
35 funding program to which the project can contribute and there is a program in
36 place for that improvement. There is a program in place to make improvements
37 at that intersection. It is TUMF. The project is paying TUMF fees. That is
38 adequate mitigation. Based on Mr. Johnson's comment letter on the Draft EIR,
39 we reached out to the City of Perris to get as much detailed information as we
40 possibly could from them and with the timing of the improvements are at that
41 facility. They said they are going to be starting planning of the design of the
42 improvements within the next five years, so it is coming; yes it is not coming
43 tomorrow, but it is coming. There is a timeline identified by the City, so the
44 payment of the TUMF fee is adequate mitigation and does lessen this project's
45 impact to the below the level of significance.

46

1 **CHAIR VAN NATTA** – Are there any questions?
2

3 **VICE CHAIR GIBA** – I did notice that everything was going through Harley Knox,
4 but traffic can go in other directions if it chooses. Why was it focused on the
5 Harley Knox and I know they are improving that route.
6

7 **SPEAKER ZENS** – Correct... so the truck travel will go in that direction. If you
8 read the traffic report, the passenger cars are not all being analyzed as going
9 south to that direction. There will be I believe signs usually at the exit driveways
10 directing the trucks to the truck route and based on the distribution pattern that
11 the traffic analyst works out with the City, it was determined that that is the route
12 that the trucks will be taking from this project.
13

14 **VICE CHAIR GIBA** – That is specified that they'll be taking that route, right
15 Michael?
16

17 **TRAFFIC DIVISION ENGINEER LLOYD** – That was the assumption made in the
18 traffic study because it was the most direct route to the closest freeway. That
19 was the rationale behind that.
20

21 **VICE CHAIR GIBA** – Down Perris to Ramona or anything?
22

23 **TRAFFIC DIVISION ENGINEER LLOYD** – I did not see any advantage of routing
24 traffic into the City of Perris over to Ramona when they've got their own
25 congestion issues that they are also working through. The most direct and least
26 amount of time to get on the freeway was putting them onto Harley Knox and
27 through that interchange.
28

29 **VICE CHAIR GIBA** – I remember we discussed this pretty heavy one time before
30 already so just reiterating that.
31

32 **SPEAKER ZENS** – In comparison, the impacts that cannot be mitigated that we
33 are asking you to override this evening are two local road intersections along
34 Harley Knox Boulevard at Western Way and I believe Indian. Projects in the City
35 of Moreno Valley, there is no fee program in place to which this project can pay
36 funds to the City of Perris for local roads, so we're asking you; conversely TUMF
37 is available for the freeway interchange. It is not available for the local road
38 intersection and so because that mitigation is out of the City of Moreno Valley's
39 control we've identified that as insignificant and unmitigable. There is a program
40 in place but this project cannot contribute funds to it.
41

42 **CHAIR VAN NATTA** – Okay, anything else. Last chance. Okay, thank you very
43 much.
44

45 **ASSOCIATE PLANNER DESCOTEAUX** – Excuse me on minute, were there
46 any comments in the Sierra Club letter that needed to be...

1 **SPEAKER ZENS** – The Sierra Club letter comments about cumulative impacts
2 mostly related to air quality and suggests the City keeps approving these projects
3 one by one by one. There is a very thorough cumulative impact analysis in the
4 Environmental Impact Report and in the technical studies and just as a reminder,
5 this project is in a Specific Plan area. The Moreno Valley Industrial Area Plan
6 where projects weren't considered one by one by one. It is a planned Specific
7 Plan. The land use has been determined two decades ago. It was
8 comprehensively looked at then and the phase of development that we are in
9 now is that Specific Plan is merely being implemented, so how CEQA works, is
10 when a project is approved, that project is analyzed and that is what we've done
11 here. We haven't ignored the cumulative growth that is going on around the
12 project, but acknowledging that it is in a Specific Plan area that is merely just
13 being built out now.

14
15 **CHAIR VAN NATTA** – Do we have Speaker Slips?

16
17 **INTERIM PLANNING OFFICIAL ORMSBY** – There is one...Tom Thornsley

18
19 **SPEAKER THORNSLEY** – Good evening again Commissioners. I do want to
20 thank Tracey and her firm for putting together a very good EIR. In the past I
21 have worked on writing the EIR's so when I read them I really appreciate my
22 ability to follow through and understand them. I may not like what the results are
23 and what level of mitigations there are and as you know I am one of the
24 commenters to the EIR and forgive me but I left the house earlier today to come
25 and interview for the vacant seat there and I never went back to get my notes
26 that I wrote on this a couple of days ago.

27
28 One of my comments had a response to it that indicated the Applicant could
29 make an improvement. I think it had to do with providing electrical plug-in sites
30 and Larry mentioned to me the other night and I think you drive one and that the
31 response to the comments was that they could. I never like mitigation measures
32 that are not a should or a will or comments or a shall. Ones that say could that
33 leaves it up to the Applicant and I believe this one had to do is they could put
34 conduit out to the site and then it is based upon whether or not the end user
35 wants to have that. It doesn't really achieve the goal of make sure something is
36 truly provided. Hopefully she can look that up and find out where it is. It was
37 somewhere in the middle of my comments, but I'm just not remembering. When I
38 looked in the packet here I couldn't find the entire list of stuff. Commissioner
39 Giba made a big point of what goes on with the TUMF fees being collected and
40 yet there is no timeline planned yet for Harley Knox. I feel the same concerns. I
41 see that Johnson Sedlak letter says the same thing. If is five years out for them
42 to start doing the planning and then they deal with Cal Trans, that's 10 more
43 years out, so we are looking at 15 years before those improvements are in the
44 ground and that the highway can handle the traffic. That seems like a long time.
45 There have been a lot of projects approved. There are a lot of projects being
46 constructed in this area. I see those impacts getting to point where projects like

1 this, when they leave that site they'll go north on Perris and go up to Cactus. If
2 they need to be going eastbound then they'll take Cactus out to Moreno Beach
3 and then go up to the freeway, so I really see that there will come a congestion
4 point with projects being approved and letting mitigation measures eliminate a
5 problem only in text, not in reality, so by putting money in a bank, you are saying
6 you are correcting the problem, but until actual stuff is built...so at some point
7 we're going to have find a way to have mitigation measures that basically say
8 you can't do this until this actually happens or we're going to choke ourselves out
9 before we get around to getting these things built.

10
11 One of the things in the Specific Plan is they encourage the mix of uses and this
12 project is not doing what others have done where you have taken an rezoned
13 properties, but we're not getting a mix of use of the Specific Plan any longer. It
14 seems like anything that is coming is coming in large size warehouses. We're no
15 longer utilizing the small lots for smaller industrial type buildings for different
16 types of uses to take place in the industrial realm of projects, so we're not
17 diversifying ourselves as the Specific Plan would like us to do and I hope in
18 future as you look at projects, you realize that we no longer have the small shop
19 industrial facilities. Everything in this town is going large and that stifles a lot of
20 creativity that could come here. I take issue with some of the design stuff that I
21 don't see in this project, which I don't see in all the industrial projects in this area.

22
23 **CHAIR VAN NATTA** – Sir you are well over your three minutes.

24
25 **SPEAKER THORNSLEY** – I thought it was five

26
27 **CHAIR VAN NATTA** – No it is three and you already have spoken for four

28
29 **SPEAKER THORNSLEY** – Okay

30
31 **CITY ATTORNEY BRYANT** – I believe it is five for a Public Hearing.

32
33 **CHAIR VAN NATTA** – Okay, I'll give you another minute

34
35 **SPEAKER THORNSLEY** – The design guidelines ask for a variety of relief
36 elements to the project. The scale and massing of these buildings, the relief
37 would have to be substantial and what little bit that is on there is minor and I
38 continually point out that if you look at the landscaping around here and what you
39 see in front of these buildings can never be planted that way because they have
40 parking stalls right up to the sidewalk leading right into the building and because
41 these are all concept buildings or speculative buildings, we're not getting the type
42 of design that a known tenant would want as part of a showcase building and I
43 really wish that the City would start asking for a little more in that realm. Thank
44 you.

1 **CHAIR VAN NATTA** – Thank you for your comments. Do we have any other
2 Speakers?

3
4 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no other Speakers.

5
6 **CHAIR VAN NATTA** – Thank you. We're going to close Public Comments now
7 and go to Commissioner Discussion. Who would like to start on this one?

8
9 **COMMISSIONER SIMS** – Well I'm reading an interesting book and it is called
10 Basic Economics and the one line in it says economics is the allocation of
11 resources that alternative uses and usually then alternatives uses are guided by
12 market demand and so I see in this case the project proponent is looking going to
13 a 400,000 square foot building if that I what the market demands that is probably
14 what needs to be on the property. As far as the things, you know when you read
15 these things and you look through the air quality and the traffic, I think the thing
16 that alleviates some of my concern about it is this particular warehouse project is
17 within an area that is pre-approved for this kind of specific use. It is very
18 consistent with the development activity that is in that area. It is consistent with
19 the land use that March JPA is doing along in that area for a global port, so there
20 is a lot of reasons why this project is very consistent. As far as the air quality it
21 would appear they are working towards mitigation. How effective those are you
22 know that is to be seen but the South Coast; you know the displacement of the...
23 if economics drive the need for the warehousing, the displacement of the NOX
24 and various contaminants would still be within the basin to support the need. So
25 I would believe over time South Coast Air Quality Management District is more
26 the applicable leader in applying clean technology for diesels and regulatory to
27 bring that into check and as far as paying the TUMF fees, I believe that is
28 probably adequate mitigation for the traffic generated for the project. Anyhow,
29 the last part I find favorable for the project as generated 191 recurrent jobs for
30 the City.

31
32 **CHAIR VAN NATTA** – Thank you Commissioner Sims. Does anyone else have
33 any more comments?

34
35 **VICE CHAIR GIBA** – I dug through this and dug through this and I kept trying to
36 find... I do that sometimes to try to find a reason why I shouldn't approve this
37 because there are so many people that are not in favor of warehouses and stuff,
38 but as Commissioner Sims says it is the right location, it is the right size...
39 actually it is fairly small warehouse facility compared to what is being built. When
40 I looked at the cumulative development project location map on page 4.4-55... I
41 see on the west side of that freeway a heck of a lot more building going on than
42 our east side of the freeway and so how much of the mitigation that we can do on
43 a 400,000 square foot facility versus I'm seeing something that has to be in the
44 huge amount in Riverside. They are probably dumping a lot more into that air
45 from their warehousing than we would in the dividing line of the 215 freeway. I
46 see no reason in as much as I tried to find the alternatives for it, I see no reason

1 why we shouldn't approve this project. I think it is exactly what it was designed to
2 do in the place it was designed to do it and I personally am going to vote in favor
3 of it.

4
5 **CHAIR VAN NATTA** – Any more comments?

6
7 **COMMISSIONER BAKER** – I'm favor of the project. I think as things move
8 forward you just go with what the demand is out there in the public and it is for
9 warehousing right now and like Meli said 400,000 square feet is not a big
10 warehouse nowadays compared to some, so I'm in favor of this project and I
11 think we need to move it forward.

12
13 **CHAIR VAN NATTA** – Do have anything to say Commissioner Ramirez?

14
15 **COMMISSIONER RAMIREZ** – Well once again I'm pretty much echoing what
16 everybody has said. The project is in an ideal location. It is conformance with
17 the General Plan and I don't see a reason why we should not vote this through,
18 especially given that mitigation measures were taken to ensure that emissions
19 and all that are regulated and controlled effectively, so I am going to be voting for
20 this project.

21
22 **CHAIR VAN NATTA** – Thank you. I would agree with just about everything that
23 Commissioner Sims said except for one thing. I can't see myself saying I was
24 reading an interesting book and the title of it was Basic Economics, but other
25 than that it does look like a good project and in an appropriate location and well
26 planned and well mitigated, so would someone like to...

27
28 **INTERIM PLANNING OFFICIAL ORMSBY** – Chair Van Natta I just wanted to
29 check to see if you wanted to give the opportunity for the Applicant to rebut
30 because I don't believe they had an opportunity to rebut any of the comments.

31
32 **CHAIR VAN NATTA** – Do you want an opportunity to rebut unless they want to
33 change our minds?

34
35 **INTERIM PLANNING OFFICIAL ORMSBY** – It is for the record... I mean for
36 anything they might want to put on the record in regard to rebuttal.

37
38 **CHAIR VAN NATTA** – Is there anything you would like to rebut? Okay I didn't
39 think so. Okay who would like to...

40
41 **COMMISSIONER BAKER** – I can do it if you like.

42
43 **CHAIR VAN NATTA** – Okay go ahead.

44
45 **COMMISSIONER BAKER** – Okay I hear a motion that we **APPROVE** Resolution
46 No. 2013-30 and;

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1. **CERTIFY** that the Final Environmental Impact Report EIR, P12-064 for the First Inland Logistics Center 2 on file with the Community and Economic Development Department has been completed in compliance with the California Environmental Quality Act and that the Planning Commission reviewed and considered the information contained in the Final EIR and that the Final EIR reflects the City’s independent judgment and analysis and;
2. **ADOPT** the findings and Statement of Overriding Considerations regarding the Final EIR for the First Inland Logistics Center 2 attached hereto as Exhibit B and;
3. **APPROVE** the Mitigation Monitoring Program for the Final EIR for the proposed project attached hereto as Exhibit C and;
4. **APPROVE** Plot Plan PA12-0023 subject to the attached conditions of approval included as Exhibit A.

CHAIR VAN NATTA – Which one had the modification?

ASSOCIATE PLANNER DESCOTEAUX – Number 3

CHAIR VAN NATTA – Number 3 that would have been as modified

COMMISSIONER BAKER – And number 3 as modified

VICE CHAIR GIBA – Second

CHAIR VAN NATTA – Okay we have a motion and a second... all in favor?

Opposed – 0

Motion carries 5 – 0 – 1 (with one recused, Commissioner Lowell)

CHAIR VAN NATTA – Staff wrap up please

INTERIM PLANNING OFFICIAL ORMSBY – The action of the Planning Commission is final unless an appeal is filed within 15 calendar days.

CHAIR VAN NATTA – Thank you and Staff Comments

1 **STAFF COMMENTS**

2
3 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes we have determined that the
4 next Planning Commission meeting will be on January 16th to which all of you
5 responded to emails in regard to that, so we appreciate that. With regard to
6 items for the January 16th meeting, we have two items at this point. One is the
7 Final Draft of the Housing Element which we've incorporated comment from the
8 Planning Commission as well as we're working with the State Housing and
9 Community Development Department on some of their comments and so we'll be
10 back with the Housing Element and then the second item would be an appeal of
11 an administrative decision on the former West Ridge Project; an Industrial
12 Warehouse Project, so those are the two items at this point. There may be
13 additional items for the meeting, so with that I'll turn it back to the Chair.

14
15 **CHAIR VAN NATTA** – Okay thank you

16
17 **CITY ATTORNEY BRYANT** – Sorry, can I interrupt and add that you were right;
18 it is three minutes for the Planning Commission. It is five minutes at the Council
19 Meetings, so I was still stuck in Council mode.

20
21 **CHAIR VAN NATTA** – Yes we didn't have a whole bunch of people waiting to
22 speak so I guess we were okay.

23
24
25
26 **PLANNING COMMISSIONER COMMENTS**

27
28 **CHAIR VAN NATTA** – Are there any Planning Commissioner Comments?

29
30 **COMMISSIONER RAMIREZ** – Just want to wish everybody Happy Holidays and
31 Happy New Year

32
33 **VICE CHAIR GIBA** – I want to wish you all a Merry Christmas and Happy New
34 Year

35
36 **COMMISSIONER SIMS** – Likewise, I'd like to wish everybody to have a good
37 one and Staff out there and those that attended. I hope it is merry and hope you
38 a great and prosperous New Year.

39
40 **CHAIR VAN NATTA** – Feliz Navidad

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ADJOURNMENT

CHAIR VAN NATTA – Okay all in favor of adjournment just stand up and leave.

Chris Ormsby
Interim 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 16TH, 2014

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

15 **ROLL CALL**

16
17 Commissioners Present:

18 Chair Van Natta
19 Vice Chair Giba
20 Commissioner Baker
21 Commissioner Lowell
22 Commissioner Ramirez
23 Commissioner Sims
24

25 Staff Present:

26 John Terell, Community and Development Director Economic
27 Chris Ormsby, Interim Planning Official
28 Claudia Manrique, Associate Planner
29 Jeff Bradshaw, Associate Planner
30 Michael Lloyd, Transportation Engineer
31 Vince Girón, Land Development Engineer
32 Randy Metz, Fire Marshall
33 Suzanne Bryant, City Attorney
34
35
36

37 **PLEDGE OF ALLEGIANCE**
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1 **PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE**
2 **MEETING**

3
4
5 **CHAIR VAN NATTA** – Okay the public is advised that the procedures to be
6 followed in the meeting are posted at the back of the room on the side there. We
7 are going to begin with comments by any member of the public on any matter
8 which is not listed on the Agenda but is within the subject matter jurisdiction of
9 this Commission. Do we have any Speaker Slips?

10
11 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no Speaker Slips.

12
13 **CHAIR VAN NATTA** – No Speaker Slips. I see nobody standing there ready to
14 speak, so I'm going to now close the Public Comments and we will go right to our
15 Public Hearing Items.

16
17
18
19 **PUBLIC HEARING ITEMS**

20
21 **1. Case Description: P13-111 – Appeal of the Community & Economic**
22 **Development Director's November 22,**
23 **2013 approval of Amended Plot Plan**
24 **P13-111.**

25
26 **Case Planner: Jeff Bradshaw**

27
28 **CHAIR VAN NATTA** – Item No. 1, Case Description is P13-111, Appeal of the
29 Community and Economic Development Director's November 22nd, 2013
30 approval of Amended Plot Plan P13-111. The Applicant is Aldi and our Case
31 Planner is Jeff Bradshaw. But I might want to say before we start that we got a
32 letter that says that the Applicant might be asking for a continuance... they
33 decided not to... okay.

34
35 **ASSOCIATE PLANNER BRADSHAW** – Yeah to clarify the letter is actually a
36 follow-up from the Appellant or the body that appealed the project and I had
37 some information that I was going to present on that in my presentation.

38
39 **CHAIR VAN NATTA** – Okay, go ahead then

40
41 **ASSOCIATE PLANNER BRADSHAW** – Thank you. Good evening Chair Van
42 Natta and members of the Planning Commission. My name is Jeff Bradshaw.
43 I'm an Associate Planner with the Planning Division. I have a short presentation
44 for you this evening. Our Planning Official, Chris Ormsby also has some things
45 he wanted to present. Available also this evening is Ross Geller from Applied
46 Planning. He is the EIR Consultant that worked with the City to prepare the

1 Addendum as well as the Applicant, Aldi with the team representing them this
2 evening. As described in the Agenda, Amended Plot Plan P13-111 proposes to
3 develop an 800,430 square foot refrigerated warehouse facility on a 55 acre site
4 and this proposal would replace a larger warehouse facility of 937,260 square
5 feet that originally approved by the City Council for this site in September 2011.

6
7 The location is on the south side of the 60 Freeway, west of Redlands Boulevard
8 and on the north side of Fir or future Eucalyptus Avenue. This project was
9 reviewed by Staff and presented to the Community and Economic Director for
10 approval on November 22nd of 2013, again after Staff review and preparation of
11 an Addendum to the Certified EIR that was approved by Council for the original
12 project. Following that action or the approval of Amended Plot Plan P13-111 an
13 appeal was filed with the City. That occurred on December 5th and the project
14 was then scheduled for Planning Commission Public Hearing this evening on
15 January 16th.

16
17 By way of background, the project as described is an 800,430 square foot
18 refrigerated warehouse. This use is intended to function as the Regional
19 Headquarters for the grocery retailer Aldi. Aldi is the owner/operator of the
20 facility and has currently planned to employ 200 people at this location. The
21 original project presented to the City Council in 2011 was for a speculative
22 warehouse without a tenant and what we are presenting to you this evening is for
23 an owner/operator facility.

24
25 The Amended Plot Plan proposes minor changes. Those include a reduction in
26 building area, revised elevations and colors, revised layout for the onsite parking
27 and the circulation and a redesign of the storm water basin from two separate
28 facilities to a single facility. The appeal letter as you have noted challenges the
29 appropriateness of preparing an Addendum to the EIR for this project. A copy of
30 that is available in the Staff Report for reference. Following the submittal of the
31 Amended Plot Plan to Staff, we had a chance to review the changes that were
32 proposed by that application and through the review of the Amended Plot Plan
33 and review of CEQA Guidelines, determined that the Addendum in this case was
34 an appropriate measure of the changes to the project. The project as presented
35 did not meet any of the criteria that would be required for a subsequent EIR as
36 described in the CEQA Guidelines, Section 15162 and additional to that affect an
37 explanation of that decision not to prepare a subsequent EIR is available in more
38 detail in Section 1.3 of the Addendum which is also attached to the Staff Report.

39
40 The preparation of that Addendum included updates to the environmental check
41 list, updates to traffic and air quality studies and a field review of the biological
42 study that was prepared originally. The conclusion of that Addendum is that the
43 implementation and operation of the amended Plot Plan will not result in any
44 significant, different or additional or substantially increased environmental
45 concerns or impacts beyond those previously considered or addressed in the
46 Certified EIR for the original project at that site. It is important to note I think that

1 out of that exercise no additional mitigation measures were required for this
2 project and the project as conditioned is required to satisfy all mitigation
3 measures originally adopted or approval by Council as contained in that Certified
4 EIR. One of the concerns raised in the various forms of correspondence that had
5 been submitted and challenged to this project was the circulation or the
6 availability of the Addendum to the public. This process is somewhat unique but
7 CEQA does not require the circulation of an Addendum for public review like it
8 would in the EIR.

9
10 Having said that, notices were circulated for the administrative decision in
11 November. There were members from the public, those that were interested in
12 following the progress of the project and asked to be notified to also receive a
13 copy of the Addendum. Those notices were sent and copies of the Addendum
14 were provided to those interested parties as requested. That information was all
15 taken into consideration leading up to the approval of the administrative...excuse
16 me, the Amended Plot Plan in November. Copies of the Addendum have been
17 available to the public again during this noticing period leading up to tonight's
18 hearing in a similar fashion as what was done for the admin decision in
19 November.

20
21 In the Staff Report in attachment 6, two letters that were provided to City Staff in
22 November preceding the original approval of the Amended Plot Plan. Concerns
23 raised there included site design, mitigation for traffic and air quality impacts and
24 suggested mitigation measures that might be added. Working with the project
25 Environmental Consultant and the Applicant, Staff has included a response to
26 those letters in the Staff Report by reference and that is Attachment 8. There
27 was an additional letter received this afternoon from Briggs Law Corporation.
28 They raised similar concerns about the preparation of the Addendum as those
29 that were identified in the appeal letter and as stated previously, Staff feels very
30 strongly, very confidently that the criteria for requiring a subsequent EIR has not
31 been satisfied.

32
33 This project, based on its merits, does not require a subsequent EIR and that the
34 preparation of an Addendum is appropriate as outlined in CEQA Guideline,
35 Section 15164. Additionally, there was another letter submitted late this
36 afternoon from the Appellant, from the group that wanted to see this project
37 presented to you this evening requesting a continuance of the item to have more
38 time to review the Addendum. In response to that, I just want to make clear that
39 the Appellant did receive notice before tonight's hearing consistent with the way
40 that we provide to anyone, so leading up to the meeting Mr. McClendon was
41 provided with a notice of tonight's meeting within the 10 day noticing period that
42 is prescribed for tonight's action. Subsequent to the December 5th appeal, he did
43 request copies of both the Addendum and the Certified EIR. That request was
44 made last week. Upon receipt of the request, we made sure that he had copies.
45 Why the request wasn't made in December, I couldn't explain, but as soon as he
46 asked for the information, we made sure that was available. So in response to

1 his concerns, Staff feels that we've satisfied both the noticing efforts that are
2 required of the City as well as making the information available upon request.
3 The project as presented, we would recommend that the Planning Commission
4 recognize that the preparation of an Addendum for this project is appropriate and
5 would recommend approval of the Amended Plot Plan as presented to you,
6 subject to the findings that are attached in the Planning Commission Resolution
7 and subject also to the conditions of approval that are being recommended. That
8 concludes the portion I was going to present and Chris Ormsby I think has some
9 things he also wanted to share.

10
11 **INTERIM PLANNING OFFICIAL ORMSBY** – I just had a couple of other points
12 to highlight; not really anything that much new, but just to focus on a couple of
13 points. One is the review of this amended project is entirely consistent with the
14 process that Planning Division has applied to other projects where the square
15 footage of the building is being reduced. In this case the building is reduced in
16 size from approximately 937,000 square feet to 800,430 square feet. An
17 Addendum is appropriate based on CEQA Guidelines, Section 15164 and none
18 of the conditions described in Section 15162 of the CEQA Guidelines calling for a
19 preparation of a subsequent EIR have occurred. Finally it should be noted that
20 no changes were required to mitigation measures, based on the environmental
21 review and these measures are included in the conditions of approval P53
22 through P105 and that concludes my comments.

23
24 **CHAIR VAN NATTA** – So to clarify what we are looking at then is this is the
25 project that was already approved and then there was an Addendum which made
26 some changes to it and what we are looking at tonight is whether that Addendum
27 can proceed without any further studies being done.

28
29 **INTERIM PLANNING OFFICIAL ORMSBY** – Well you're really looking at the
30 amended project, which for the environmental review had an Addendum, so it's
31 an Amended Plot Plan. Basically if you were to not approve the amended
32 project, there would still be an entitlement for a 937,000 square foot warehouse
33 on the site. So basically it would go back to the original approval based on that.

34
35 **CHAIR VAN NATTA** – We're just looking at the changes to it because the
36 original project was approved but there have been some changes and we're
37 looking at those changes and deciding whether or not it is appropriate for those
38 to go forward.

39
40 **INTERIM PLANNING OFFICIAL ORMSBY** – That's correct and these changes
41 were to address the needs of a specific tenant.

42
43 **CHAIR VAN NATTA** – Okay at this time we'll take Public Comments and shall
44 we start with the Applicant.

1 **CITY ATTORNEY BRYANT** – This situation is kind of unusual because it is an
2 appeal, so perhaps the Appellant would want to go first and open up the Public
3 Hearing.

4
5 **CHAIR VAN NATTA** – Okay and you said you had a question...

6
7 **VICE CHAIR GIBA** – I just wanted a point of clarification if I may. Was this
8 originally just this Addendum; this change was originally administratively done
9 and not necessary. In other words it was never going to come to us unless it got
10 appealed; unless they did appeal it?

11
12 **INTERIM PLANNING OFFICIAL ORMSBY** – That's correct and that is...

13
14 **VICE CHAIR GIBA** – The appeal actually is the action they took because you
15 administratively did it?

16
17 **INTERIM PLANNING OFFICIAL ORMSBY** – That's correct as appealed

18
19 **VICE CHAIR GIBA** – That point of clarification that we would not have seen this
20 had there not been an appeal. It would have just been approved administratively
21 through the normal planning process that they would normally go through
22 because the EIR was already approved.

23
24 **INTERIM PLANNING OFFICIAL ORMSBY** – That's correct

25
26 **CITY ATTORNEY BRYANT** – What is before you tonight is the Amended Plot
27 Plan, so the Plot Plan had already been approved with a Certified EIR.

28
29 **CHAIR VAN NATTA** – So this is just for the amendment

30
31 **CITY ATTORNEY BRYANT** – For the Amended Plot Plan and the Addendum to
32 the EIR

33
34 **CHAIR VAN NATTA** – Alright then...

35
36 **COMMISSIONER SIMS** – Can I go back on that just for a second. I want to
37 make sure I understand. In 2011 there was a Certified EIR approved for a
38 project that was based on a speculative tenant. The project has come back with
39 a refined one; with owner requirements that required some minor changes based
40 on the amendment in Staff Report of minor amendments to the prior approved
41 Plot Plan. So what I thought I heard was when Commissioner Giba was asking,
42 the amendments to the Plot Plan and the amendment to the CEQA was
43 processed administratively because Staff...there was a Staff and legal...City
44 Staff and legal considered that this was an administrative approval and not
45 necessary to have a public hearing or go to Planning Commission.

46

1 **ASSOCIATE PLANNER BRADSHAW** – That’s correct

2
3 **COMMISSIONER SIMS** – So really, the only thing we’re here to approve is to
4 formalize the administrative action based on the appeal. Are we even being
5 asked to approve a Plot Plan because it has already been approved? We’re just
6 going through this process because it was appealed.

7
8 **INTERIM PLANNING OFFICIAL ORMSBY** – The appeal as I understand it is of
9 the project itself which includes the environmental, so you are reviewing the
10 amended project.

11
12 **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR TERELL** –
13 Basically what happens when a project is appealed; usually people appeal your
14 decisions and not our decisions and then it goes to City Council and when it is
15 appealed to a higher level then it is as though you were the approval body.

16
17 **CHAIR VAN NATTA** – And then whatever recommendation we make to that then
18 again will go to City Council for final action. Whether we approve or deny the
19 appeal then that would; it would still be the City Council that makes the final
20 decision if whoever we rule against on this is not happy with it they can appeal it
21 to the City Council.

22
23 **INTERIM PLANNING OFFICIAL ORMSBY** – Your action will be final unless
24 appealed.

25
26 **CHAIR VAN NATTA** – Yeah, the same as when we are looking at an original.
27 Alright I think we’re ready now to listen to the Appellant. Is there anybody here?

28
29 **INTERIM PLANNING OFFICIAL ORMSBY** – I don’t have any Speaker Slips
30 from an Appellant.

31
32 **CHAIR VAN NATTA** – Okay then we will go on to the Speaker Slip that we do
33 have which is Liz Ruggles and you have three minutes.

34
35 **CITY ATTORNEY BRYANT** – Is this the Applicant?

36
37 **INTERIM PLANNING OFFICIAL ORMSBY** – Yeah this is the Applicant tonight
38 so we would not limit their time.

39
40 **CHAIR VAN NATTA** – Oh okay forget what I said about three minutes. Go
41 ahead and tell us

42
43 **APPLICANT RUGGLES** – I was planning on keeping it brief anyway.

44
45 **CHAIR VAN NATTA** – Thank you

46

1 **APPLICANT RUGGLES** – Thank you for having us here this evening and giving
2 us this opportunity to speak in front of you. We're excited to have the opportunity
3 to be a part of the Moreno Valley community and I just wanted to take a moment
4 to explain our company, Aldi, to you. Based outside of Chicago and Batavia,
5 Illinois, Aldi has been operating grocery stores here in the US for nearly 40 years.
6 Today Aldi operates nearly 1300 stores in 32 states, from Kansas to the east
7 coast. On average over last several years we've opened 80 new stores and
8 we're expanding into markets; new markets such as Houston and we're
9 continuing our expansion in competitive markets such as South Florida and New
10 York City. Aldi brings high quality groceries to consumers at incredibly low
11 prices. Smart shoppers have found that by coming and shopping at Aldi, they're
12 able to save up to 50 percent on their groceries by purchasing Aldi exclusive
13 brands and products compared to national brand products. We provide the
14 majority of what a consumer is buying on a regular basis, so basically the heart
15 of their grocery shopping list they can find with our Aldi exclusive products which
16 includes fresh meat, fresh produce and bakery items. Due to the high demand
17 that we have for consumers, we are accelerating our growth and we're able to
18 bring our high quality products to more and more consumers every day. So we
19 have recently embarked on an accelerated five year strategic plan to open 650
20 stores and add an additional 10,000 employees across the country and we are
21 excited to be able to include Moreno Valley within our growth strategy. Thank
22 you.

23
24 **CHAIR VAN NATTA** – Don't go away, we may have questions.

25
26 **APPLICANT RUGGLES** – Absolutely, I'd be more than happy to answer
27 questions

28
29 **CHAIR VAN NATTA** – So this is going to be a distribution center that will cover
30 what area?

31
32 **APPLICANT RUGGLES** – For the Moreno Valley area and for the eight counties.

33
34 **CHAIR VAN NATTA** – And for what?

35
36 **APPLICANT RUGGLES** – The eight counties; surrounding counties

37
38 **CHAIR VAN NATTA** – Okay and will there be retail stores? Where will the retail
39 stores in this area be?

40
41 **APPLICANT RUGGLES** – I will actually turn that over to Doug. I'm sorry... so
42 the retail stores; we are looking locate here within the eight counties.

43
44 **CHAIR VAN NATTA** – Do you have anything to add to that or we going to have
45 any in Moreno Valley?

46

1 **UNKNOWN SPEAKER** – Yes

2
3 **CHAIR VAN NATTA** – Okay

4
5 **APPLICANT RUGGLES** - We are in the current process of planning on how
6 many stores that the distribution center will service and the exact locations of
7 those.

8
9 **CHAIR VAN NATTA** – And typically Aldi's stores are what square footage; what
10 size stores?

11
12 **APPLICANT RUGGLES** – The retail space square footage is about 10,000
13 square feet, so we're definitely a smaller format store. We're able to bring a very
14 streamlined efficient shopping experience to consumers so they are able to save
15 time and they are able to save money by shopping with us.

16
17 **CHAIR VAN NATTA** – Are there any other questions?

18
19 **COMMISSIONER RAMIREZ** – Thank you for coming. We appreciate your
20 project. My question is with hiring employees. Are you looking to hire from the
21 City of Moreno Valley or you looking at bringing employees from your other
22 distribution centers.

23
24 **APPLICANT RUGGLES** – No absolutely, we're looking to hire local employees,
25 so this will be our first distribution center here on the west coast.

26
27 **COMMISSIONER LOWELL** – I had a couple of questions. Is Aldi planning on
28 moving into existing buildings; we have a couple of big chain grocery stores that
29 have left the City. Is there a possibility of moving into one of them or you a
30 smaller footprint like you stated and would be doing new construction buildings in
31 the future?

32
33 **APPLICANT RUGGLES** – We are a smaller footprint retailer, so we do go into
34 both existing retail spaces that work within our smaller footprint depending on the
35 market. We do also build our own stores, so it definitely is a mix depending on
36 the market.

37
38 **CHAIR VAN NATTA** – And about how many employees do you expect when you
39 are completed with this distribution center that will be working there?

40
41 **APPLICANT RUGGLES** – We expect to be adding about 200 jobs to this project
42 and nearly the majority of those employees would be working at the distribution
43 center.

44
45 **CHAIR VAN NATTA** – And is this also... I notice that there is quite a bit of office
46 space on this. Is this also going to be like regional offices for the company?

1 **APPLICANT RUGGLES** – It will be a regional headquarters and a distribution
2 center to support stores within the local area.

3
4 **CHAIR VAN NATTA** – And will you be bringing in some employees currently
5 work for Aldi as well.

6
7 **APPLICANT RUGGLES** – Yes we have brought in some of our employees that
8 have worked here in the US to help with the expansion plan, but in order to
9 support the growth that we do expect to bring to the community, we'll have to be
10 definitely an accelerated hiring to support that.

11
12 **CHAIR VAN NATTA** – Any more questions?

13
14 **VICE CHAIR GIBA** – Is this appropriate to ask about your facility and the plan
15 and the whole bit or is this just you who wanted to come and share with us about
16 Aldi?

17
18 **APPLICANT RUGGLES** – I'm prepared to answer any questions that you have
19 about Aldi the company and then we do have people here that can answer
20 additional questions that you may have about the plot and addendum.

21
22 **CHAIR VAN NATTA** – First we'll see if we have any other questions about Aldi
23 and their operation before we go onto them.

24
25 **APPLICANT RUGGLES** – Okay, thank you

26
27 **CHAIR VAN NATTA** – You can ask your question now and then they can direct
28 whoever it is best suited to...

29
30 **VICE CHAIR GIBA** – I'll try...I know there were some questions about the...I've
31 got a letter here so I'm going to see if it was in that letter in particular. Oh, right
32 here...I think this was a letter from Mr. Thornsley who asked about the
33 configuration of the enlarged retention basin. Can you hear me alright because I
34 don't like dipping into this...consideration be given to the necessity of fencing in
35 this area and its aesthetic character in the project. It is kind of on the south side
36 so I looked at it as a front yard lawn almost and had kind of an upward angle to it.
37 Have you given any consideration to making the retention basin; you know
38 working with that so that it's not such a big huge retention basin sitting there,
39 because it is going to be facing the south side which has potentially homes and
40 stuff down in that area especially up on the hillside and stuff.

41
42 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Vice
43 Chair Giba, I think that is a more appropriate question for Staff.

44
45 **VICE CHAIR GIBA** – That's what I'm saying. I've got a whole bunch. You're
46 going have to direct me to what is appropriate or not.

1 **ASSOCIATE PLANNER BRADSHAW** – The project if approved as it goes into
2 plan check, that area would be landscaped as an extension of the parkway and
3 some of the surrounding landscaped areas in front of the building. In terms of
4 access to the basin, the fencing that is proposed is a match to the three rail fence
5 that is required along the multi-use trail that parallels Eucalyptus. So the area
6 will be landscaped and that is the type of fencing that is proposed around the
7 perimeter of the basin.

8
9 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – And just
10 for clarification, that is not a change from the original. The change from the
11 original is that two basins side by side along the frontage got changed to one
12 basin, so there has always been a condition of approval for screening as well as
13 some sort of fencing.

14
15 **VICE CHAIR GIBA** – No I understand that because I read it and I understand it is
16 a conditional of approval for screening or some kind of fencing. My question was
17 can you go up and above that to make it a little bit more aesthetically appealing.
18 That was the question.

19
20 **ASSOCIATE PLANNER BRADSHAW** – And that is the condition. It would be
21 landscaped for aesthetic purposes.

22
23 **VICE CHAIR GIBA** – You know I went through a lot of the letters and there were
24 some very good comments by a lot of the residents and personally I know that I
25 like to be recognized as having asked a decent question or at least have it
26 responded to in the public, so when I go through the letters these are some of the
27 things that I was looking at. I'll have several questions, so if anybody else has
28 some first they are more than welcome to ask because I've got... It's an entire
29 Environmental Impact Report... I was not here when this was approved. I was
30 not here under any condition of this. One question; it was not approved by the
31 Planning Commission when this was done. Do we know what that vote was?

32
33 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – No it was
34 approved by the City Council

35
36 **VICE CHAIR GIBA** – Right, it was not approved by the Planning Commission.

37
38 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – That's
39 correct

40
41 **VICE CHAIR GIBA** – Do we know what that vote was? I'm curious.

42
43 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – I don't
44 recall. It was obviously... it was less than you know three or four votes in favor
45

1 **VICE CHAIR GIBA** – Well I wanted to know how overwhelmingly the Planning
2 Commission disapproved it, that it had to go to the City Council. That kind of is
3 important information for me.
4

5 **CHAIR VAN NATTA** – I can answer part of that. Some of our original concerns
6 which were to a certain extent addressed when there was a tenant. One of the
7 Commissioners had a concern because we didn't know who the tenant was
8 going to be so how could we evaluate what the impact was going to be in traffic
9 and jobs and everything else like that. Another concern which was one that I had
10 voiced was in previous approvals, for example the approval for Sketchers, there
11 was a strong commitment that any future truck traffic for that area would be
12 directed down Theodore and would not go down Redlands, because Redlands
13 has a pretty strong commuter route and that was a question that I didn't feel had
14 been adequately answered. I believe since that time and you can correct me if
15 I'm mistaken, but after the project was approved by the City Council, they also
16 took Redlands off of the truck route so that trucks would not be able to go down
17 Redlands and go across on Cactus or something like that and they would be
18 restricted to just accessing this area from the freeway only. Is that correct?
19

20 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yes
21 that's correct
22

23 **CHAIR VAN NATTA** – Okay and that kind of took care of that concern that I had.
24 I don't know what other concerns were specific, but those seemed to be two of
25 the strongest concerns at the time that we denied the project in the first place,
26 but it went to the City Council and now that we have an actual tenant for the
27 place and we can ask them specific questions that is a little different. Go ahead.
28

29 **VICE CHAIR GIBA** – Thank you. Alright, I did realize that when we went through
30 it you had quite a few mitigations for the traffic studies and movement in that
31 email. I talked to Mr. Ormsby about it so he could be prepared to respond. As a
32 matter you had P53 through P71 as mitigations to the roads, traffic and patterns
33 all dealing mainly with Redlands Boulevard and Moreno Beach. Now Moreno
34 Beach is a little bit west of that particular warehouse area so I would suspect that
35 most of the traffic would be associated with the Redlands and as a matter of fact
36 I had a lot of them highlighted and I asked Mr. Ormsby to please explain to us a
37 couple of things I'd really like to understand because some of the letters the
38 question was brought up, have we got any guarantee that how many of these
39 mitigations will be done before they actually take residency in their building and
40 start having traffic approach us. We've gone from a warehouse to business
41 environment where we will have a lot more cars versus the plan from before, so
42 that is a lot of mitigations. Some of it is dependent upon TUMF fees and some
43 on DIF fees and so I think I asked Chris that can you please explain to me what
44 guarantees we have, how long out are some of these repairs and improvements
45 going to take place. Is there any order to this? I mean prioritized what goes first

1 for what reason and how long it is going to take for us to get it done. Of course
2 you guys know; Michael you definitely know this that I love my traffic issues.

3
4 **INTERIM PLANNING OFFICIAL ORMSBY** – Well and Transportation
5 Engineering is actually the most familiar with the TUMF program relative to these
6 street projects, so I'm going to defer to Michael to respond.

7
8 **TRAFFIC DIVISION ENGINEER LLOYD** – Good evening Chair and
9 Commissioners; thank you. To answer your question directly, very succinctly,
10 the projects that are identified as mitigation measures through the payment of
11 TUMF and DIF and other fair share fees would be handled through the City CIP,
12 the Capital Improvement Plan and that is administered by our Capital Projects
13 Division within the Public Works Department and those priorities are set by City
14 Council. So to keep the answer as short as possible, that is the answer in terms
15 of the priority setting process and it's done on a yearly basis when we update our
16 CIP, which comes through here as you recall for certification before it goes on as
17 per conformance to the General Plan. In terms of specific improvements in time
18 frames, I apologize I don't have my CIP sheet here in front of me but I can
19 address some off the top of my head here from memory. Improvements to
20 Moreno Beach as you may be are probably aware, phase one of the
21 reconstruction of the interchange was recently completed and we're in phase two
22 as part of the CIP and we're currently pursuing additional funding to make the
23 project whole, so as I recall it is partially funded and we're in the process of filling
24 the gap so that it's a fully funded project so that it can go to construction and I
25 don't have a time frame in terms of when it would actually go to construction.
26 One thing to keep in mind the impacts that you are seeing that are cumulative in
27 nature that deal with Moreno Beach, were a result of a connection from this
28 project; the future Eucalyptus connecting directly to Moreno Beach Drive as it
29 currently exists as part of this Amended Plot Plan, the roadway would not
30 connect in the near term to Moreno Beach Drive, so traffic would in fact be
31 directed to Redlands into the freeway directly and as the Chair pointed out, the
32 truck routes in this area were revised probably within a year or so ago and it did
33 remove Redlands south of the freeway so that there is not an opportunity for
34 trucks to decide you know what, the shortest route for me is to go down
35 Redlands and cut across on Alessandro. That would be an enforcement issue,
36 so we would obviously work with our Police Department and cite those truck
37 drivers if they decided to do that, there is enforcement availability. So hopefully
38 I've answered your question. If there were specific improvements that you had
39 flagged, I'll do my best to try to answer them.

40
41 **ASSOCIATE PLANNER BRADSHAW** – Michael I wasn't sure if you would mind
42 just to distinguish between the cumulative impacts and those that are mitigation
43 measures for the operational stages of the project, because there is some
44 mitigation in there that has to be satisfied before occupancy.

1 **TRAFFIC DIVISION ENGINEER LLOYD** – That’s correct. Thank you Jeff. The
2 direct impacts as per all projects, any direct impacts have to be mitigated by the
3 Project Applicant and on this project and I’m going to take a look at my conditions
4 of approval quickly here. On this project the Applicant is required to put in a
5 traffic signal at the State Route 60 eastbound ramp at Redland Boulevard;
6 excuse me, westbound. I apologize and they are in plan check. They are in
7 process of fulfilling that requirement. It is within Cal Tran’s right-of-way, so the
8 City does not control that necessarily. We are actually working with the Applicant
9 to get them through the Cal Trans process so that they can receive their
10 encroachment permit and actually construct the improvements, so that process is
11 under way. They are also conditioned to install a traffic signal at Redlands and
12 the future connection of Eucalyptus Avenue; the roadway there across their
13 project frontage which gives them access to Redlands Boulevard. Again, they
14 are in plan check and they are actually nearing completion of their plans so that
15 they can move forward with that particular improvement.

16
17 Another improvement that this project was conditioned for that was a direct
18 impact was installing an additional southland lane from the eastbound Redlands
19 ramp down to Eucalyptus so that instead of our current two lane roadway, one
20 lane in each direction, we’ll continue to have one lane in the northbound direction
21 and two lanes in the southbound direction and the additional lane in the
22 southbound direction essentially functions as a turn lane connecting the ramp to
23 this project site so that trucks can turn directly from the freeway ramp in the
24 eastbound direction and enter the auxiliary lane without entering the three traffic
25 lane that exists today and then turn directly into the site. That’s a requirement
26 that this project will have to install and again they are in plan check and they are
27 nearing completion of those plans so they can move forward with that
28 improvement. So those are the direct impacts that this project had been
29 identified as needing improvements and they are in the process of finalizing
30 those plans.

31
32 **CHAIR VAN NATTA** – In the northbound going to the freeway, it would still have
33 to cross the lane and there would still be a single lane going northbound over the
34 freeway.

35
36 **TRAFFIC DIVISION ENGINEER LLOYD** – That is correct and what is the
37 westbound ramp on the north side of the interchange they will be installing a
38 traffic signal and as part of the traffic signal installation they’ll be adding turn
39 lanes; so left turn lanes and I believe there might be some right turn lanes as
40 well, so again we’re trying to ease the congestion as we know today. There is
41 congestion out there today, so we don’t want to make an existing problem worse.
42 They were conditioned to put in the traffic signal and add the turn lanes to ease
43 the congestion there and move traffic through the intersection.

44
45 **CHAIR VAN NATTA** - Then as a curiosity note before we get back into the actual
46 details there, do you know what the future plans are for expansion of the

1 Redlands overpass. I mean right now on the east side there is an on-ramp to
2 nowhere that I think was designed to accommodate that. Is there any idea of
3 how long that is going to be before that happens?
4

5 **TRAFFIC DIVISION ENGINEER LLOYD** – It is again a CIP issue, so it is part of
6 the overall CIP process, but to my recollection it is an unfunded project, so it is a
7 matter of identifying funding, so that we can begin the funding the process of
8 going through the environmental and preliminary planning.
9

10 **CHAIR VAN NATTA** – So approximately sometime within five, ten, fifteen years
11 from now.
12

13 **TRAFFIC DIVISION ENGINEER LLOYD** – That's the rule of thumb and since it
14 is unfunded at this point in time I think that would be a reasonable guesstimate at
15 this point in time.
16

17 **COMMISSIONER SIMS** – Just for clarity the TUMF fee that is collected is
18 contributed to the potential for that upgrade?
19

20 **TRAFFIC DIVISION ENGINEER LLOYD** – That is correct
21

22 **COMMISSIONER SIMS** – But it is not identified yet for a CIP?
23

24 **TRAFFIC DIVISION ENGINEER LLOYD** – That is correct and obviously as we
25 do with all our interchanges we pursue any and all available funding, so whether
26 that is Federal, State, Regional and even local, so the projects are so massive,
27 they are tens of millions of dollars to get them completed, so we need a variety of
28 funding sources, not only just TUMF or not only just DIF, you know so we are
29 aggressively pursuing that for all of our projects.
30

31 **CHAIR VAN NATTA** – Would you like to go back to your questions?
32

33 **VICE CHAIR GIBA** – The reason I keep asking this is because as I went through
34 this document and may I remind you this is the first time I've seen these
35 documents. P53 to P71 is roughly eighteen conditions of approval for the street
36 repairs, street lights, improved lanes and all of that. I think you mentioned three
37 Michael but I can only find two; P53 and P54 that are issuance of the first
38 Certificate of Occupancy that those have to be done before they occupy the
39 warehouse. What was that third one as I'm flipping through here, because out of
40 eighteen only three are conditioned to be; that have to be done before they
41 occupy the warehouse, which means out of eighteen conditions of approval there
42 is no time line specific to when these improvements will be done for our traffic
43 problems out on that 60 Freeway with potentially another warehouse project right
44 on your heels.
45

46 **TRAFFIC DIVISION ENGINEER LLOYD** – The third...

1 **VICE CHAIR GIBA** – Pro Loges I think; right?

2
3 **TRAFFIC DIVISION ENGINEER LLOYD** – Well I can't address Pro Loges but I
4 can address your first question which was the third item I had referenced, which
5 was the auxiliary lane; the additional southbound lane.

6
7 **VICE CHAIR GIBA** – Give me a P# on that...

8
9 **TRAFFIC DIVISION ENGINEER LLOYD** – It may or may not be covered by the
10 P's. It is Condition TE10, so they are required to design the street which is
11 Condition TE10 and then Condition TE16 requires that the improvement be
12 installed per the approved plans prior to the issuance of a Certificate of
13 Occupancy, so this project cannot occupy the building and begin their operations
14 until that improvement is in place and been accepted by the City.

15
16 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah you
17 talked about there being a long list of items; most of those are cumulative when
18 an Environmental Impact Report is reviewed and if you wanted more specifics
19 the Environmental Impact Consultant is here, but they look at all the projects that
20 we know about in the City and when those are built what intersections will need
21 mitigation, so there is a lot of development beyond this project that causes those
22 improvements to be needed and I don't know the percentage, I'll just throw out
23 something, on a particular intersection they might provide 1 percent or 2 percent
24 of the traffic. That's why the fair share fee system is in place because 1 or 2
25 percent is not reasonable for and I believe well it is not even legal for us to
26 require them to build a hundred percent of the improvement, so that's why we
27 have a fair share system in the City of Moreno Valley with Development Impact
28 Fee and that is why the TUMF, the Regional fee also has that concept of little bits
29 being collected into big bits to build big projects and those are prioritized. Right
30 now as you know Nason is being finished up. Moreno Beach had a first phase.
31 They are working on the second phase of Moreno Beach, so it is kind of
32 something that goes in a progression and that is why Moreno Beach isn't done,
33 so we're not looking at Redlands yet and most of those other impacts are local
34 streets and they are covered primarily by the Development Impact Fee and that
35 is where you collect small bits from everything from a single-family house to this
36 project or bigger and all those bits go into a fund and then the Capital
37 Improvement Program and the City Council prioritizes where those are built and
38 so that is why we don't have a specific time frame on these particular
39 improvements, but their contribution to the solution to the Region; the system is
40 made. Does that make sense?

41
42 **VICE CHAIR GIBA** – Yeah it does, yeah it does. Thank you very much John and
43 the reason I'm beating this horse and I know he's dead but I'm still beating him is
44 because going through many of the letters and stuff there probably were three
45 major concerns that I keep seeing cropping up in front of me. One was traffic,
46 one was air quality and one was aesthetic value along the freeway, so I feel it's a

1 responsibility to make sure it is clarified and if there are any other concerns. We
2 apparently don't have a lot of people here asking these questions, so I'll ask
3 them for them, so if you don't mind. I went out to the site and looked around and
4 they are supposed to take care of some trails. In all honesty anything you do out
5 there on that site would make that... is that known as the Quincy Channel or is
6 that the Quincy dump ground because it is pretty; I mean it doesn't look like
7 anything has been done with that and you are requiring them to do a trail along
8 something that doesn't look like there should have ever been a trail there, so is
9 that going along that Quincy Channel; a trail going along that Quincy Channel?

10
11 **ASSOCIATE PLANNER BRADSHAW** – No, what they are required to do is
12 construct their portion of a segment of trail along the north side of Eucalyptus
13 which is the alignment of that segment of the Master Plan of Trails, so parallel to
14 the sidewalk you'll have curb, then some parkway, then sidewalk and then a
15 segment of multi-use trail.

16
17 **VICE CHAIR GIBA** – I make that comment because this is an improvement. It is
18 a compliment by the way folks. This would be an improvement to that area out
19 there that is not being used and when I went out there and looked at it, I've
20 never...you know it's never been touched so if somebody complains about
21 aesthetics they should go out there and take a walk and see that even if you are
22 putting a warehouse out there it might look a lot more... also I understand that
23 you building and not going across the channel. Am I correct? So you are not
24 going to be building the crossover across that channel to connect to what is
25 Eucalyptus now which is going to be Fir on the other end. Am I correct? So
26 they're not... that road is not going to be completed by their project? Am I
27 correct?

28
29 **ASSOCIATE PLANNER BRADSHAW** – This project will be required to develop
30 from Redlands down to their western property line. They will be a temporary
31 terminus of the road there on the east side of the Quincy Channel and so no they
32 are not required to provide the crossing. It is not necessary for access for
33 circulation on the roadway that is identified now as Fir. It is confusing, but in the
34 current General Plan scheme it's Fir/future Eucalyptus; sometimes called
35 "Fircalyptus" I guess for confusion sake.

36
37 **VICE CHAIR GIBA** – No I saw that. From Redlands and then travelling west it
38 was called Fir; travelling from east it is called Eucalyptus, so my assumption is by
39 all I've known is that when they are done with their project, they're done with Fir
40 converting to Eucalyptus, but from there it is the City's responsibility to finish or
41 somebody's responsibility to finish the rest of Eucalyptus which I'm assuming
42 goes by the Auto Mall over there. Am I correct and by the thing, so when I went
43 over there to take a look?

44
45 **ASSOCIATE PLANNER BRADSHAW** – Yes that is correct. The development of
46 that segment of the road would not occur until development occurred and

1 warranted those improvements and if development there requires the crossing to
2 complete the circulation system then that would also come with future
3 development.

4
5 **VICE CHAIR GIBA** – There was also a concern about the view from the houses
6 to the south. I went out there and sat on that street and looked; it's an uphill
7 angle and the houses behind that brick wall are just two or three or four, two-
8 story houses and I couldn't see the concern of the residents so I don't know if the
9 resident is here and was going to speak or anything and they can mention what
10 the concern was. I didn't see the problem with that because part of the question I
11 think said something about air conditioners being visible, however there is no...
12 oh several roof mounted refrigeration units on the building now necessitate 15
13 foot tall mechanical screen walls or penthouses that be larger than most homes
14 and will be fully visible from all locations along public rights-of-way. I didn't really
15 see that but maybe if the person who made this comment is here tonight, they
16 can kind of explain it when their time comes, so I might ask that question later.
17 There was a question on the impact report and stop me anytime, you guys can
18 jump in because I'm just trying to get a handle on this. I want to be able to say
19 yeah I get it and so does everybody else and we'll be happy to do what we want
20 with it. Oh, you've downsized the size of the lot from 937,260 to 825,430, so it
21 has become smaller and originally there was some use; the whole lot was going
22 to be used. Where did I find that at?

23
24 **ASSOCIATE PLANNER BRADSHAW** – That is actually the building size that
25 has changed.

26
27 **VICE CHAIR GIBA** – The building size; right, so when I looked at it the acreage
28 size changed by about two and half acres. Here it is. They said the remainder of
29 the 54.66 acre site was planned to provide a right-of-way dedications, on site
30 landscaping and storm water detention areas. Does that change; I mean is there
31 left-over acreage that you haven't accounted for or is it included in all of this
32 because the size of the building is now smaller. Does that make sense?

33
34 **SPEAKER GELLER**– Madam Chair, I don't know if Staff knows the answer to
35 that but it is the same size site...

36
37 **UNKNOWN STAFF MEMBER** – Will you introduce yourself on the record?

38
39 **SPEAKER GELLER** – My name is Ross Geller. I'm the Principal with Applied
40 Planning and I prepared the original West Ridge EIR; the original project and I
41 was also involved in preparing the Addendum that you are considering tonight
42 and the direct answer to the question you just asked had to do with right-of-ways
43 and the way the property was looked at the first time. In the original document it
44 is a raw piece of property versus right-of-ways that have been dedicated or will
45 be dedicated, so it made the property two acres smaller, but in essence it is the

1 same property, it was just a refinement as additional engineering plans were
2 done.

3
4 **VICE CHAIR GIBA** – So more room for right-of-ways, widening of streets and
5 stuff. I kinda thought that was case and I just wanted to make sure. You have a
6 table on the GHR emissions summary comparison. It was a little confusing to
7 me. You're going from the original project conference was not supposed to have
8 refrigeration to a unit now that has refrigeration, yet your documents are showing
9 your emissions for CO2 and CO2e have actually gone down after installing
10 refrigeration units on the document. Can you explain that to me?

11
12 **SPEAKER GELLER** – I can and it really gets back to the Chairman's comments
13 about the original Public Hearing and kind of the evolution of this entire project
14 and because the original project was a speculative project, we were forced to
15 look at what we call in the planning genre; you know the worst case scenario and
16 so what we did was we looked at who or what the maximum traffic could be
17 generated from this project; distributed that traffic based on the ITE generation
18 rate and what the City uses, which is the Fontana Truck Study and generated the
19 traffic, spread the traffic out on the street, mixed it with the cumulative traffic, then
20 looked at the impacts of that and then came up with mitigation, so when you go
21 back to the original West Ridge EIR mitigation, that really was the most intense
22 project that could be built on that site, because we didn't know who the tenant
23 was. What's happened is Aldi has come forward now. We have more
24 quantitative data now about how they run their operations, how many employees
25 they are going to have, when the vehicles are going to come, when they are
26 going to leave, so we're not making generalities any more, we're actually going to
27 their operational input and that is what is reflected in this document and so
28 without getting into detail because I'll just bore the tears out of you and the
29 answer to the question is when we did the original analysis, we over-estimated..
30 we didn't over-estimate, we did what we needed to do, but now that we have a
31 tenant we've refined that study and even with the addition of the refrigeration
32 units, which obviously have their own demands for electricity that increased it,
33 what's happened is the truck traffic has been reduced significantly and that has
34 been reflected in that table and if you want a clearer view of that Johnson Sedlak
35 has submitted a letter on the Addendum and I kinda did a summary and there is
36 a table attached there that shows exactly the issues that you're talking about and
37 explains why for a number of reasons the GAC impacts have been reduced, but
38 is really based on we have operational information and we know the way Aldi
39 operates.

40
41 **VICE CHAIR GIBA** – You have more specific data that you can draw conclusions
42 from than you did previously. Okay, I'll take a breather if anybody else has any
43 more questions. I have a few more and want to dig through them.

44
45 **CHAIR VAN NATTA** – Does anyone else have questions regarding the...
46

1 **COMMISSIONER RAMIREZ** – I’ve just got one quick question. I noticed there
2 were some changes to the elevations. Can we elaborate on that?

3
4 **ASSOCIATE PLANNER BRADSHAW** – I give you a brief summary and if you
5 need additional details, the architect is here as well. The building is smaller
6 obviously; new tenant and they had a preference in terms of the appearance of
7 the building, so the colors are different. The architectural details along the
8 various frontages have changed. What is similar is the use of glazing; the use of
9 earth-tones. I don’t know if we can bring up the exhibit so we can show you. In
10 your packet there should be color elevations available. As we worked with the
11 Applicant with all areas of emphasis for Staff were to maintain; to focus on those
12 areas that were most visible, so the freeway frontage was an area of emphasis.
13 The southeast corner of the building where the regional offices are going to be
14 located was an area of emphasis. If you compare the two buildings side by side,
15 they are different. Staff felt very strongly that while different, the level of detail
16 was the same in both instances. Commissioner Ramirez I don’t know if my
17 response is clear enough, if not we can ask the Architect to come up and
18 probably elaborate a little more specifically on...

19
20 **COMMISSIONER RAMIREZ** – Yeah my question is this building going to be
21 taller or shorter than the other one?

22
23 **ARCITECT** – Identical

24
25 **COMMISSIONER RAMIREZ** – Identical; okay; good to go

26
27 **ARCITECT** – And the intent of the design has remained the same, it’s just areas
28 of that design have moved around a little bit on the building to accommodate the
29 user.

30
31 **COMMISSIONER RAMIREZ** – Okay, very well, thank you

32
33 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – The other
34 thing is there was a comment about equipment on the roof and we reviewed that
35 with all the... and our code and generally when you approve a building you don’t
36 know exactly what equipment is going to be on the roof and we have specific
37 standards in our code that allow a certain percentage to be a certain height
38 above the roof deck and this specific project meets those standards.

39
40 **CHAIR VAN NATTA** – Have you had your breather?

41
42 **VICE CHAIR GIBA** – Yes

43
44 **CHAIR VAN NATTA** – Anything else?

45
46 **VICE CHAIR GIBA** – I’ll just ask one more

1 **CHAIR VAN NATTA** – One more...

2
3 **VICE CHAIR GIBA** – We’re doing a great job here...

4
5 **CHAIR VAN NATTA** – I’ll hold you to that

6
7 **VICE CHAIR GIBA** - Well I’ll tell you, as you guys explain things and as you
8 discuss it, you know the light comes on and dim goes off, but in your EIR here
9 which you struck and I’m on page...I don’t know if it does you any good but
10 actually...it’s just at the very beginning when you were striking some of the
11 language and you struck 4.3.4; I’m assuming you replaced that language with
12 4.3.7, because I was going to ask you originally why did you strike that...
13 construction contractors use only low (inaudible) paint and coatings and as I
14 continue to read I wrote myself a note and I came over to the other side and it
15 says the applicant shall use zero volatile organic... was that why that was struck
16 and then that one was added in?

17
18 **SPEAKER GELLER** – Are you talking about the EIR Addendum or the original
19 West Ridge EIR?

20
21 **VICE CHAIR GIBA** – The original EIR; the approved EIR

22
23 **SPEAKER GELLER** – Yes, I think...

24
25 **VICE CHAIR GIBA** – Look I had a Draft; I had an EIR and an Addendum

26
27 **SPEAKER GELLER** – You had a lot of information, I will give you that. Yeah,
28 because it was usurped by a better mitigation measure is the answer to that
29 question.

30
31 **VICE CHAIR GIBA** – Okay and that’s kind of why I just want to confirm that, that
32 you’ve taken a very simplistic comment and you’ve written a very specific as to
33 the types of paints and everything that would have been used on that.

34
35 **SPEAKER GELLER** – Yeah and that was based on a comment letter that we
36 received on the Draft EIR and then it was reconsidered and changed.

37
38 **VICE CHAIR GIBA** – This is probably more a question for you folks but I was just
39 curious out there on Eucalyptus Avenue, but that was Eucalyptus South. Are you
40 going to extend Eucalyptus Avenue; is that going to stay closed; are you going to
41 change the name of that one?

42
43 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – In the
44 General Plan adopted in 2006 when Eucalyptus or “Fircalyptus” was realigned a
45 name was given to that stretch. There hasn’t been a formal change yet but at

1 some point in time we'll need to initiate that to change that stretch, the existing
2 Eucalyptus to Encillia (?).

3
4 **VICE CHAIR GIBA** – I saw that actually in there somewhere, but I didn't see it.
5 Oh yeah, there it is... additional requirements including a three year
6 establishment period for the replacement habitat, regular trash removal, native
7 plant vegetation varies... I just want to make a comment. You are doing better
8 here than it is now, thank you, because the way it looks now, you are holding
9 them to a higher standard here than it currently is in that whole native area for
10 that wash area, so I just want to compliment you on that, that you are going a
11 little bit farther on that one.

12
13 **CHAIR VAN NATTA** – And I want to compliment you on the ability you have of
14 finding things that none of us would probably have questioned. But that's a good
15 thing.

16 **VICE CHAIR GIBA** – I didn't do spelling questions this time.

17
18 **CHAIR VAN NATTA** – That's true.

19
20 **COMMISSIONER LOWELL** – I have one final comment. I was wondering if the
21 developer or the City had even looked into the idea of using alternate fuels for
22 the trucks or the short trip trucks on site; little shuttle trucks moving the tractor
23 trailers around from place to place?

24
25 **SPEAKER GELLER** – It is not a mitigation measure.

26
27 **COMMISSIONER LOWELL** – No it's not, but it's a nice thing to do

28
29 **SPEAKER GELLER** – Yeah I'd have to refer to the developer

30
31 **COMMISSIONER LOWELL** – I do know that some of our warehouses that are
32 being built on the north side of Perris on our southerly border between the two
33 Cities are using electrical vehicles on site and some natural gas vehicles and it's
34 just a...

35
36 **SPEAKER GELLER** – One of the things that is unique about this project is that
37 every dock door contains plug ins, so the idling issue and there are requirements
38 from California Resources Board about idling the trucks, but since there is a
39 refrigerating component to this project, there is going to be plug ins at every one
40 for the auxiliary units, so I think that was a real positive step in terms of
41 addressing that issue. In terms of yard horses; I'm not sure how Aldi does this,
42 so I'll defer to that.

43
44 **CHAIR VAN NATTA** – Any other questions?
45

1 **SPEAKER MCGEE** – Brian McGee, National House Coordinator for Aldi...
2 Thank you again for your time tonight. I believe the yard truck; we are required
3 for that to be on alternate fuel. I believe that is one of the mitigation measures
4 that was required, but everything else will be looked at as we come out here.
5 There are a lot of mitigation measures on this that are already put in place from
6 previous agreements that were committed to 100 percent to following and as we
7 come out we'll continue to look to do the right thing. But as far as any other
8 commitments at this point it's hard to say as we're trying to get to the project off
9 the ground and make sure that we understand and meet all the requirements that
10 have been placed on the project at this point.

11
12 **COMMISSIONER LOWELL** – Okay I appreciate it.

13
14 **VICE CHAIR GIBA** – One tiny question

15
16 **CHAIR VAN NATTA** – One more question?

17
18 **VICE CHAIR GIBA** – Just one

19
20 **CHAIR VAN NATTA** – Okay

21
22 **VICE CHAIR GIBA** – It's a curiosity more than anything else and please I'm not
23 trying to muddy the water here in any way shape or form but I was curious
24 because there were comments in the EIR about finding other and a letter that
25 was written about finding other locations for your site that would be appropriate.
26 There have been a lot of arguments about the east side having warehouses and
27 there's a lot of approved warehousing that has not been filled on the west side by
28 the 215 specifically and you know there are some that seem to fit the same
29 standard. What was your purpose for considering your warehouse structure in
30 this specific location versus looking for something pre-existing along the 215
31 corridor?

32
33 **SPEAKER GELLER** – Let me make a couple of comments and then turn it over
34 to Aldi. The first comment is that the original West Ridge EIR had an exhaustive
35 alternative of site analysis discussion in there as required by CEQA and so that
36 was it. I think the direct answer and I don't want to put words in their mouth but
37 the direct answer is they were looking for an approved site and this site is an
38 approved site and so they are trying to make their building fit on an existing
39 project that you know has already been approved. The question you are asking
40 is really a question that should have been asked to Ridge and I think it was
41 asked during the Public Hearing process of how did they select this location and I
42 think and I can't recall exactly what the answer was, but it had to do with serving
43 the 60 corridor and the availability of properties that weren't in use or in process
44 along the 215 that there are a number of; there aren't a lot of properties that are
45 available along the 215 corridor. So I think that was kind of a combo answer.

46

1 **VICE CHAIR GIBA** – Is that the answer?

2
3 **SPEAKER GELLER** – That’s my final answer

4
5 **VICE CHAIR GIBA** – They’re jumping up there really fast, so I thought maybe he
6 got it; he nailed it for you; right; okay

7
8 **COMMISSIONER LOWELL** – The other thing that I was thinking about
9 Commissioner Giba is that it’s a refrigerated building and I think it’s easier to
10 build to suit as opposed to retrofitting an existing building when it’s refrigerated
11 because you have to reinforce the roof for the air conditioning unit, so I think it’s
12 just a better fit to build to suit than to move into...

13
14 **VICE CHAIR GIBA** – It makes logical sense. Thank you Brian.

15
16 **CHAIR VAN NATTA** – Okay do we have someone prepared to... oh we have
17 another Speaker. I just saw that pop up.

18
19 **INTERIM PLANNING OFFICIAL ORMSBY** – There are two other speakers
20 actually.

21
22 **CHAIR VAN NATTA** – Okay, somehow my little screen on the side disappeared
23 but I did have this little thing that popped up in the middle, so we have a speaker;
24 Tom Thornsley.

25
26 **SPEAKER THORNSLEY** – Good evening Commissioners. Not to irate anybody
27 but I am happy the project was appealed. If I could afford it, I probably would
28 have done so myself because a project of this magnitude really should never
29 have gotten the green light to be administratively modified; not at the level it was.
30 It’s more than a 10 percent reduction, 300 percent increase in the office area.
31 The entire building looks different than what you saw originally and since you
32 were the original body that this had to go to, the City really should require it to at
33 least come back to you to give it your blessing again and hear out what is being
34 changed so you get a better understanding of it, especially now that know who is
35 going to be in it, you know what intensity of use it would be, you can understand
36 the whole range of it. I guess the City Council approved a MOU; gave them the
37 permission to give it to Staff to administratively handle it and I’d really hope in the
38 future that Council requires that if somebody is going to do some modifications to
39 a building, it comes back to the body who initially had jurisdiction over it and not
40 send it somewhere below you for that, at least not with what I think are the
41 requirements here. I did mention the stuff about the fencing. I think my
42 comments might have been misunderstood; I might have misunderstood it
43 thinking the fence around the detention basin was going to be a wrought iron
44 fence. It was going to look like that detention basin was going to look caged in.
45 If it’s just going to be the split rail and then from there the building or screen wall

1 is going to be a grassy area, that would look nice, so I don't have any issues I
2 guess with that idea.

3
4 One of the things that I've harped on in the past is what be the lack of a
5 significant entry statement to buildings. I finally got to look at a little more decent
6 rendering and there is some improvement to what is there. I would have hoped
7 that building that needed 55,000 square feet of office space and potentially 300
8 or more employees and going to be a corporate point of contact for the west
9 coast, would have done something more significant, more grandiose and I really
10 wish this Commission and the City Staff would require something of a much
11 greater level for any speculative building that comes in and if the future tenant
12 wants to modify that a bit, fine, but we've failed to get hardly anything except for
13 parking stalls right for most of our buildings. The roof mounted equipment, John
14 alluded to the fact that some portions of the building can go higher and that's
15 okay. That is an acceptable issue on your building. This is rooftop equipment.
16 This is going to be screened walls if I read the plans right, there are just going to
17 be metal fabricated boxes up on the roof. They will be extremely visible. They
18 will not meet the intent of what I believe the City should have or what the City's
19 intention is about screening rooftop equipment, parapet height on building will be
20 useless because the whole crown of the roof will likely raise these things up so
21 high. If you look at the color renderings that the Architect brought in, it is very
22 obvious you can't miss these things. There will be quite a number of big boxes
23 up on the roof and because they don't appear to be screened with material
24 consistent with the building, they are simply going to look like planted boxes up
25 on there. There are not appearing to be an architectural element of the building
26 that is allowed to go over that height. If there is a time clock, I don't see it up
27 here.

28
29 **CHAIR VAN NATTA** – It's disappeared from mine

30
31 **INTERIM PLANNING OFFICIAL ORMSBY** - It's disappeared from mine as well
32 so my apologies

33
34 **SPEAKER THORNSLEY** – Somebody just keep my on track. I try to watch that
35 little number down there. I really think there needs to be better screening along
36 the freeway. I don't know exactly what the grading plan has, but if it is anything
37 like where the Sketchers building is, you've got a few feet at level grade and then
38 it plummets down into the site and very little opportunity for the screening to
39 actually be an effective... to be effectively screened which you are trying to do
40 out there.

41
42 **CHAIR VAN NATTA** – I am going to ask you to wrap it up now.

43
44 **SPEAKER THORNSLEY** – Okay, I think my other comments were there. I hope
45 all of you saw what they were that I wrote before. I hope you consider this.
46 Thank you for your time.

1 **CHAIR VAN NATTA** – Thank you. We have another Tom on the docket... Tom
2 Jerele.

3
4 **SPEAKER JERELE** – Tom Jerele speaking on behalf of myself. Do we have a
5 three minute spot or five minutes?
6

7 **CHAIR VAN NATTA** – Three minutes
8

9 **SPEAKER JERELE** – Okay, that's what I thought. Thank you. Madam Chair,
10 Commissioners and members of Staff and the public and the Applicant both here
11 in the chambers and watching at home. I am in favor of the project, but I and I
12 think those that are local know Mr. Thornsley and I might be on the same page
13 on a lot of issues but I think he came up with a lot of good constructive
14 suggestions for the project and I think it should be taken to heart. I'll come back
15 to them in a minute, but I've had the benefit to have kind of an inside look or
16 behind the scenes look at this project. I knew the previous developer Mr. Rice
17 and I've seen him as a very forthright man and very supportive community efforts
18 here and I also have a cousin who lives in Chicago who shops in Aldi stores, so I
19 know a little bit about their retail side. The number one reason I'm in favor of the
20 project is it is very, very important that we say welcome to our corporate
21 investors in this community and the employment base they bring. I think it's very,
22 very important.
23

24 Over the last year I've had the chance to chat with some of the local realtors on
25 the housing market. Things are definitely on the upswing and I mean they're not
26 rip-roaring. It's not like the crazy mid 2,000's and I don't know if that's a healthy
27 thing or necessarily want, but there seems to be a good healthy growth and for
28 the part of that is from the jobs growth that we've had in the last year and things
29 on the horizon and projects like this. I think it all trickles down and contributes to
30 a better bottom line. But going back to recommendations for the project, I take
31 very much to heart about the freeway frontage. I do look at the elevations. I
32 think one of the number one concerns should be what we're looking at from the
33 60 freeway and I'll remind this company, this is your corporate headquarters
34 which is outstanding, you know you've got a lot of traffic going up and down that
35 road and you've also got a chance to show your building off, you've got your
36 product; your brand if you will and the discussion of the hvac equipment on the
37 roof there; yeah they're big and I think some missed opportunities. I'm a whole lot
38 more liberal when it comes to what people can do with it. I wouldn't mind some
39 signage or some logos up or maybe some lighting.
40

41 You know it just used to be big clunky buildings and you know we've made some
42 beautiful skylines throughout this country by lighting them up and doing some
43 creative things, so I think there could be some opportunities there and I would
44 implore the Commission and encourage Staff to work in that direction. I
45 especially like the fact of making trails accessible to the project especially with
46 the corporate headquarters. I'll remind not only the applicant but the John Q.

1 Public out there that those multi-use trails are not just horse trails. Anybody can
2 walk on them; run on them. You know there is a lot of opportunity there, so good
3 healthy things. It's a good way to access some other parts of the community on
4 foot instead of getting in your car and I think that provides for healthy corporate
5 environment. Oh and finally the detention basin... I think we should max
6 out...you know I've seen some really nice ones; small apartment project over on
7 Hemlock I think and it was first ones to have detention basins and boy they did a
8 good job. It's the section between Heacock and Pigeon Pass and it looks...you
9 wouldn't even know it's a detention basin they way they landscaped it out, so I
10 think there is good opportunity. I really wish they had two instead of one big one,
11 but I think there are missed opportunities not only here but on other projects. So
12 that's pretty much my comments and I thank you.

13
14 **CHAIR VAN NATTA** – Thank you very much. Do we have any other Speakers?

15
16 **INTERIM PLANNING OFFICIAL ORMSBY** – There are no additional slips.

17
18 **CHAIR VAN NATTA** - No additional slips; I see nobody coming to the
19 microphone over there. Okay at this point we'll go into Commissioner Comments
20 on it.

21
22 **COMMISSIONER SIMS** – Do we need to make a recommendation to get into
23 discussions.

24
25 **CHAIR VAN NATTA** – I think we'll do our discussion and then...

26
27 **COMMISSIONER SIMS** – I tend to support the Staff recommendations on this
28 and for several reasons. One is the original project was reviewed back in 2011.
29 CEQA was approved and if there were any challenges to the approval in the
30 CEQA document for the original project, they should have challenged it and
31 should have been answered between now and the time that has passed. The
32 second reason is the proposed amendment to the Plot Plan and also to the EIR
33 that is already approved, appears to be consistent and appropriate, especially
34 given the analysis that reflects lower greenhouse gas. The traffic improvements
35 appear adequate. I live very, very close to this on the other Eucalyptus right
36 around over there and the traffic signals seem like an appropriate mitigation. It
37 should help congestion at that intersection. I like the fact that it's an increase in
38 office jobs. It looks like a net of 200 additional new jobs in the City which it
39 desperately needs and I think that also this project is consistent with the State
40 Route 60 Overlay which we recently looked at and Council just approved I think
41 this week, so I like the project's reduction in square footage, I think the mitigation
42 looks appropriate and it looks like a good project.

43
44 **COMMISSIONER LOWELL** – I don't know that I could add anything more than
45 what my fellow Commissioner just said. He pretty much nailed the nail on the
46 head right there. The project is an outstanding project. It is a remarkable

1 improvement on what's out there, which is nothing. Everything that I see on the
2 documents that you've provided, I think the City has done a phenomenal job
3 dotting all their "I's" and crossing al their "T's" with their requirements and setting
4 up requirements and basically getting this project to as pristine of a position of a
5 position that it is. I am fully in support of this project and look forward to
6 welcoming you guys to the community.

7
8 **COMMISSIONER BAKER** – You know I think we're real lucky to have Aldi Foods
9 to consider Moreno Valley for their regional headquarters here on the west coast.
10 They are a good operation. One thing, I have a problem here is when people file
11 appeals on a situation like this and don't even have the decency to show up to
12 the meeting, I really take issue with that and maybe they're not required to but I
13 really think if somebody felt that way about this and they wanted to appeal it, at
14 least they would have the wherewithal to show up and stand up for their side of
15 the program, so I'm in favor of this 100 percent. I know there are some things
16 that some people probably don't totally agree with but I think right now in this
17 economy and bringing these kind of jobs to town I'm for it 100 percent. Thank
18 you.

19
20 **COMMISSIONER RAMIREZ** – Again I'd like to thank Aldi for bringing this project
21 to Moreno Valley. We finally have a big time player here. San Bernadino has
22 Stater Bros., Ontario has Cardena's and we will now have Aldi. We thank you for
23 the opportunity of bringing it here and I'm ready to vote this project through
24 myself.

25
26 **VICE CHAIR GIBA** – Well said. I couldn't add anything to it either. Sorry I
27 picked you apart but it is just kind of part of what I do. Interesting on the EIR;
28 there was like; I'm looking at almost what 20 plus letters and on the amended
29 there was only Mr. Thornsley that showed up. To me that's important because if
30 it's not that important to come out here or to send another follow-up letter or to
31 complain even more about it, then I guess the City and Aldi's has answered all
32 their questions and they are satisfied. One thing nobody mentioned was I love
33 your color scheme. It fits out there and it looks a lot nicer than the big white
34 building to the east of you, so I like the plan. There were some things that some
35 people mentioned and you might want to take those into consideration and I'm
36 sure you probably will. It is your corporate headquarters and is the entrance; the
37 eastern entrance into our City and I'm proud to have you here and I'm hoping
38 you'll put Aldi's up at the old Ralph's... no I'm sorry. Thank you very much.

39
40 **CHAIR VAN NATTA** – Maybe we can find somebody to take over all those Fresh
41 and Easy Buildings now. Okay, as I mentioned when we began talking about
42 this, I was on the Planning Commission when we voted to not approve the
43 original project. The two biggest issues that we have, have been pretty much
44 solved and that now we know who the tenant is going to be and the specific
45 figures on how that effects the environment and the neighborhood and the job
46 market and everything and then also the issue of preventing truck traffic from

1 going south on Redlands Boulevard and those were our big issues. I'm glad to
2 see they have been addressed and this looks like a good project and I'm looking
3 forward to welcoming our neighbors. Would someone like to make the
4 recommendation?

5
6 **COMMISSIONER SIMS** – Alright, I make a recommendation or I make motion
7 that Staff recommends that the Planning Commission **APPROVE** Resolution No.
8 2014-02 and thereby:

- 9
10 1. **RECOGNIZE** that an Addendum to the original West Ridge Commerce
11 Center project Environmental Impact Report was prepared for Amended
12 Plot Plan P13-111. The Addendum concludes that implementation and
13 operation of the Amended Plot Plan will not result in any significant new,
14 different, additional, or substantially increased environmental impacts than
15 were previously considered and addressed in the Certified EIR. See copy
16 of the attached Addendum included as Exhibit A; and,
17 2. **APPROVE** Amended Plot Plan P13-111, subject to the attached
18 conditions of approval included as Exhibit B.

19
20 **VICE CHAIR GIBA** – I'll second that.

21
22 **CHAIR VAN NATTA** – Okay we have a motion and a second. All in favor?

23
24 **INTERIM PLANNING OFFICIAL ORMSBY** – Excuse me Chair. We need to do
25 a roll call vote.

26
27 **CHAIR VAN NATTA** – Oh the roll call vote? Okay, we'll do that.

28
29 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes, that's required now

30
31 **COMMISSIONER SIMS** – Yes

32
33 **COMMISSIONER LOWELL** – Yes

34
35 **COMMISSIONER BAKER** – Yes

36
37 **COMMISSIONER RAMIREZ** – Yes

38
39 **VICE CHAIR GIBA** – Yes

40
41 **CHAIR VAN NATTA** – Yes. The Staff wrap up on this. What happens next?

42
43 **INTERIM PLANNING OFFICIAL ORMSBY** – The Planning Commission's action
44 is final unless an appeal is filed within 15 calendar days.

45
46 **CHAIR VAN NATTA** – Thank you.

1 **2. Case Description: PA13-0027 Housing Element Update**

2
3 **Case Planner: Claudia Manrique**

4
5 **CHAIR VAN NATTA** – We'll go on to our second item on the Agenda which is
6 PA13-0027, the Housing Element Update and the Case Planner on this is
7 Claudia Manrique.

8
9 **ASSOCIATE PLANNER MANRIQUE** – Good evening. I'm Claudia Manrique,
10 the Case Planner for the Housing Element which is PA13-0027, General Plan
11 Amendment. The City of Moreno Valley proposes to amend the existing General
12 Plan to replace the City's current adopted Housing Element with an updated
13 Housing Element in order to comply with State Law. Staff began working on the
14 update to the Housing Element in 2012 to address these requirements. The goal
15 of the Housing Element is to promote effective development within the City and
16 satisfy the City's Regional Housing Needs Allocation and the RHNA for the
17 Planning period of 2014 to 2021 is 6,129 residential units. The City of Moreno
18 Valley held a public review meeting at the September 26th, 2013 Planning
19 Commission Meeting before a draft was submitted to the State Department of
20 Housing and Community Development (HCD) in October 2013. The revised
21 Housing Element before the Planning Commission tonight meets the statutory
22 requirements of the State Housing Law. The Element will comply with the State
23 Housing Element Law once adopted and submitted to HCD. To remain compliant
24 with the Housing Law, the City must adopt the Housing Element within 120
25 calendar days of the due date which was October 15th, 2013. The City Council
26 Public Meeting is set for February 11, 2014 which is a day before the deadline.
27 Pursuant to CEQA, the environmental review of the proposed General Plan
28 Amendment, the update to the Housing Element has been conducted and it is
29 determined to be exempt under CEQA Guidelines 15061(b)(3). The amendment
30 is covered by the general rule which exempts activities that can be seen with
31 certainty that there are no possibilities for causing a significant impact to the
32 environment. We had a one eighth page notice in the local newspaper, the
33 Press Enterprise and we recommend approval of Resolution 2014-01,
34 recommending that the City Council recognize that this item is exempt under
35 CEQA and approve PA13-0027. There should be an attachment handout. I
36 think it was on white paper. We just received a letter from HCD basically saying
37 that the Housing Element is going to be certified as soon as it adopted by the
38 City Council. Thank you.

39
40 **CHAIR VAN NATTA** – Does anybody have a question for the Planner or for
41 Staff?

42
43 **VICE CHAIR GIBA** – First of all, Claudia, nice job!

44
45 **ASSOCIATE PLANNER MANRIQUE** – Thank you

1 **VICE CHAIR GIBA** – Thank you for taking time with me last time, I appreciate it
2 very much.

3
4 **ASSOCIATE PLANNER MANRIQUE** – No problem, I appreciate your
5 comments.

6
7 **VICE CHAIR GIBA** – I also notice that and so I'm going to go back to the... I
8 remember reading this document over really thoroughly and you've just cleaned
9 it up and improved it and added a couple of things and especially you added the
10 housing goal elements on page 1710; is that what it is on the bottom there. I
11 want to just... there was the one issue or two issues and you did mention them in
12 here and I just want to make sure that it's really clear so my own comments are
13 there. Throughout the document it's constantly stated to ensure adequate sites
14 for new housing for persons of all income levels, but I know the focus on this a lot
15 of times is low income, very low income and those things, however you did add
16 you know the other elements discussing other income levels. I know you didn't
17 specifically speak of like Hillside Residential or Retirement Communities except
18 in action item 1.2 Housing Element No. 1 where you said Senior Housing
19 Planned Development Mixed Use. I really wish there was a little bit more
20 statement in the document for some executive type homes and stuff which has
21 been something in my own personal heart with the Hillside Residential issue
22 which I will bring up at the end of the meeting. So that was the only thing that I
23 had to say is that I really wish there was a little bit more on those things rather on
24 as much focus on the lower income housing, but other than that, I like what you
25 did. You did a nice job. Thank you.

26
27 **COMMISSIONER SIMS** – I did have one... on page... I'm looking at Housing
28 Goal No. 3 and it's in your section 1716 in the packet here and it's under removal
29 or mitigation and constraints for the maintenance and improvement of affordable
30 housing where appropriate and legally possible and I have concerns. I'd like to
31 have a little bit of Staff's interpretation of policy 3.1. I work for a public agency
32 and kind of our mantra is new development pays for new development and not
33 subsidized by existing development, so I just... when would there be a feasibility
34 of reduction or waiving or deferment. I can understand deferral of development
35 fees until later; you know prior to certificate of occupancy. I don't really
36 understand reduction or waiving of fees even for the good of you know and for
37 the sake of lower income affordable housing type set-up, but still the impacts that
38 affordable housing has. Still people drive on the streets, people use the schools,
39 people use the parks, people use the storm drains; all the things. What's the
40 rationale on that?

41
42 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Well
43 there are existing City Council and Regional policies related to affordable
44 housing. The Regional policies for the TUMF and Multi-Species Plan. Those two
45 plans actually exempt affordable housing from paying the fees, so there is a
46 waiver in the region for affordable housing and the reason for that in those cases

1 is having the affordable in the region and proximate to the employment areas
2 actually was considered a reduction in impacts, so there was some rationale by
3 encouraging affordable housing close to employment you actually lower impacts.
4 People have to come from a shorter distance to get to work and facilities and so
5 that's the regional. At the City level, the affordable housing fee is approximately
6 half of the market rate and that's a policy. It's required by State Law that we
7 provide financial incentives to affordable housing and the easiest one to provide
8 is not receiving a fee rather than coming up with money out of the General Fund,
9 so the reason for that. There are also many studies that show the impacts of
10 affordable housing because the people have lower incomes and therefore less
11 resources to drive around or other things, actually do drive less and have fewer
12 vehicles than a market rate unit, so there is some of that as well, but nobody
13 subsidizes anybody else. When the fees are reduced in this case for affordable
14 housing, there is a gap in the fee program and those are generally made up by
15 other resources the City has; State and Federal grants primarily make up that
16 and really far exceed that gap, so market rate housing is not subsidizing
17 affordable housing but affordable housing is benefiting from the other resources
18 the City makes available.

19
20 **COMMISSIONER SIMS** – Thank you. It's one of those that there should be a
21 reasonable nexus to the benefit received when you pay a development... you
22 know I go build a single family home, you know you shouldn't be subsidizing
23 affordable, so if it's made up by other State grants or whatever then I understand
24 it. Thank you.

25
26 **CHAIR VAN NATTA** – I just want to say there are always comments about
27 executive homes and hillside development and just take it from me in the real
28 estate industry, when there is a demand for executive housing there will be no
29 lack of people willing to build them, so it's not like you have to incentivize a
30 developer to build higher end homes. When people have the money to buy them
31 the developers will build them or you will see spec homes or whatever, so the
32 supply will be there when the demand comes. Are there any other questions of
33 Staff regarding the report? Okay we do have one Speaker Slip on this... Tom
34 Jerele.

35
36 **SPEAKER JERELE** – Tom Jerele again, speaking on behalf of myself. Madame
37 Chair, Commissioners, members of Staff and the Public, thank you for allowing
38 me to speak and by the way there is no timer on the screen here so I'm flying
39 blind. When you get the old clock back up there it will work better. You know
40 this body just approved unanimously and with I would say a degree of fair
41 amount of enthusiasm as I think they should of on a project that includes a
42 corporate headquarters of 300 people estimated workforce there and I'm
43 assuming a majority of those will be white collar people, so there will probably be
44 some professionals and some upper level executives there because they are
45 going to govern this company's assets and I sat here and wondered how many of
46 those people ultimately choose Moreno Valley to buy a home in and to reside

1 here in this community and make Moreno Valley their home as their corporate
2 did and you know I tire of watching major facilities like Kaiser Hospital and you
3 know god knows, I'd like to know how many doctors from these facilities here live
4 in this City. You know I throw out that challenge. That is something the City
5 should generate and I don't think it's too many and Madam Chair I will take issue
6 in the sense that I'm aware of the restrictions up there and if you put too many
7 restrictions, the development industry is like electricity, it is going to go the path
8 of least resistance. When we put through that HR zone back in the 80's, and
9 they did something to it again in the 90's, I had the fortune of knowing the
10 engineer who was representing a guy with a bunch of hillside property in Banning
11 and he said that guy was laughing through his you know, he said that was the
12 best thing they could have done because it forced all those people out to his
13 property.
14

15 I was just in Beaumont a couple of weeks ago and a beautiful project and you
16 know you see part of the undeveloped land and given our...you could not have
17 developed that property to the same level that it is and there is a lot of nice
18 homes up there that are upper square footage and you know it is a very, very
19 nice area, kinda like Mission Viejo or Irvine style; very nice. There are not small
20 lots either. Just a very beautiful community and you know Canyon Crest I don't
21 think could be built today under that zone and I happen to think that's a really
22 neat community. I think Riverside pulled a coo back 40 years ago when they
23 conceived that rolled it as so. You know we need to do something encouraging
24 for executive level housing in the City and I do think... you need to... I'm not
25 saying incentivize but simply make it fair.
26

27 One of the smartest things (inaudible) said to me when I was on original General
28 Plan Committee which just seems history forgot here in Moreno Valley and I
29 remember one of the Speakers came to us who had property up in the hills and
30 lived there, and he said all we hear about is you know is don't destroy the view,
31 don't destroy the hillside, don't put anything on the hills because we don't to see
32 it up on the hills. He said some of the smartest things and he said you know
33 what I've lived up in the hills and this was in the 80's and he said he'd lived there
34 20 or 30 years and he said we use to see nice green pastures down here and
35 now we look at street lights and streets and smog and so they've destroyed our
36 view and so you know what's fair is fair, but I do think it is essential for this
37 community to reach out. We had the 60 corridor and I was quite angered with
38 the consultant sitting there saying we don't need offices in Moreno Valley and I
39 know it's a tough market but for the money these people get paid and he took the
40 contract a little on the cheap, but you know gosh darn it, come up with some
41 ways to develop it and you know that's what we are paying the Staff for. I mean
42 you guys don't paid very much money, but you are empowered, so use that
43 power to the best of your ability to think outside the box and bring that to our
44 community because I think it is outright discrimination to balance our community
45 out because those are the people as I said that pay more taxes, shop in our
46 stores but they are going to contribute to our schools and our charities and you

1 know provide role models to our youth to reach up, so they know there is more
2 they can do with their lives. And that's all I have to say, so thank you very much.

3
4 **CHAIR VAN NATTA** – Thank you very much. Okay any Commissioner
5 Discussion on the Housing Plan Update?

6
7 **VICE CHAIR GIBA** – The only thing I have to say I think Mr. Jerele pretty much
8 said what was always been a little bit of my concern. I will go to your element
9 just to reinforce what I've said and what he's said and he started out by saying
10 the vision is offering a range of housing options to accommodate the diverse
11 needs of the community. I don't think it really does; the diverse needs of the
12 community. I've said that before. I'm not going to beat the dead horse, but you
13 know how I feel with that and to guide the City's approach to resolving these
14 needs; the approach to resolving these needs is to maybe take a look at new
15 zoning, new opportunities; new ways to use our property out there. When I drive
16 through and I see Corona and those hillsides up there. What was interesting is
17 Claudia you made a wonderful discussion of the community profile. You said
18 Moreno Valley is characterized by beautiful valley, bounded by mountains and
19 hills on three sides, but we're not using the mountain hills on three sides to our
20 benefit and the benefit of the population that may want to live in those areas
21 because we don't have an appropriate type of zoning or encouragement of any
22 way to do that property and I don't know how that works and I'm going to request
23 perhaps we do a study on that as soon as possible, but I keep asking that don't I
24 John, so that we do see what we can do maybe about encouraging some new
25 types of housing capabilities in this City so that we do reach all the diverse needs
26 of the community and keep some of those executive homes and those
27 executives; that big money that they make in our City and not having them go to
28 Temecula and Murrieta and Corona and everywhere else, so I'd love for us to do
29 things like that, so anyway that's all I wanted to say. I don't know if that's a
30 debate or discussion but that's my comments and I'm sticking with them.

31
32 **CHAIR VAN NATTA** – Thank you. Any other comments on this?

33
34 **COMMISSIONER RAMIREZ** - Is that a recommendation that we can make to the
35 City Council that we re-evaluate lifting that ban on Hillside Residential?

36
37 **CHAIR VAN NATTA** – Actually what I think the whole issue is when we do get a
38 developer in here who has a plan that's going to put that type of housing in, that
39 we not throw so many roadblocks in their way that they cannot accomplish it. But
40 as far as the plan, I mean I don't see any way where you can say okay let's plan
41 for some high level homes when there is no demand for them, so we just have to
42 make it a little easier when they come through here to enable them to build the
43 high quality homes in the most desirable areas in town.

44
45 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah I
46 would agree. If people are familiar with... it was Empire Homes. It's a project

1 out on the east side of Pigeon Pass, north of Sunnymead Ranch. That was built
2 by Empire Homes. They wanted to create a similar quality project on the east
3 end of town where all the lots were a minimum of half an acre in the foothill
4 hillside area. I still have wounds from that process. That project was turned
5 down.

6
7 **CHAIR VAN NATTA** – Yeah I remember watching the City Council debate on
8 that and how difficult they made it and the fact that on some of the renderings it
9 didn't show the full height of the water tower or this and that and I watched it
10 shrivel up and go away and I think that's where we have to look at when there is
11 a demand and when there is somebody who is willing to bring that class of
12 project that it is; that the way is made a little more easy for them.

13
14 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah but
15 I would agree it is something that I know Vice Chair Giba has brought up and it's
16 on the list; don't worry; but I think one of the first things that I think hopefully have
17 a little bit of space here maybe of the big projects that have come through before
18 the other big projects come to you in the future. I know you wanted to have a
19 briefing on the Hillside Ordinance. The Hillside Ordinance was actually updated
20 about seven or eight years ago and it was meant to make it more feasible. There
21 was at that time and I'm assuming there are people still who believe this, that
22 they didn't want to see substantial development on the hillsides, but it did allow
23 for clustering and more development on the hillsides and that was approved.
24 Obviously we haven't had anybody come in for obvious reasons the last few
25 years haven't been the best time for any kind of housing and then concurrent
26 with that, you may want to look at... we have the whole north east quadrant of
27 the community is zoning that requires lots of a minimum of a half-acre and in
28 some cases an acre or more in other cases and one of the things you may want
29 to look at and I don't want to call it an incentive, but it may be a feasibility issue,
30 in a lot of areas that have upscale housing at very low densities, they also have
31 street standards that are different. They may be streets that don't have
32 sidewalks on both sides. They may be streets that don't have street lights except
33 at corners. There are other ways to create a product that may have a different
34 quality to it and actually be less expensive and more feasible that people might
35 find desirable in lower density areas, so that would be the other thing I suggest
36 we take a look at because actually our Public Works Department has been very
37 helpful. We had a project that was north of Locust that I believe the minimum lot
38 sizes there were between an acre and two and a half acres and we did come up
39 with a special street standard there for that particular project that the Planning
40 Commission at that time did approve. Unfortunately, it wasn't feasible to build in
41 the recent years, so there are some examples that you may want to take a look
42 at and it's not an incentive but there might be standards that would make that
43 more desirable for upscale buyers and we'll couple that and Chris and I can talk
44 about that. Mark Gross actually worked on both those areas, so he's a great
45 resource maybe to provide a presentation to you. Also there is the whole
46 economics and Chair Van Natta knows this, the same house in Temecula is 30

1 miles closer to San Diego and the price point for it is higher simply because it is
2 30 miles closer to San Diego and I've seen a lot of houses there and seen a lot
3 houses here. You can hardly tell the difference between the actual physical
4 house in the two communities because when the builder builds a house in
5 Southern California, they don't come up with new plans for every development
6 they do, they are very similar. They start on the inside and go out. They say
7 what do people want on the inside of their house and then they put a skin on it
8 and they look very similar and one thing we can't do and I'm putting my economic
9 development hat on; I can't move Moreno Valley 30 miles closer to San Diego,
10 but I do stand by there being a lot of quality houses in this community and some
11 very nice upscale houses that aren't as expensive as other communities and we
12 want to maintain and increase that number.

13
14 **COMMISSIONER SIMS** – I just have a comment. The neighborhood I live in is in
15 the mid 90's when it was constructed and we have half acre lots. We have full
16 street improvements and what not and it's nice, but it could have been a really
17 nice development, but I think they were in an economic down turn. I don't know
18 how the process is and so I'm no casting stones because the names and faces
19 have changed over time, but the size of the homes went from I think like 1300 or
20 1400 square foot up to 2300 to 2400 square foot and what you have is what
21 could potentially have is a really nice half acre lot where folks could have more of
22 an estate type feel, but when you get people moving in who only have 1300 to
23 1400 square feet because of affordably, they think this is great, I've got a half
24 acre, but they never use; just the economics of taking care of half acre;
25 landscaping the front yard, putting in a backyard and all that becomes unfeasible.
26 I remember the project next to our development. I think it was Richmond
27 America and they came in and you know; our neighborhood; the existing
28 neighborhood was in an uproar; oh my god we've got to have half acre lots and I
29 think I was the lone person that came to the Planning Commission that spoke
30 against half acre lots and supported a downgrade in the zoning to one third acre
31 homes and now they have these fairly... 3500 square foot homes and I think
32 there are a few larger size homes, but that development has turned out much
33 nicer and they have an HOA that flogs the homeowners into making sure they
34 keep the houses looking good on the street side, so anyhow it's a real delicate
35 balance when you... if you're going to go in, you need to take the whole thing into
36 consideration. It's cool to say let's do half acres and have these estate size lots,
37 but do you have the economics to support that long term, so there you go.

38
39 **CHAIR VAN NATTA** - And I think what you're looking at here with the Housing
40 Element Update is we have the timeframe that we need to get it to City Council
41 by, because the day that they would be taking action on it is one day before the
42 120 day deadline. Can we have someone make a motion on the
43 recommendation?

44
45 **COMMISSIONER LOWELL** – I have a quick comment

46

1 **CHAIR VAN NATTA** – You did; okay

2
3 **COMMISSIONER LOWELL** – Instead of looking at us as 30 miles farther from
4 away San Diego, we should look at it as 30 miles closer to Vegas instead.

5
6 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TEREEL** – But they
7 say what happens in Vegas, stays in Vegas, so I'm not quite sure about that one.

8
9 **CHAIR VAN NATTA** – Well the money stays there, that's for sure.

10
11 **COMMISSIONER LOWELL** – I'll make a motion. I make a motion to **APPROVE**
12 Resolution No. 2014-01 and thereby **RECOMMEND** that the City Council;

- 13
14 1. **RECOGNIZE** that this item is exempt from the provisions of the California
15 Environmental Quality Act (CEQA) as a Class 32 Categorical Exemption,
16 CEQA Guidelines, Section 15061(b)(3), which states the general rule is
17 that CEQA applies only to projects which have the potential for causing a
18 significant effect on the environment; and,
19 2. **APPROVE** PA13-0027 General Plan Amendment, based on the findings
20 contained in the Resolution.

21
22 **CHAIR VAN NATTA** – I have to amend that. You misread the number on Item 2.

23
24 **COMMISSIONER LOWELL** – PA13-0027

25
26 **VICE CHAIR GIBA** – I second

27
28 **CHAIR VAN NATTA** - It's been moved and seconded. Do we need a roll call on
29 this too?

30
31 **INTERIM PLANNING OFFICIAL ORMSBY** – Yes

32
33 **CHAIR VAN NATTA** – Okay, let's do a roll call vote

34
35 **COMMISSIONER SIMS** – Yes

36
37 **COMMISSIONER LOWELL** – Yes

38
39 **COMMISSIONER BAKER** – Yes

40
41 **COMMISSIONER RAMIREZ** – Yes

42
43 **VICE CHAIR GIBA** – Aye

44
45 **CHAIR VAN NATTA** – Yes and Staff conclusion

46

1 **INTERIM PLANNING OFFICIAL ORMSBY** – Staff wrap up on this would be this
2 item will be referred to the City Council for final review and action.

3
4
5
6 **OTHER BUSINESS**

7
8 **CHAIR VAN NATTA** – Do we have Other Business?

9
10 **INTERIM PLANNING OFFICIAL ORMSBY** – No

11
12
13
14 **STAFF COMMENTS**

15
16 **INTERIM PLANNING OFFICIAL ORMSBY** – I do have some Staff Comments.

17
18 **CHAIR VAN NATTA** – Okay

19
20 **INTERIM PLANNING OFFICIAL ORMSBY** – The next meeting is scheduled for
21 February 27th. Staff anticipates having as many as four projects for the meeting.
22 Two of these are telecommunication facilities similar to one you saw recently at a
23 Planning Commission meeting. Also Staff will be bringing forward a Conditional
24 Use Permit for a proposed Ambulance Service within an existing commercial
25 building, which you are only seeing because it's in proximity to residential and
26 then finally we may have the ProLogis project which is a 2.4 million square foot
27 warehouse; several warehouse buildings in the vicinity of course of the item that
28 you reviewed tonight. And that's all the items we have for the next meeting. I did
29 have a couple of other items to mention. At the previous meeting we talked
30 about rolling out the iPads to be used for the meetings. It turns out that there is
31 some technical difficulties with being able to use the application that was
32 intended and therefore we're going to have to push that back and look at what
33 we have for the budget in July in terms of being able to use some other tablet,
34 because it's just simply not technically feasible to use the iPad ones for that. And
35 then finally Commissioner Lowell had a good suggestion to provide some
36 information to the Commission on CEQA; like a primer on CEQA. I did a little bit
37 of research and we found a practical guide to the Environmental Quality Act,
38 which is kind of a pretty brief little overview that was prepared by a consulting
39 firm, but they've been doing it for many years and it's been updated as recently
40 as 2012 so before the next meeting we'll provide that by mail to all the
41 Commissioners.

42
43 **COMMISSIONER LOWELL** – I appreciate it, thank you.

44
45 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – If I can
46 add onto that, one other item of note for you is the interviews by the City Council

1 to fill the vacant seat were done prior to the holidays. It is on their Agenda for the
2 28th of January to fill that position, so assuming that goes as planned, we would
3 anticipate that you'll have a new member out for your February meeting.
4
5
6

7 **PLANNING COMMISSIONER COMMENTS**
8

9 **CHAIR VAN NATTA** – Okay, any Planning Commissioners want to make a final
10 comment before we close?
11

12 **COMMISSIONER SIMS** – I just wish everybody a Happy New Year.
13

14 **COMMISSIONER LOWELL** – Last weekend I went out to the City of Moreno
15 Valley's Dog Park and I would like to commend the City and the Parks
16 Department. I've been working with the City Manager and the Parks Department
17 and in October and November and December, the City has installed many new
18 trees, many new durable, graffiti resistant park benches, agility course for the
19 dogs and the most importantly have installed grass. The City Dog Park is now
20 one to be measured up against the best in the State; at least I think so, so I'd like
21 to commend the City on a great job. Thank you.
22

23 **CHAIR VAN NATTA** – I haven't been to see it in a long time.
24

25 **COMMISSIONER LOWELL** - It's gorgeous
26

27 **COMMISSIONER RAMIREZ** – Good job Brian
28

29 **VICE CHAIR GIBA** – Just to reiterate, I know it is within our purview; the
30 Commission's purview to call Study Sessions on their own. It doesn't have to be
31 a Joint Study Session, it can be a single Study Session, and so I want to throw
32 that out to all the Commissioners to consider a good solid Study Session on
33 these modifications of our zoning to encourage different types of building. I think
34 that's the best way (inaudible) what the Hillside Residential issue was all about
35 and even for retirement communities and such like that as well as I'd really like to
36 go back and visit the overlay system and how that functions. I think I've been
37 asking about that for several years now or at least a couple of years, so I'm not
38 asking for a Joint, I'm asking for us to learn more about it. So I throw that out
39 there. If we have to call for a vote at some point, I'll probably ask for a vote or
40 something as to when we can have some clear calendar dates for that. We
41 normally have two days a month selected; two Thursdays is normally on the
42 calendar but we don't use them both, so maybe we could look at using one of
43 those extra days as a Study Session day for any one given month. So that's all I
44 have to say.
45

1 **COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL** – Yeah I
2 think there are two ways to do it. One obviously is to try to just fit it in your
3 normal meeting schedule and you know have a regular item and a Study Session
4 item and the only reason I recommend that as a first alternative... obviously next
5 time if you have four items, that's a bunch of items; is just plain economics.
6 While we have the ability to have two meetings a month, the City's budget only
7 budgets for you to be here one time a month, so that's you know the cold hard
8 facts, but certainly we could schedule out and Chris and I will talk about this, just
9 schedule something for a meeting and then that would happen before or after;
10 probably after the regular business and take advantage of maybe a lighter
11 Agenda or one that at least would allow some time for some intense discussion
12 on the part of the City Planning Commission.

13
14 **CHAIR VAN NATTA** – Commissioner Ramirez do you have any comments?

15
16 **COMMISSIONER RAMIREZ** – No

17
18 **CHAIR VAN NATTA** – I just want to say the timing of the next meeting, that's my
19 mother's birthday. She is going to be 92... I was going to say on the 27th she is
20 going to be 92 years old. Maybe I'll bring her.

21
22
23
24 **ADJOURNMENT**

25
26 **CHAIR VAN NATTA** – Okay seeing no other comments, can I have a motion to
27 adjourn?

28
29 **VICE CHAIR GIBA** – Motion to adjourn

30
31 **COMMISSIONER BAKER** – Second

32
33 **CHAIR VAN NATTA** – Okay we've got a motion and a second... all in favor?

34
35 Opposed – 0

36
37 **Motion carries 6 – 0**

38
39 **CHAIR VAN NATTA** – Good bye.

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45 ***SIGNATURE PAGE TO FOLLOW:***

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Chris Ormsby
Interim Planning Official

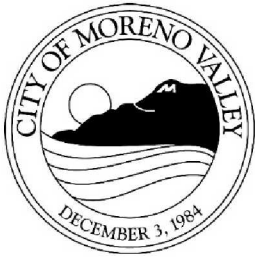
Date

Approved

Meli Van Natta
Chair

Date

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PLANNING COMMISSION STAFF REPORT

Case: PA13-0018 - Conditional Use Permit

Date: February 27, 2014

Applicant: Verizon Wireless

Representative: Smartlink, LLC

Location: 24556 Eucalyptus Avenue (north side of Eucalyptus Avenue and east of Indian Street)

Proposal: Conditional Use Permit for a new 67 foot tall monopine located at the rear of the Covenant Christian Church site. The proposed use includes support equipment to be housed inside a modular building and an emergency generator to be screened by an 8 foot tall enclosure of decorative block construction. The project site is zoned SP 204 VCR.

Recommendation: Approval

SUMMARY

The proposal is to construct a 67 foot tall monopine at the rear of the Covenant Christian Church property that is located along the north side of Eucalyptus Avenue and east of Indian Street. Antennas will be painted and covered with faux needles to match the monopine design. Ground mounted equipment will be placed inside a modular building that is screened from view with an 8 foot tall solid enclosure.

PROJECT DESCRIPTION

Project

Conditional Use Permit PA13-0018 proposes to construct a new telecommunications facility that will include a 67 foot tall monopine located at a site that has been developed as a church. The proposed use includes support equipment to be housed inside a modular building and a 30 kW 132 gallon diesel emergency generator to be screened by an 8 foot tall enclosure of decorative block construction.

The monopine proposal includes 12 panel antennas, one parabolic antenna, and three remote radio units (RRU's) to be mounted on the pole. A RRU is a radio transceiver capable of handling multiple mobile subscriber calls.

Power and telecommunication services will be extended to the equipment shelter from Eucalyptus Avenue through a utility easement. All utility and other equipment connections to the monopine will be underground.

Site/Surrounding Area

The project as proposed would be located on a portion of a 2.2 acre parcel zoned Village Commercial Residential (VCR) within the Village Plan. The Village Plan is a Specific Plan area that generally includes the commercial corridor along Sunnymead Boulevard between Frederick Street and Perris Avenue and also includes a residential area between Heacock Street and Perris Boulevard and Dracaea Avenue and SR-60.

The project site has been developed with an approved church that includes the main worship building, classrooms, parking and landscape planters that include a number of mature trees located near the rear of the site.

Adjacent land uses include a mix of single-family homes and small multi-family units in the VCR and Village Residential (VR) zones.

Access/Parking

The applicant proposes to access the monopine and telecommunications equipment from a drive aisle within the church site.

The project site will be accessed once a month for routine maintenance. This type of facility does not require on-site personnel. Therefore, no additional improvements are required for access or parking purposes.

Design/Landscaping

Design requirements for the existing monopine include a conical shape with artificial branches and foliage that will exceed the length of all antenna arrays. The antennas will be painted to match the color of the foliage and covered with sleeves. As conditioned, all pole mounted equipment must match the color of the branches and

foliage. In addition, the pole will include an artificial bark finish on the trunk of the monopine.

As stated previously, the support equipment will be housed in a modular building that is further screened from view by an 8 foot tall enclosure of decorative block construction. As designed and conditioned, the proposed project will be constructed and operated to be compatible with surrounding uses.

Any trees that are removed during construction must be replaced per the City's landscape requirements at a 3:1 ratio.

REVIEW PROCESS

On April 25, 2013, Verizon Wireless submitted an application for a Conditional Use Permit for a proposed 67 foot tall monopalm and an adjacent equipment shelter.

Planning staff had concerns with the monopalm design and the proposed location for the new facility on the site. In response to City comments, the applicant proposed replacing the monopalm with a monopine.

The applicant met with staff to discuss alternative locations for the pole and equipment shelter that would satisfy the City's setback criteria for telecommunication facilities, and the needs of the applicant and property owner.

The proposed height of the monopine is below the maximum height allowed by Municipal Code Section 9.09.040. The monopine design also is consistent with Municipal Code Section 9.09.040 as it allows for future colocations that can be screened through use of a stealth design, thereby reducing the need for another pole at a separate location.

ENVIRONMENTAL

Planning staff has reviewed this project and determined that as new construction, this item will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, as New Construction, per CEQA Guidelines Section 15303.

The height of the proposed monopine is below the maximum allowed in a residential zone and the pole has been sited to meet all required setbacks for telecommunication facilities located adjacent to residential zoning. The stealth design of the monopine will blend with existing mature trees on the site. As designed and conditioned, the project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

NOTIFICATION

**Planning Commission Staff Report
Page 4**

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all potentially affected reviewing agencies.

<u>Agency</u>	<u>Response Date</u>	<u>Comments</u>
Riverside County Flood Control	June 5, 2013	No conditions or requirements.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2014-06 and thereby:

1. **RECOGNIZE** that the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, as New Construction, per CEQA Guidelines Section 15303; and
2. **APPROVE** PA13-0018 (Conditional Use Permit) based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

Prepared by:

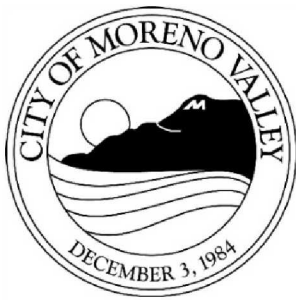
Jeff Bradshaw
Associate Planner

Approved by:

Chris Ormsby, AICP
Interim Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution with Conditions of Approval
3. Project Plans
4. Photo Simulations
5. Coverage Maps
6. Aerial Map



Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: PA13-0018 (Conditional Use Permit)

APPLICANT: Verizon Wireless

OWNER: Sheila and Cornell Davis

REPRESENTATIVE: Smartlink, LLC

LOCATION: 24556 Eucalyptus Avenue (north side of Eucalyptus Avenue and east of Indian Street).

PROPOSAL: Conditional Use Permit for a new 67 foot tall monopine located at the rear of the Covenant Christian Church site. The proposed use includes support equipment to be housed inside a modular building and an emergency generator to be screened by an 8 foot tall enclosure of decorative block construction. The project site is zoned SP 204 VCR.

ENVIRONMENTAL DETERMINATION: Class 3 Categorical Exemption per CEQA Guidelines Section 15303, New Construction.

COUNCIL DISTRICT: 1

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 6:00 p.m., Monday through Thursday and 2nd and 4th Fridays from 7:30 a.m. to 1:30 p.m.), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



LOCATION N Ø

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: February 27, 2014 at 7 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

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RESOLUTION NO. 2014-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING CONDITIONAL USE PERMIT APPLICATION PA13-0018 FOR A 67 FOOT TALL MONOPINE AND RELATED TELECOMMUNICATIONS EQUIPMENT ON A PORTION OF A 2.2 ACRE SITE THAT HAS BEEN DEVELOPED WITH A CHURCH (ASSESSOR'S PARCEL NUMBERS 481-230-045, -046 AND -051)

WHEREAS, Verizon Wireless, has filed an application for the approval of Conditional Use Permit PA13-0018 for development of a 67 foot tall monopine as described in the title of this Resolution; and

WHEREAS, on February 27, 2014, the Planning Commission of the City of Moreno Valley held a meeting to consider the application; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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 on February 27, 2014, 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 proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposed telecommunications facility is consistent with General Plan policies allowing communication facilities within the City limits. As designed and conditioned, the proposed telecommunications facility will be compatible with the goals, objectives, policies, and programs

ATTACHMENT 2

established within the General Plan and future developments, which may occur within the immediate area.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: As designed and conditioned, the proposed replacement telecommunications facility will comply with the development standards of the Village Plan (SP 204) Village Commercial Residential (VCR) zoning and Municipal Code Section 9.09.040 that provides standards for commercial telecommunication facilities.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The height of the proposed monopine is below the maximum allowed in a residential zone and the monopine has been sited to meet all required setbacks for telecommunication facilities located adjacent to residential zoning. The stealth design of the monopine will blend with existing mature trees on the site. As designed and conditioned, the project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. Planning staff has reviewed this project and determined that this item will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as New Construction, Class 3 Categorical Exemption, CEQA Guidelines, Section 15303.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The project as proposed would be located on a portion of a 2.2 acre VCR zoned parcel, which is currently developed with a church. The height of the proposed monopine is below the maximum allowed in a residential zone and the monopine has been sited to meet all required setbacks for telecommunication facilities located adjacent to residential zoning. The stealth design of the monopine will blend with existing mature trees on the site. Adjacent land uses include single family homes in the VCR and VR zones.

Design requirements for the monopine include artificial branches and foliage that will exceed the length of all antenna arrays, color requirements that will match the antennas to the same color as the branches and foliage, and requirements for artificial bark finish on the trunk of the monopine.

Support equipment will be housed in a modular building that will be screened from view by an 8 foot tall solid enclosure of decorative block. The enclosure will also screen and provide sound attenuation for an emergency generator. As designed and conditioned, the proposed project will be constructed and operated to be compatible with surrounding uses.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA13-0018, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2014-06 and thereby:

1. **RECOGNIZES** that the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, New Construction, per CEQA Guidelines Section 15303; and
2. **APPROVES** PA13-0018 (Conditional Use Permit) based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

APPROVED this 27th day of February, 2014.

Meli Van Natta
Chair, Planning Commission

ATTEST:

Chris Ormsby, Interim Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

**CITY OF MORENO VALLEY
PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA13-0018
CONDITIONAL USE PERMIT FOR A WIRELESS COMMUNICATIONS FACILITY
ASSESSOR'S PARCEL NUMBERS: 481-045, -046, and -051**

**APPROVAL DATE:
EXPIRATION DATE:**

This set of conditions shall include conditions from:

- x **Planning (P), including School District (S), Post Office (PO), Building (B)**
- x **Fire Prevention Bureau (F)**
- x **Land Development Division (LD)**
- x **Police (PD)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

- P1. Conditional Use Permit PA13-0018 is approved for the installation of a 67 foot tall monopine. The new monopine shall include a total of twelve 6 foot antennae to be placed on the upper portion of the monopine in three sectors along with one parabolic antenna. Each sector shall include one remote radio unit (RRU) for a total of three RRU's. Ground mounted equipment shall be housed in a modular building screened by an 8 foot tall enclosure of decorative block construction.**

- P2. A 30 kW, 132 gallon diesel generator is approved for this location. The generator shall be placed inside of the 8 foot tall enclosure. The generator shall only be operated for testing purposes and emergencies.**

- P3. The antennas and all ancillary equipment and hardware attached to the top portion of the monopine shall be painted to match the tree and concealed within the dense foliage of the tree. Branches shall be a minimum of three (3) branches per foot and extend a minimum of one foot (1') beyond the antennas at all points.**

Exhibit A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

**PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA13-0018
CONDITIONAL USE PERMIT
PAGE 2**

- P4. The minimum standard of design for the monopine shall include sufficient artificial branches and foliage as to screen the antenna arrays from view, i.e., the length of the artificial branches shall exceed that of the antenna arrays and the density of the artificial foliage shall be such that the visibility of the antenna arrays are secondary to that of the monopine.**
- P5. The placement of the artificial branches shall begin at no more than a height of 15 feet on the monopine and shall extend to the full height of the pole and shall be mounted so that no gaps are apparent in the branches or foliage. Branches shall be mounted a minimum of three branches per foot.**
- P6. The placement of the artificial branches shall not have a symmetrical appearance, but rather shall be mounted in a manner which gives a more natural, “conical” appearance to the monopine.**
- P7. All utility and coaxial connections to the equipment building shall be underground. All connections to the monopine shall be underground. The monopine shall be designed to accommodate co-locations with future connections provided for at the base of the monopine structure.**
- P8. All antennas and equipment located on the tree will be completely covered and screened by the artificial branches, faux pine needle sleeves and foliage of the monopine.**
- P9. The antenna array shall not extend beyond the lease area and any other equipment associated with the telecommunications facility shall be placed within the enclosure.**
- P10. There shall be no signage or graphics affixed to the equipment, equipment building or fence except for public safety warnings.**
- P11. The facility shall provide for co-location of other equipment/utilities with review and approval by the Community & Economic Development Director. The design of any co-location shall be compatible with the design of the monopine.**
- P12. All proposed ancillary equipment shall be placed within the confines of the equipment area. No barbed or razor wire fencing shall be used for the facility.**

**PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA13-0018
CONDITIONAL USE PERMIT
PAGE 3**

- P13. At such time as the facility ceases to operate, the facility shall be removed. The removal shall occur within 90-days of the cessation of the use. The Conditional Use Permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)**
- P14. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.**
- P15. This approval shall expire three (3) years after the approval date of Conditional Use Permit PA13-0018 unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
- P16. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris by the developer or the developer's successor-in-interest. (MC 9.02.030)
- P17. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, the Landscape Requirements, the General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official or designee. (MC 9.14.020, Ldscp)
- P18. (BP) Prior to issuance of building permits, the applicant shall obtain a Land Use Clearance stamp from the Community & Economic Development Department – Planning Division on the final plan check set.
- P19. (BP) Prior to issuance of building permits landscape and irrigation plans for any replacement trees shall be submitted to Planning for review and approval. If installation of the new facility requires removal of existing mature trees, then the trees shall be replaced on-site at a 3:1 ratio.
- P20. (C) Prior to issuance of a building final, all required landscape and irrigation must be installed.
- P21. (CO) Prior to issuance of a building final, the applicant shall contact the Planning Division for a final inspection.

**PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA13-0018
CONDITIONAL USE PERMIT
PAGE 4**

Building and Safety Division

- B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building and Safety Division as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

- B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.
- B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

FIRE PREVENTION BUREAU

Standard Conditions:

With respect to the conditions of approval for the above referenced (**PA13-0018**), the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinance's and/or recognized fire protection standards:

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy and use as specified in the California Building Code (CBC), California Fire Code (CFC), Moreno Valley Municipal Code and related codes which are in force at the time of building plan submittal.

**PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA13-0018
CONDITIONAL USE PERMIT
PAGE 5**

- F2. (BP) Prior to issuance of building permit applicant shall provide written verification that the system they will be installing will not interfere with Fire or Police Communication System.
- F3. Anytime after installation, any interruption of Fire, Police or other public emergency Communication System due to the purveyor's system, the purveyor shall cease to operate site until corrections can be made to purveyor's system.
- F4. (CO) Prior to the issuance of a Certificate of Occupancy or building final, the developer/applicant shall be responsible for obtaining permits for the storage of combustible liquids, flammable liquids or any other hazardous materials from both the County Health department and Fire Prevention Bureau. (CFC 105.6.20, 105.7.2 and 105.6.16)
- F5. (CO) Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506)

PUBLIC WORKS DEPARTMENT

Land Development Division

- LD1. Any work within the public right of way requires an encroachment permit. The applicant will be required to obtain an encroachment permit for the connection of the proposed underground utility run to the existing transformer and proposed power source.

POLICE DEPARTMENT

- P1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist.

**PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA13-0018
CONDITIONAL USE PERMIT
PAGE 6**

- P2. Prior to the issuance of grading permits or building permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a) The name (if applicable) and address of the development.
 - b) The developer's name, address, and a 24-hour emergency telephone number.
- P3. (CO) Prior to the issuance of a Certificate of Occupancy or building final, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department – Building & Safety Division for routing to the Police Department.

verizonwireless

MYERS

APN: 481-230-045-7

24556 EUCALYPTUS AVE
MORENO VALLEY, CA 92553

verizonwireless
15505 SAND CANYON AVENUE
BUILDING 'D', 1ST FLOOR
IRVINE, CA 92618

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS
PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO
VERIZON WIRELESS IS STRICTLY PROHIBITED


smartlink
14432 SE EASTGATE WAY, SUITE 260
BELLEVUE, WA 98007-6493
TEL: 425.274.4444 FAX: 425.274.4449

3	10-01-13	100% ZONING DRAWINGS
2	08-18-13	100% ZONING DRAWINGS
1	04-11-13	100% ZONING DRAWINGS
0	02-21-13	90% ZONING DRAWINGS

REV.	DATE	REVISION DESCRIPTION
------	------	----------------------

PROJECT INFORMATION:
MYERS
24556 EUCALYPTUS AVE
MORENO VALLEY, CA 92553
RIVERSIDE COUNTY

CANDIDATE NAME:
A - CHRISTIAN CHURCH

DRAWN BY: **TB** CHECKED BY: **VD**

SHEET TITLE:
TITLE SHEET

SHEET NUMBER: **T-1** REV.: **3**

PROJECT TEAM	
PLANNING	
NAME:	SMARTLINK, LLC
ADDRESS:	18301 VON KARMAN AVE, SUITE 910
CITY, STATE, ZIP:	IRVINE, CA 92612
CONTACT:	JIM ROGERS
PHONE:	(949) 295-9031
EMAIL:	james.rogers@smartlinkllc.com
SITE ACQUISITION	
NAME:	SMARTLINK, LLC
ADDRESS:	18301 VON KARMAN AVE, SUITE 910
CITY, STATE, ZIP:	IRVINE, CA 92612
CONTACT:	SHANNA REYES
PHONE:	(949) 350-0716
EMAIL:	shanna@seunreya.com
ENGINEER:	
NAME:	SMARTLINK, LLC
ADDRESS:	14432 SE EASTGATE WAY, SUITE 260
CITY, STATE, ZIP:	BELLEVUE, WA 98007-6493
CONTACT:	VLAD DIACONU
PHONE:	(425) 274-4444 x148
E-MAIL:	vlad.diaconu@smartlinkllc.com
SURVEYOR:	
NAME:	AMBIT CONSULTING
ADDRESS:	1480 SOUTH PRICE ROAD, SUITE 209C
CITY, STATE ZIP:	CHANDLER, AZ 85286
CONTACT:	MATT FORD
PHONE:	(602) 463-0472

PROJECT SUMMARY	
APPLICANT/LESSEE	LEGAL DESCRIPTION
verizonwireless	SEE LS-1 FOR LEGAL DESCRIPTION
15505 SAND CANYON AVENUE	ASSESSOR'S PARCEL NUMBER
BUILDING 'D', 1ST FLOOR	481-230-045-7
IRVINE, CA 92618	COUNTY
OFFICE: (949) 286-7000	RIVERSIDE
APPLICANT'S REPRESENTATIVE	
SMARTLINK, LLC	
18301 VON KARMAN AVE, SUITE 910	
IRVINE, CA 92612	
CONTACT: JIM ROGERS	
PHONE: (949) 295-9031	
EMAIL: james.rogers@smartlinkllc.com	
PROPERTY OWNER:	
OWNER: SHEILA DAVIS	
ADDRESS: 1751 FAIRMONT DR	
REDLANDS, CA 92373	
CONTACT: SHEILA DAVIS	
PHONE: (951) 259-0898	
PROPERTY INFORMATION	
SITE NAME: MYERS	
SITE ADDRESS: 24556 EUCALYPTUS AVE	
MORENO VALLEY, CA 92553	
CONSTRUCTION INFORMATION	
AREA OF CONSTRUCTION:	1,255 SQ. FT. (940 SQ. FT., EQUIPMENT AREA) + (415 SQ. FT. AERIAL LEASE AREA)
JURISDICTION:	CITY OF MORENO VALLEY
CURRENT ZONING:	SP 204 VCR - (VILLAGE COMMERCIAL RESIDENTIAL)
TYPE OF CONSTRUCTION:	V-B (NON-RATED)
HANDICAP REQUIREMENTS:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.



DRIVING DIRECTIONS

START: JOHN WAYNE AIRPORT
HEAD SOUTHWEST ON JWA ROADWAY
SLIGHT LEFT ONTO N AIRPORT WAY
SLIGHT RIGHT TO STAY ON N AIRPORT WAY
TAKE THE RAMP TO CALIFORNIA 55 ANAHEIM / RIVERSIDE N / REMOTE PARKING
MERGE ONTO CA-65 N
MERGE ONTO CA-91 E
TAKE THE CA-60 E / I-215 S EXIT TOWARD SAN DIEGO / INDIO
MERGE ONTO CA-60 E
MERGE ONTO I-215 S
SLIGHT LEFT ONTO CA-60 E
TAKE EXIT 61 FOR HEACOCK ST
TURN RIGHT ONTO HEACOCK ST
TURN LEFT ONTO EUCALYPTUS AVE
END AT 24556 EUCALYPTUS AVE, MORENO VALLEY, CA 92553 ON THE LEFT

PROJECT DESCRIPTION

CONSTRUCTION OF AN UNMANNED WIRELESS CELL SITE FOR VERIZON WIRELESS. THE PROJECT WILL CONSIST OF (1) 67'-0" HIGH MONOPINE WITH (12) PANEL ANTENNAS, (1) PARABOLIC ANTENNA & (3) RRUS, AND (1) 30 KW/132 GALLON DIESEL GENERATOR, (2) GPS ANTENNAS ATTACHED TO (1) 11'-6" X 16'-11" EQUIPMENT SHELTER WITHIN A 30'-0" X 28'-0" CMU WALL ENCLOSURE WITH CONNECTIONS AS REQUIRED FOR POWER AND TELCO SERVICES.

SHEET	DESCRIPTION
T-1	TITLE SHEET
LS-1	OVERALL DETAIL
LS-2	SURVEY DETAIL
A-1	OVERALL SITE PLAN
A-1.1	ENLARGED SITE PLAN
A-2	ENLARGED EQUIPMENT AND ANTENNA LAYOUTS
A-3	NORTHWEST & SOUTHEAST ELEVATIONS
A-4	NORTHEAST & SOUTHWEST ELEVATIONS

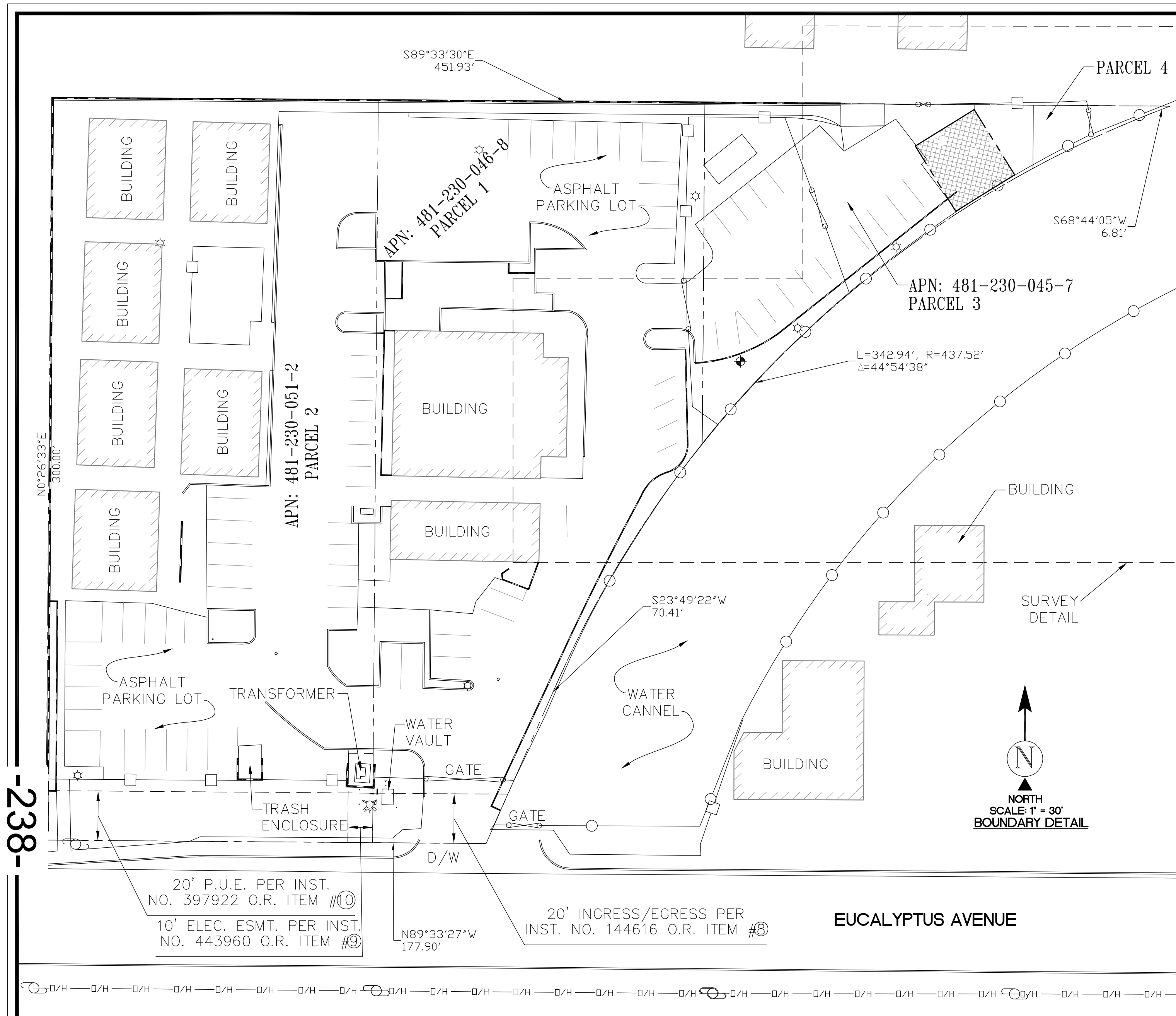
SIGNATURE BLOCK		
DISCIPLINE:	SIGNATURE:	DATE:
SITE ACQUISITION:		
CONSTRUCTION:		
RADIO:		
PARABOLIC:		
TELCO:		
EQUIPMENT:		
PROJECT ADMINISTRATOR:		
WO ADMINISTRATOR:		

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

1. 2010 CALIFORNIA BUILDING CODE	6. 2008 CALIFORNIA ENERGY CODE
2. 2010 CALIFORNIA ELECTRICAL CODE ADOPTED 2008 NEC	7. COUNTY COASTAL ZONE LAND USE ORDINANCE-TITLE 23
3. 2010 CALIFORNIA FIRE CODE	8. COUNTY FIRE CODE ORDINANCE- TITLE 18
4. 2010 CALIFORNIA MECHANICAL CODE	9. COUNTY LAND USE ORDINANCE-TITLE 22
5. 2010 CALIFORNIA PLUMBING CODE	10. COUNTY BUILDING & CONSTRUCTION ORDINANCE-TITLE 18

ZONING DRAWINGS - NOT FOR CONSTRUCTION



LESSOR'S LEGAL DESCRIPTION
 THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, CITY OF MORENO VALLEY AND DESCRIBED AS FOLLOWS:
 PARCEL 1: LOT 303 OF EDMONT GARDENS, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE(S) 90, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY. EXCEPTING THAT PORTION LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF PARCEL 4100-12 AS SHOWN ON A MAP ON FILE IN BOOK 36, PAGE(S) 55 OF RECORD OF SURVEY, RIVERSIDE COUNTY, STATE OF CALIFORNIA.
 PARCEL 2: LOT 304 OF EDMONT GARDENS, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE(S) 90, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY. EXCEPTING THAT PORTION LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF PARCEL 4100-12 AS SHOWN ON A MAP ON FILE IN BOOK 36, PAGE(S) 55 OF RECORD OF SURVEY, RIVERSIDE COUNTY, STATE OF CALIFORNIA.
 PARCEL 3: ALL THAT PORTION OF LOT 302, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN ON A MAP RECORDED IN BOOK 36, PAGE(S) 53 TO 56, INCLUSIVE, RECORDS OF SURVEY AND AS SHOWN ON THE MAP OF EDMONT GARDENS, RECORDED IN BOOK 15, PAGE(S) 90 OF MAPS, BOTH RECORDS OF RIVERSIDE COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 302, AS SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 89°59'06" EAST, TO THE NORTHEAST CORNER OF SAID LOT 302, A DISTANCE OF 132.77 FEET; THENCE SOUTH 00°01'02" WEST, A DISTANCE OF 25.54 FEET, ALONG THE EAST LINE OF SAID LOT 302, TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 437.50 FEET, SAID POINT BEING ON THE NORTHWESTERLY LINE OF PARCEL 4100-13 AS SHOWN ON SAID RECORD OF SURVEY, TO WHICH POINT A RADIAL BEARS SOUTH 28°45'54" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE SAID ARC BEING THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID PARCEL 4100-13, THROUGH A CENTRAL ANGLE OF 22°56'01", A DISTANCE OF 175.12 FEET, TO A POINT ON THE WESTERLY TINE OF SAID LOT 302; THENCE NORTH 00°01'02" EAST, ALONG THE WEST LINE OF SAID LOT 302, A DISTANCE OF 137.93 FEET, TO THE POINT OF BEGINNING.
 PARCEL 4: ALL THAT PORTION OF LOT 301, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN ON A MAP RECORDED IN BOOK 36, PAGE(S) 53 TO 56, INCLUSIVE, RECORD OF SURVEY AND AS SHOWN ON THE MAP OF EDMONT GARDENS, RECORDED IN BOOK 15, PAGE(S) 90 OF MAPS, BOTH RECORDS OF RIVERSIDE COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 301, AS SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 89°59'06" EAST, A DISTANCE OF 55.16 FEET TO THE NORTHWESTERLY LINE OF PARCEL 4100-14 AS SHOWN ON SAID RECORD OF SURVEY; THENCE SOUTH 68°18'34" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 6.81 FEET, TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 437.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°04'28", A DISTANCE OF 54.02 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT 301; THENCE NORTH 00°01'02" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 25.54 FEET TO THE POINT OF BEGINNING.
 APN: 481-230-046-8, 481-230-051-2 AND 481-230-045-7

LEASE AREA LEGAL DESCRIPTION
 BEING PORTION OF LOT 302, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN ON A MAP RECORDED IN BOOK 36, PAGE(S) 53 TO 56, INCLUSIVE, RECORDS OF SURVEY AND AS SHOWN ON THE MAP OF EDMONT GARDENS, RECORDED IN BOOK 15, PAGE(S) 90 OF MAPS, BOTH RECORDS OF RIVERSIDE COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER THEREOF; THENCE NORTH 89°33'30" WEST ALONG THE NORTH LINE OF SAID LOT 302, A DISTANCE OF 23.92 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 00°00'00" EAST, A DISTANCE OF 1.96 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 31°48'53" EAST, A DISTANCE OF 31.00 FEET; THENCE SOUTH 58°11'07" WEST, A DISTANCE OF 28.00 FEET; THENCE NORTH 31°48'53" WEST, A DISTANCE OF 31.00 FEET; THENCE NORTH 58°11'07" EAST, A DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING.
 RESERVING NONEXCLUSIVE RIGHT OF USE ACROSS LESSOR'S PROPERTY FOR NECESSARY APPURTENANCES TO CONSTRUCT, OPERATE, AND MAINTAIN A COMMUNICATION FACILITY FOR ITEMS SUCH AS, BUT NOT LIMITED TO INGRESS, EGRESS, PARKING, VEHICULAR MANEUVERING, EQUIPMENT, AND UTILITIES.

SCHEDULE "B" NOTES
 REFERENCE IS MADE TO THE TITLE REPORT ORDER #01180-22490, ISSUED BY STEWART TITLE, DATED JANUARY 14, 2013. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED. NOTE: ITEMS 8, 9, AND 10 ARE AS SHOWN, ALL OTHER SCHEDULE "B" ITEMS ARE EITHER NO PLOTTABLE, BLANKET IN NATURE, OR DO NOT EFFECT THE SUBJECT PARCEL.

EASEMENTS
 3. ANY BOUNDARY DISCREPANCIES, RIGHTS OR CLAIMS WHICH MAY EXIST OR ARISE AS DISCLOSED BY A RECORD OF SURVEY, AS PER MAP ON FILE IN BOOK 36, PAGE(S) 53 THROUGH 56, INCLUSIVE, OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

4. COVENANTS, CONDITIONS, AND RESTRICTIONS AS SET FORTH IN AN INSTRUMENT, BUT OMITTING, EXCEPT TO THE EXTENT PERMITTED BY ANY APPLICABLE FEDERAL OR STATE LAW, COVENANTS OR RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, NATIONAL ORIGIN, HANDICAP, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME, DISABILITY, MEDICAL CONDITION, OR OTHER UNLAWFUL BASIS. RECORDED: APRIL 27, 1935, IN BOOK 273, PAGE(S) 566, OFFICIAL RECORDS SAID DOCUMENT WAS RE-RECORDED OCTOBER 15, 1935 IN BOOK 298, PAGE(S) 563, OFFICIAL RECORDS. SAID COVENANTS, CONDITIONS, AND RESTRICTIONS PROVIDE THAT A VIOLATION THEREOF SHALL NOT DEFEAT OR RENDER INVALID THE LIEN OF ANY MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE. AMONG OTHER THINGS, SAID DOCUMENT PROVIDES FOR:

SCHEDULE "B" NOTES CONT'D
 AN EASEMENT OVER THE PORTION OF SAID LAND AND FOR THE PURPOSE THEREIN SHOWN, AND RIGHTS INCIDENTAL THERETO FOR: PUBLIC UTILITIES AND/OR DRAINAGE.

SAID MATTER AFFECTS: PARCELS 1 AND 2
 5. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT PURPOSE: LAYING, MAINTAIN, USE AND REPAIR OF SUCH PIPELINES AS MAY BE NECESSARY FOR THE CONVEYANCE OF WATER RECORDED: JANUARY 7, 1937, IN BOOK 307, PAGE(S) 521, OFFICIAL RECORDS REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS. SAID MATTER AFFECTS: PARCELS 1 AND 2 **BLANKET IN**

6. AN EASEMENT OVER SAID LAND FOR CONDUITS, AND RIGHTS INCIDENTAL THERETO, BY DEED IN FAVOR OF: EASTERN MUNICIPAL WATER DISTRICT RECORDED: MARCH 4, 1955 IN BOOK 1702, PAGE 559, OFFICIAL RECORDS AND AS SET OUT IN MEMO OF AGREEMENT AND IN SUPPLEMENTAL AGREEMENT, RECORDED: MARCH 4, 1955 IN BOOK 1702, PAGES 467 AND 552, RESPECTIVELY, OFFICIAL RECORDS, AND BY DEED RECORDED NOVEMBER 12, 1969 AS INSTRUMENT NO. 115832, OFFICIAL RECORDS. REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS. **NOT PLOTTABLE OFF SITE**

7. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT GRANTED TO: CALIFORNIA ELECTRIC POWER COMPANY, A CORPORATION PUBLIC UTILITIES PURPOSE: PUBLIC UTILITIES RECORDED: APRIL 7, 1954, IN BOOK 1573, PAGE(S) 337, OFFICIAL RECORDS REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS. **NOT PLOTTABLE DOCUMENT WAS NOT PROVIDED**

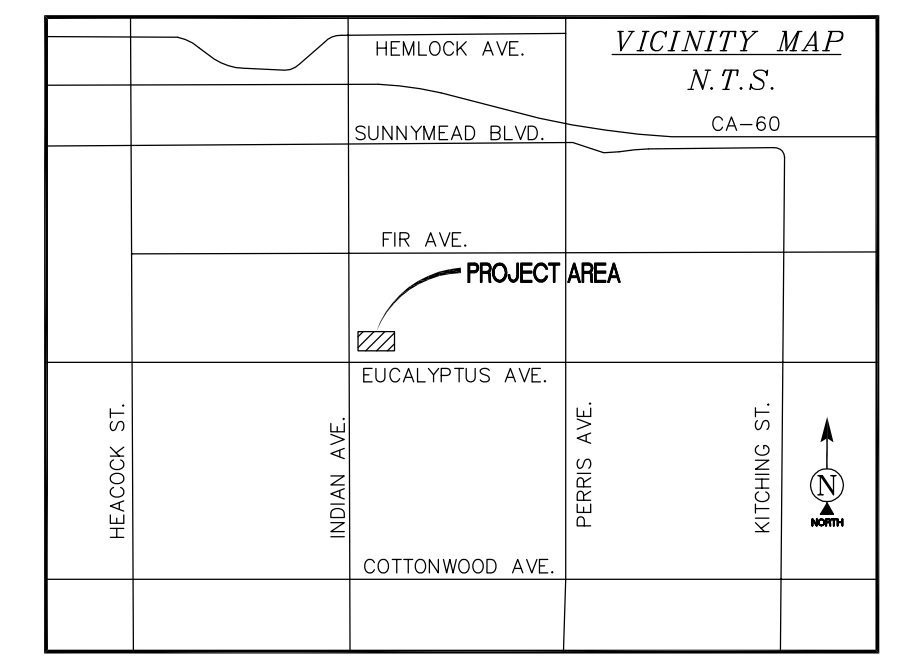
8. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT GRANTED TO: CITY OF MORENO VALLEY, A

SCHEDULE "B" NOTES CONT'D
 MUNICIPAL CORPORATION PURPOSE: ROAD RECORDED: APRIL 23, 1992 AS INSTRUMENT NO. 144616, OFFICIAL RECORDS.

AFFECTS: THE SOUTHERLY 20 FEET
 SAID MATTER AFFECTS: PARCEL 1 **PLOTTED**

9. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT GRANTED TO: SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION PURPOSE: PUBLIC UTILITIES RECORDED: NOVEMBER 19, 1992 AS INSTRUMENT NO. 443960, OFFICIAL RECORDS AFFECTS: SAID LAND REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS. **PLOTTED**

10. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT GRANTED TO: CITY OF MORENO VALLEY, A MUNICIPAL CORPORATION PURPOSE: PUBLIC HIGHWAY AND PUBLIC UTILITIES RECORDED: NOVEMBER 30, 1995 AS INSTRUMENT NO. 397922, OFFICIAL RECORDS
 AFFECTS: THE SOUTHERLY 20 FEET
 SAID MATTER AFFECTS: PARCEL 2 **PLOTTED**



DIRECTIONS TO SITE
 FROM THE VERIZON WIRELESS OFFICE IN IRVINE, CA: TAKE SURFACE STREETS TO MERGE ONTO CA-133N; MERGE ONTO CA-241N. TOLL RD.; TAKE EXIT 39 TO MERGE ONTO CA-91E TOWARD RIVERSIDE; TAKE THE CA-60E EXIT; TAKE EXIT 61 FOR HEACOCK STREET; TURN RIGHT ONTO HEACOCK STREET; TURN LEFT ONTO EUCALYPTUS AVENUE; SITE WILL BE ON THE LEFT.

SURVEYOR'S NOTES
 SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

UTILITY NOTES
 SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

BENCHMARK
 PROJECT ELEVATIONS ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS 'GEOID 09' MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY RAW STATIC GPS DATA PROCESSED ON THE NGS OPUS WEBSITE. ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.

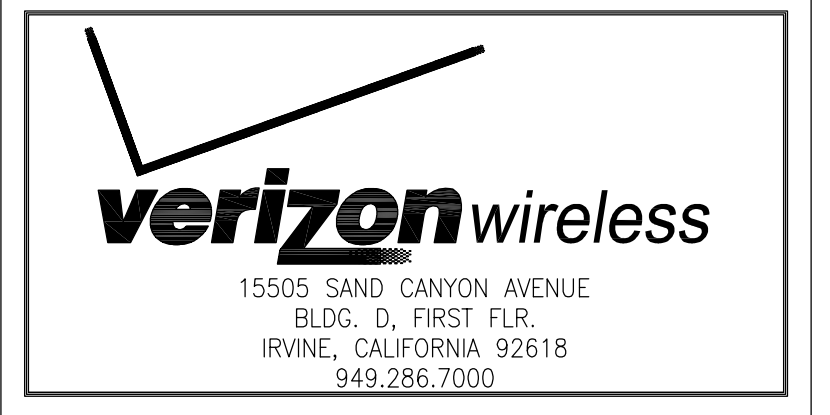
BASIS OF BEARING
 BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM CALIFORNIA STATE PLANE COORDINATE ZONE SIX, DETERMINED BY GPS OBSERVATIONS.

SURVEY DATE
 02/08/13

POSITION OF GEODETIC COORDINATES
 LATITUDE 33° 55' 56.8" NORTH (NAD83)
 LONGITUDE 117° 14' 01.4" WEST (NAD83)
 GROUND ELEVATION @ 1611.2' (NAVD88)

LEGEND

NG	NATURAL GRADE
BLDG	TOP OF BUILDING
FC	FACE OF CURB
CLF	CHAIN LINK FENCE
AP	ASPHALT
D/W	ACCESS DRIVEWAY
WIF	WROUGHT IRON FENCE
CMU	CONCRETE MASONRY UNIT
EP	EDGE OF PAVEMENT
⊕	FIRE HYDRANT
⊙	POWER POLE
⊙	LIGHT POLE
⊙	POSITION OF GEODETIC COORDINATES
⊙	SPOT ELEVATION
---	LIMITS OF LESSOR'S PROPERTY
—○—○—	CHAIN LINK FENCE
—□—□—	WOOD OR IRON FENCE
—D/H—D/H—	OVERHEAD ELECTRIC
---	EASEMENT

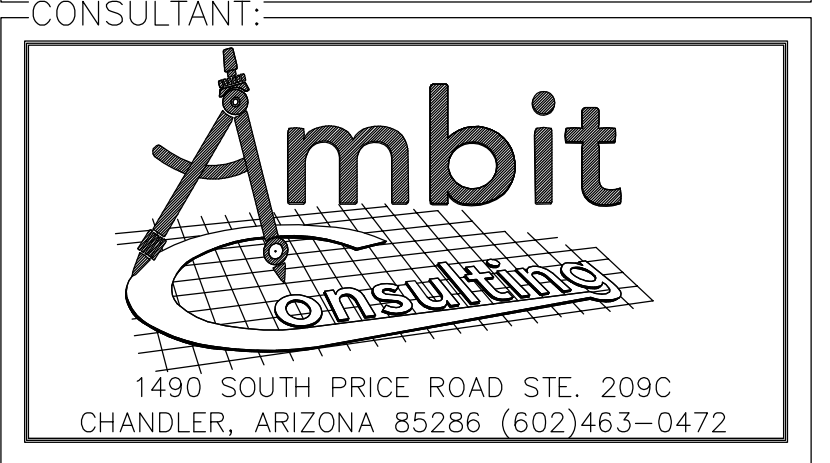


PROJECT INFORMATION:
MYERS
 24556 EUCALYPTUS AVENUE
 MORENO VALLEY, CALIFORNIA 92553

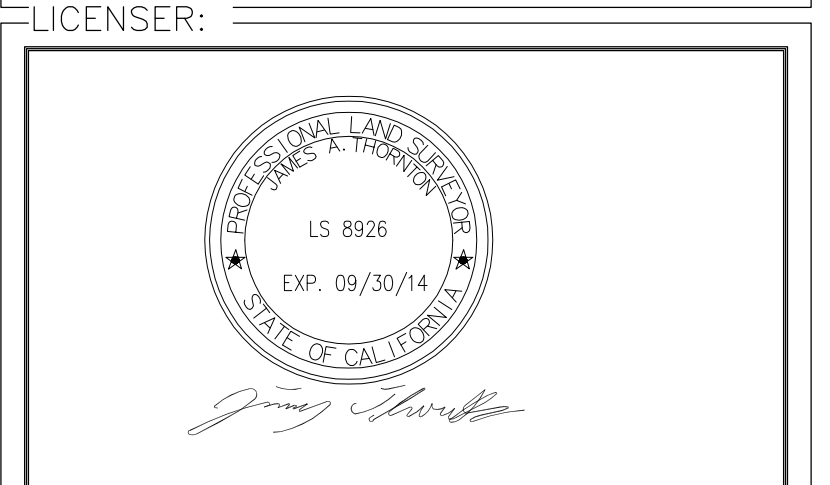
ORIGINAL ISSUE DATE:
 02/19/2013

REV.: DATE: DESCRIPTION: BY:

1	02/22/2013	LEASE AREA	MF
2	09/20/2013	LEASE AREA	MF

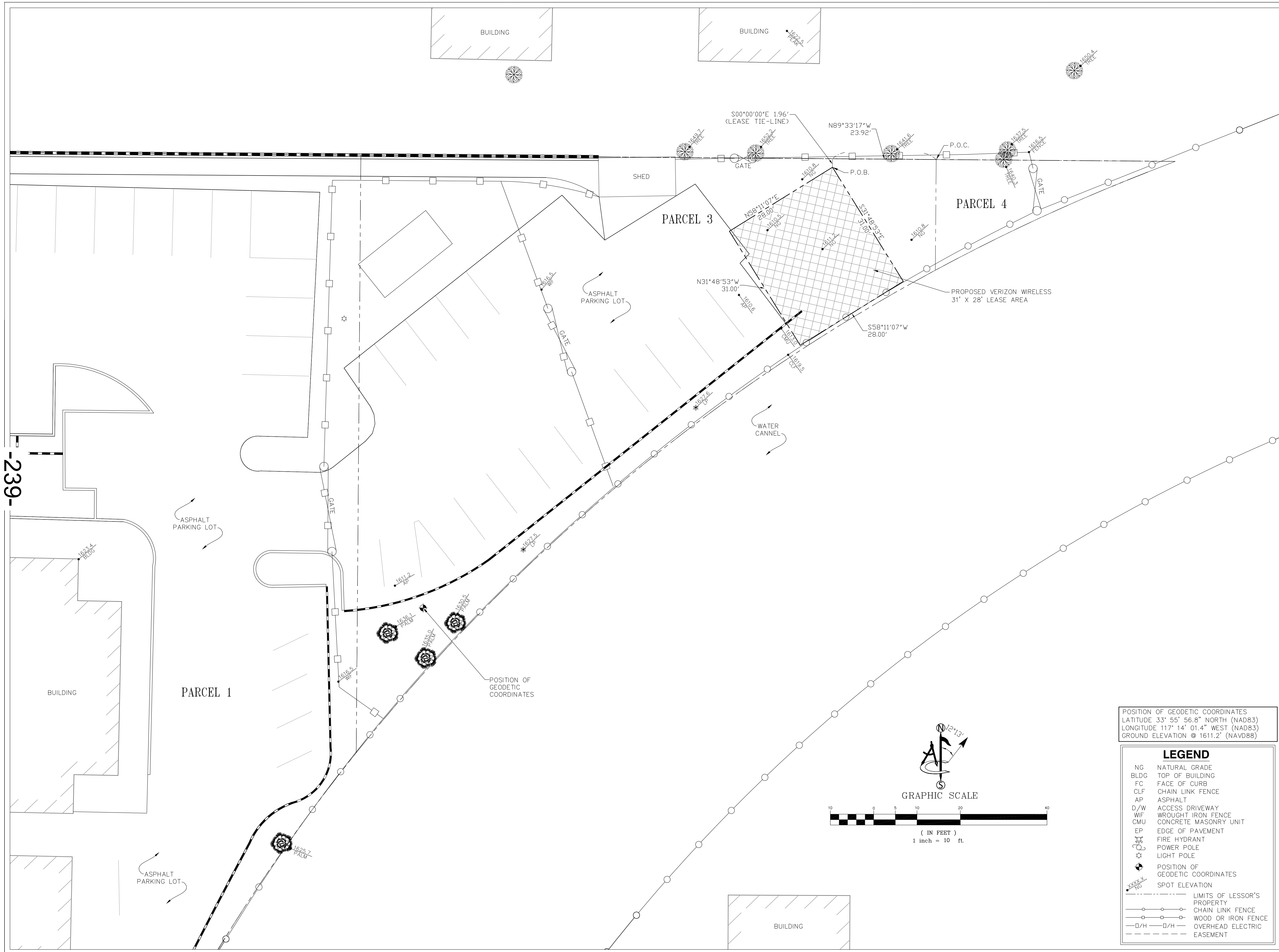


DRAWN BY: DA CHK.: MF APV.: JT



SHEET TITLE:
 OVERALL DETAIL

SHEET NUMBER:
 LS-1



verizon wireless
 15505 SAND CANYON AVENUE
 BLDG. D, FIRST FLR.
 IRVINE, CALIFORNIA 92618
 949.286.7000

PROJECT INFORMATION:
MYERS
 24556 EUCALYPTUS AVENUE
 MORENO VALLEY, CALIFORNIA 92553

ORIGINAL ISSUE DATE:
02/19/2013

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
1	02/22/2013	LEASE AREA	MF
2	09/20/2013	LEASE AREA	MF

PLANS PREPARED BY:

smartlink
 14432 SE EASTGATE WAY, SUITE 260
 BELLEVUE, WA 98007-6493
 TEL: 425.274.4444 FAX: 425.274.4449

CONSULTANT:

Ambit Consulting
 1490 SOUTH PRICE ROAD STE. 209C
 CHANDLER, ARIZONA 85286 (602)463-0472

DRAWN BY: CHK.: APV.:

DA	MF	JT
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LICENSER:

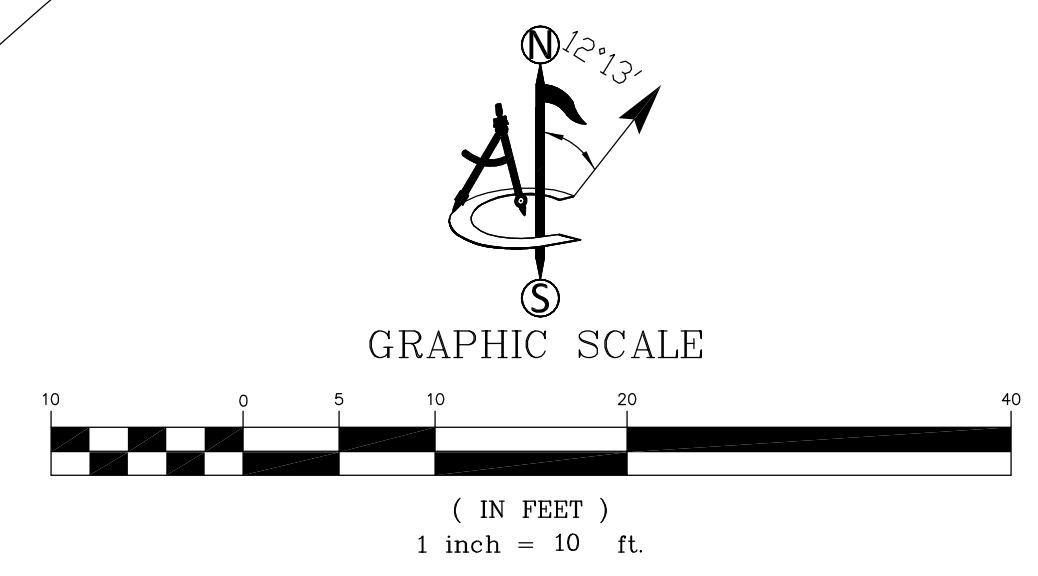
SHEET TITLE:
SURVEY DETAIL

SHEET NUMBER:
LS-2

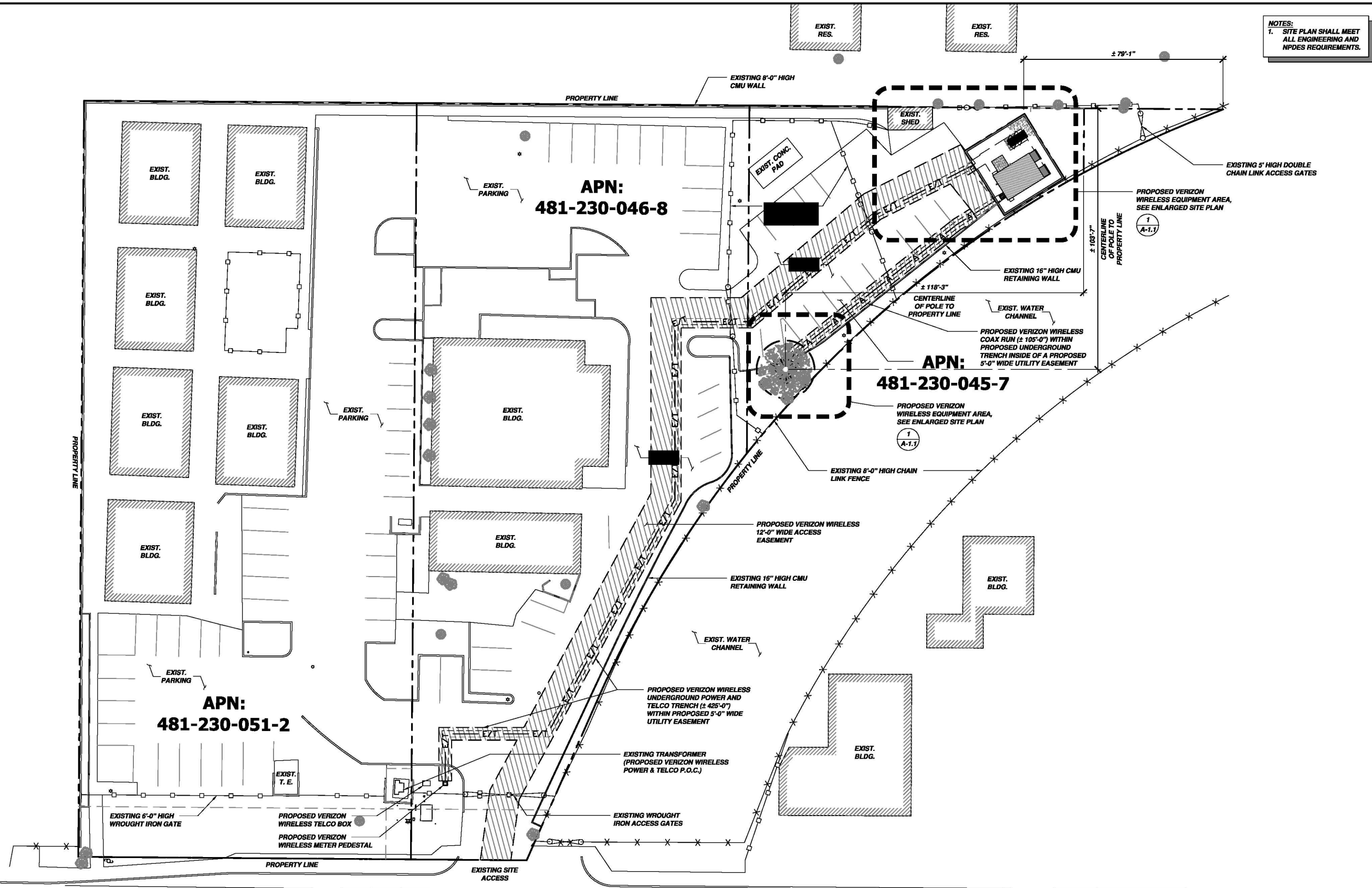
POSITION OF GEODETIC COORDINATES
 LATITUDE 33° 55' 56.8" NORTH (NAD83)
 LONGITUDE 117° 14' 01.4" WEST (NAD83)
 GROUND ELEVATION @ 1611.2' (NAVD88)

LEGEND

- NG NATURAL GRADE
- BLDG TOP OF BUILDING
- FC FACE OF CURB
- CLF CHAIN LINK FENCE
- AP ASPHALT
- D/W ACCESS DRIVEWAY
- WIF WROUGHT IRON FENCE
- CMU CONCRETE MASONRY UNIT
- EP EDGE OF PAVEMENT
- FH FIRE HYDRANT
- PP POWER POLE
- LP LIGHT POLE
- GC POSITION OF GEODETIC COORDINATES
- SE SPOT ELEVATION
- LIMITS OF LESSOR'S PROPERTY
- o-o- CHAIN LINK FENCE
- x-x- WOOD OR IRON FENCE
- d/h- OVERHEAD ELECTRIC
- - - EASEMENT



-240-



NOTES:
1. SITE PLAN SHALL MEET ALL ENGINEERING AND NPDES REQUIREMENTS.

verizonwireless
15505 SAND CANYON AVENUE
BUILDING 'D', 1ST FLOOR
IRVINE, CA 92618

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smartlink
14432 SE EASTGATE WAY, SUITE 260
BELLEVUE, WA 98007-6493
TEL: 425.274.4444 FAX: 425.274.4449

REV.	DATE	REVISION DESCRIPTION
3	10-01-13	100% ZONING DRAWINGS
2	09-18-13	100% ZONING DRAWINGS
1	04-11-13	100% ZONING DRAWINGS
0	02-21-13	90% ZONING DRAWINGS

PROJECT INFORMATION:
MYERS
24556 EUCALYPTUS AVE
MORENO VALLEY, CA 92553
RIVERSIDE COUNTY

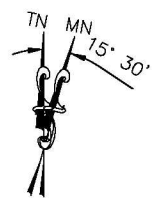
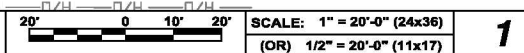
CANDIDATE NAME:
A - CHRISTIAN CHURCH
DRAWN BY: TB **CHECKED BY:** VD

SHEET TITLE:
OVERALL SITE PLAN

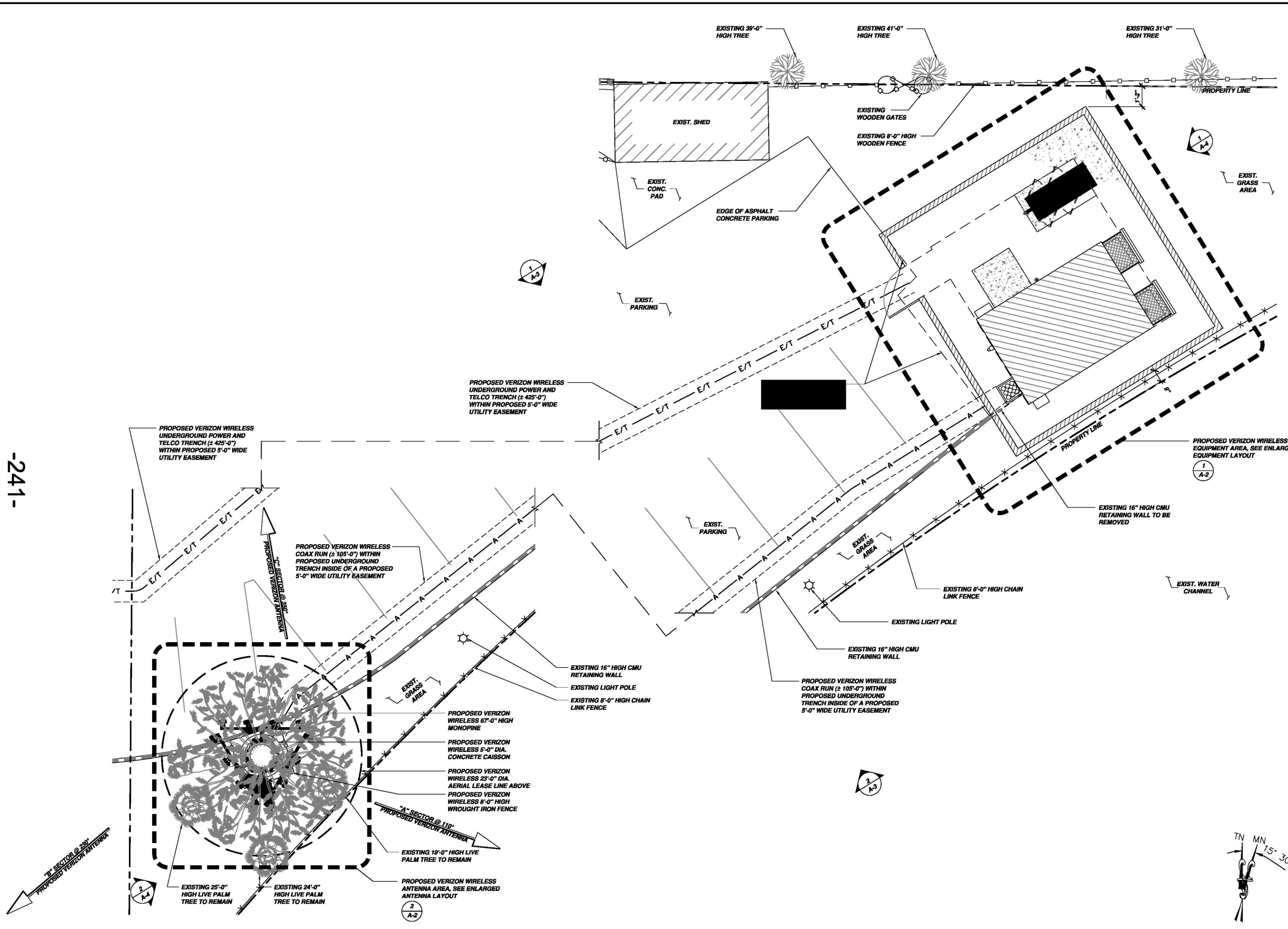
SHEET NUMBER: A-1 **REV.:** 3

OVERALL SITE PLAN

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-241-



verizonwireless
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 BUILDING 'D', 1ST FLOOR
 IRVINE, CA 92618

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 TEL: 425.274.4444 FAX: 425.274.4449

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2	09-18-13	100% ZONING DRAWINGS
1	04-11-13	100% ZONING DRAWINGS
0	02-21-13	90% ZONING DRAWINGS

PROJECT INFORMATION:
MYERS
 24556 EUCALYPTUS AVE
 MORENO VALLEY, CA 92553
 RIVERSIDE COUNTY

CANDIDATE NAME:
A - CHRISTIAN CHURCH
 DRAWN BY: TB CHECKED BY: VD

SHEET TITLE:
ENLARGED SITE PLAN

SHEET NUMBER: **A-1.1** REV.: **3**

ENLARGED SITE PLAN

SCALE: 3/16" = 1'-0" (24x36)
 (OR) 3/32" = 1'-0" (11x17)

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0	02-21-13	90% ZONING DRAWINGS

REV.	DATE	REVISION DESCRIPTION

PROJECT INFORMATION:
MYERS
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 MORENO VALLEY, CA 92553
 RIVERSIDE COUNTY

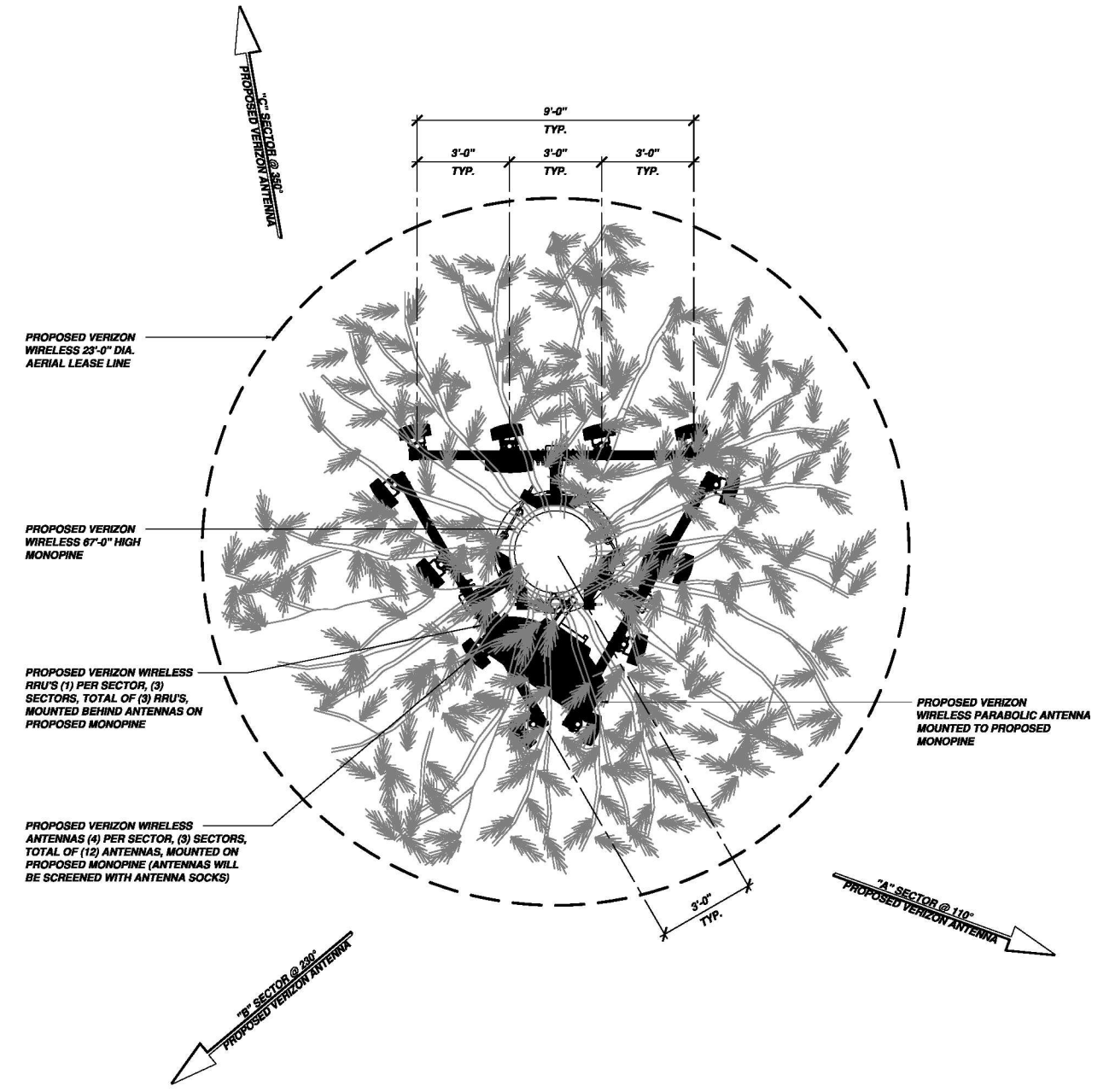
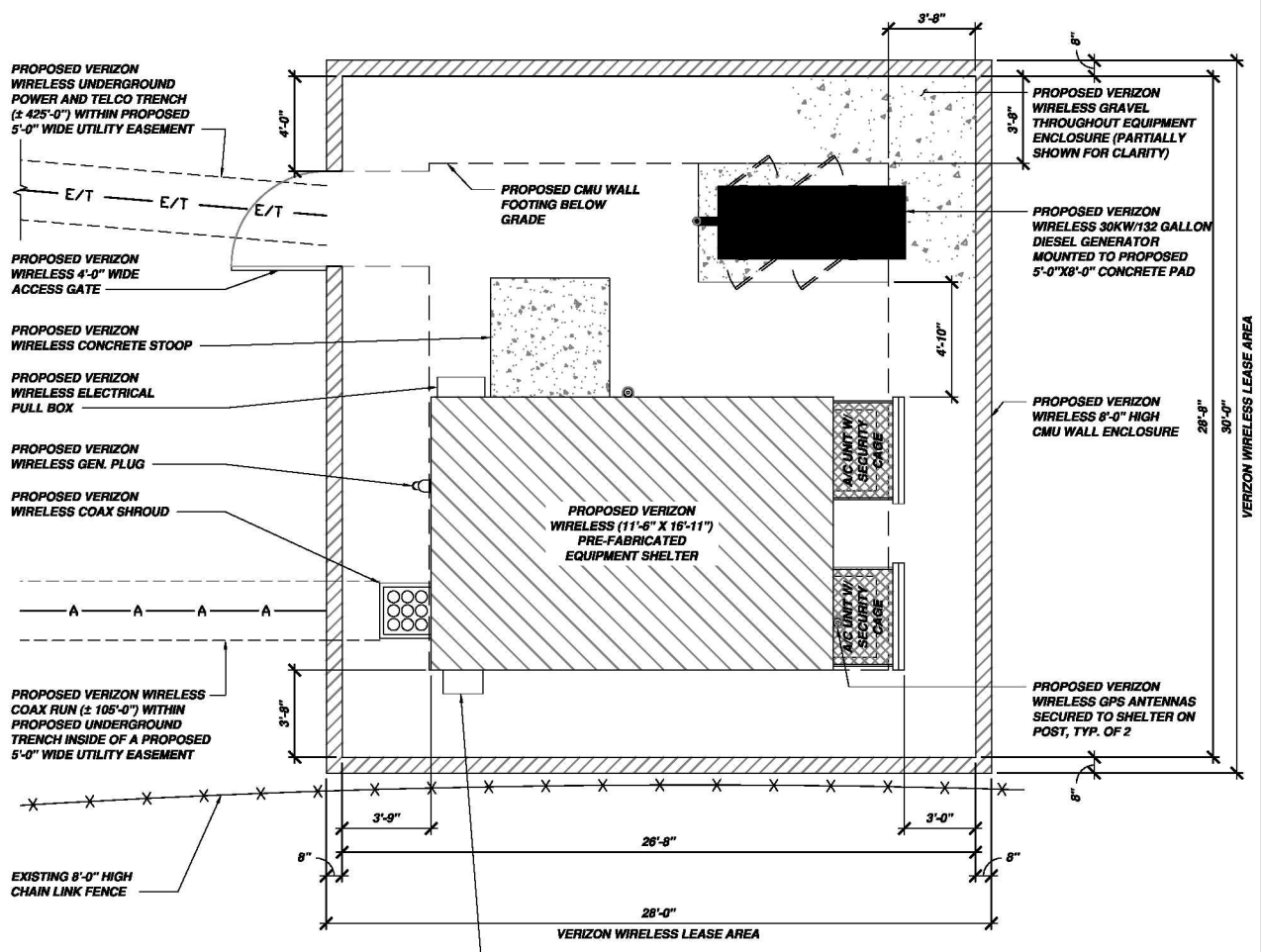
CANDIDATE NAME:
A - CHRISTIAN CHURCH

DRAWN BY: **TB** CHECKED BY: **VD**

SHEET TITLE:
ENLARGED EQUIPMENT AND ANTENNA LAYOUTS

SHEET NUMBER: **A-2** REV.: **3**

-242-



ENLARGED EQUIPMENT LAYOUT

SCALE: 1/4" = 1'-0" (24x36)
 (OR) 1/8" = 1'-0" (11x17)

1

ENLARGED ANTENNA LAYOUT

SCALE: 3/8" = 1'-0" (24x36)
 (OR) 3/16" = 1'-0" (11x17)

2

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NOTES:
 1. THE BRANCH COUNT SHALL BE A MIN. OF 2.5 BRANCHES PER FOOT COVERED.
 2. THE BRANCHES SHALL EXTEND BEYOND THE ANTENNAS A MIN. OF 1'-0".
 3. SIMULATED "BARK" SHALL COVER THE POLE ITS ENTIRE LENGTH.

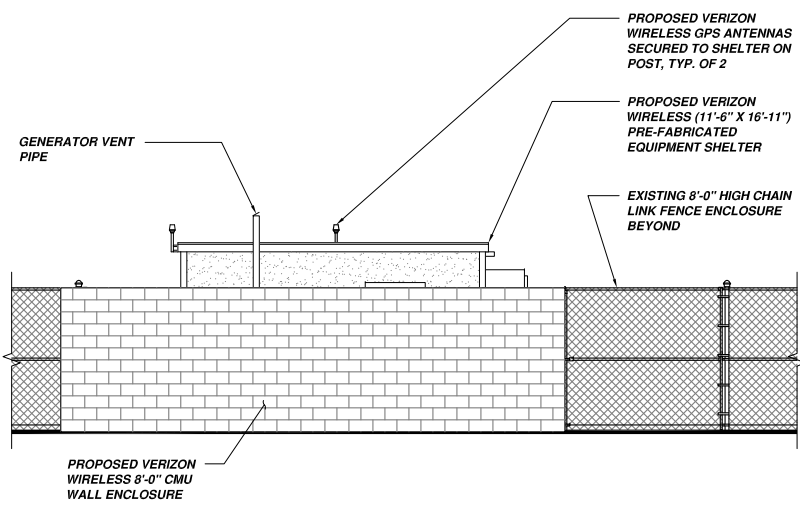
NOTES:
 1. THE BRANCH COUNT SHALL BE A MIN. OF 2.5 BRANCHES PER FOOT COVERED.
 2. THE BRANCHES SHALL EXTEND BEYOND THE ANTENNAS A MIN. OF 1'-0".
 3. SIMULATED "BARK" SHALL COVER THE POLE ITS ENTIRE LENGTH.

TOP OF PROPOSED MONOPINE BRANCHES
ELEV. 67'-0" AGL

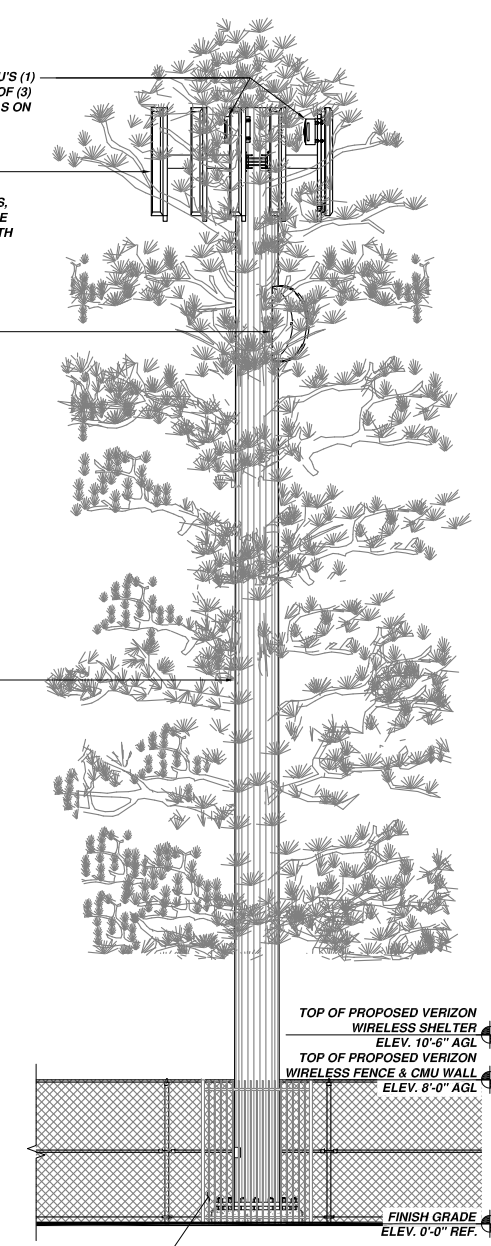
ANTENNA CENTER OF PROPOSED VERIZON WIRELESS ANTENNAS
ELEV. 59'-0" AGL

CENTER OF PROPOSED VERIZON WIRELESS PARABOLIC ANTENNA
ELEV. TO BE DETERMINED

-243-

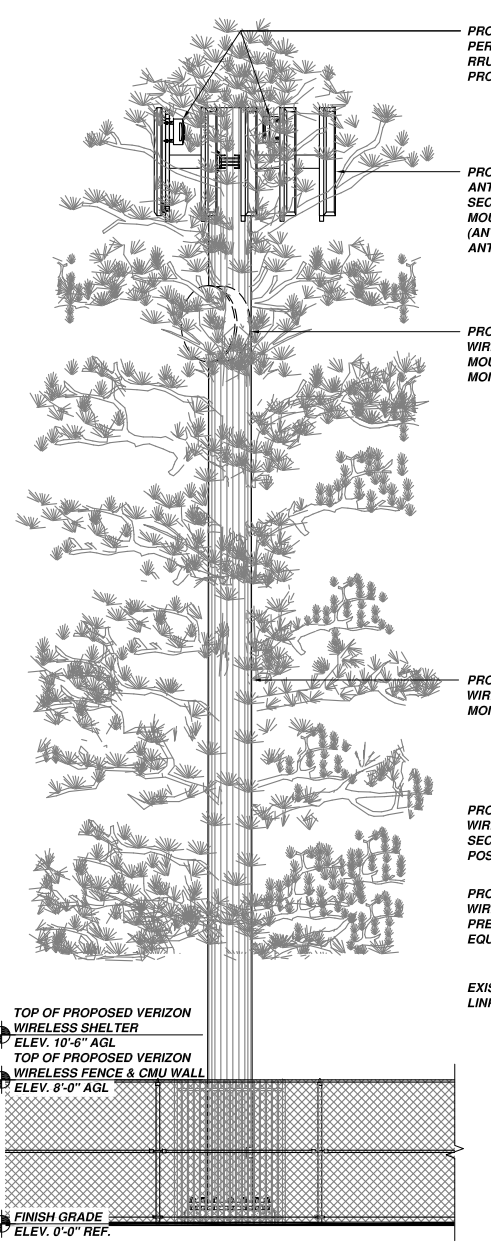


NORTHWEST ELEVATION



0 1.5' 3' 5' SCALE: 3/16" = 1'-0" (24x36)
 (OR) 3/32" = 1'-0" (11x17)

1



SOUTHEAST ELEVATION

0 1.5' 3' 5' SCALE: 3/16" = 1'-0" (24x36)
 (OR) 3/32" = 1'-0" (11x17)

2



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REV.	DATE	REVISION DESCRIPTION
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1	04-11-13	100% ZONING DRAWINGS
0	02-21-13	90% ZONING DRAWINGS

PROJECT INFORMATION:
MYERS
 24556 EUCALYPTUS AVE
 MORENO VALLEY, CA 92553
 RIVERSIDE COUNTY

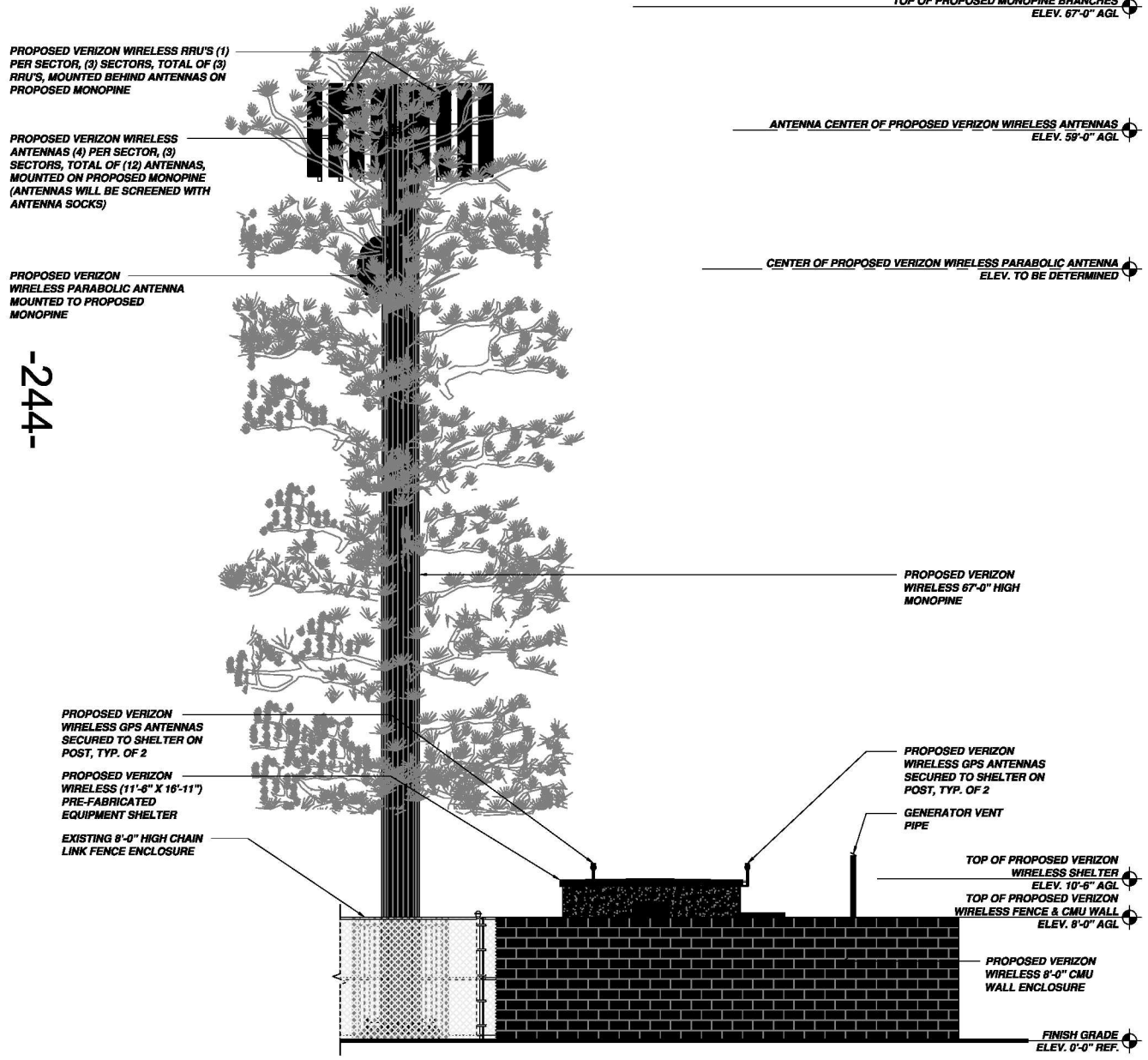
CANDIDATE NAME:
A - CHRISTIAN CHURCH

DRAWN BY: **TB** CHECKED BY: **VD**

SHEET TITLE:
NORTHWEST & SOUTHEAST ELEVATIONS

SHEET NUMBER: **A-3** REV.: **3**

- NOTES:**
1. THE BRANCH COUNT SHALL BE A MIN. OF 2.5 BRANCHES PER FOOT COVERED.
 2. THE BRANCHES SHALL EXTEND BEYOND THE ANTENNAS A MIN. OF 1'-0".
 3. SIMULATED "BARK" SHALL COVER THE POLE ITS ENTIRE LENGTH.



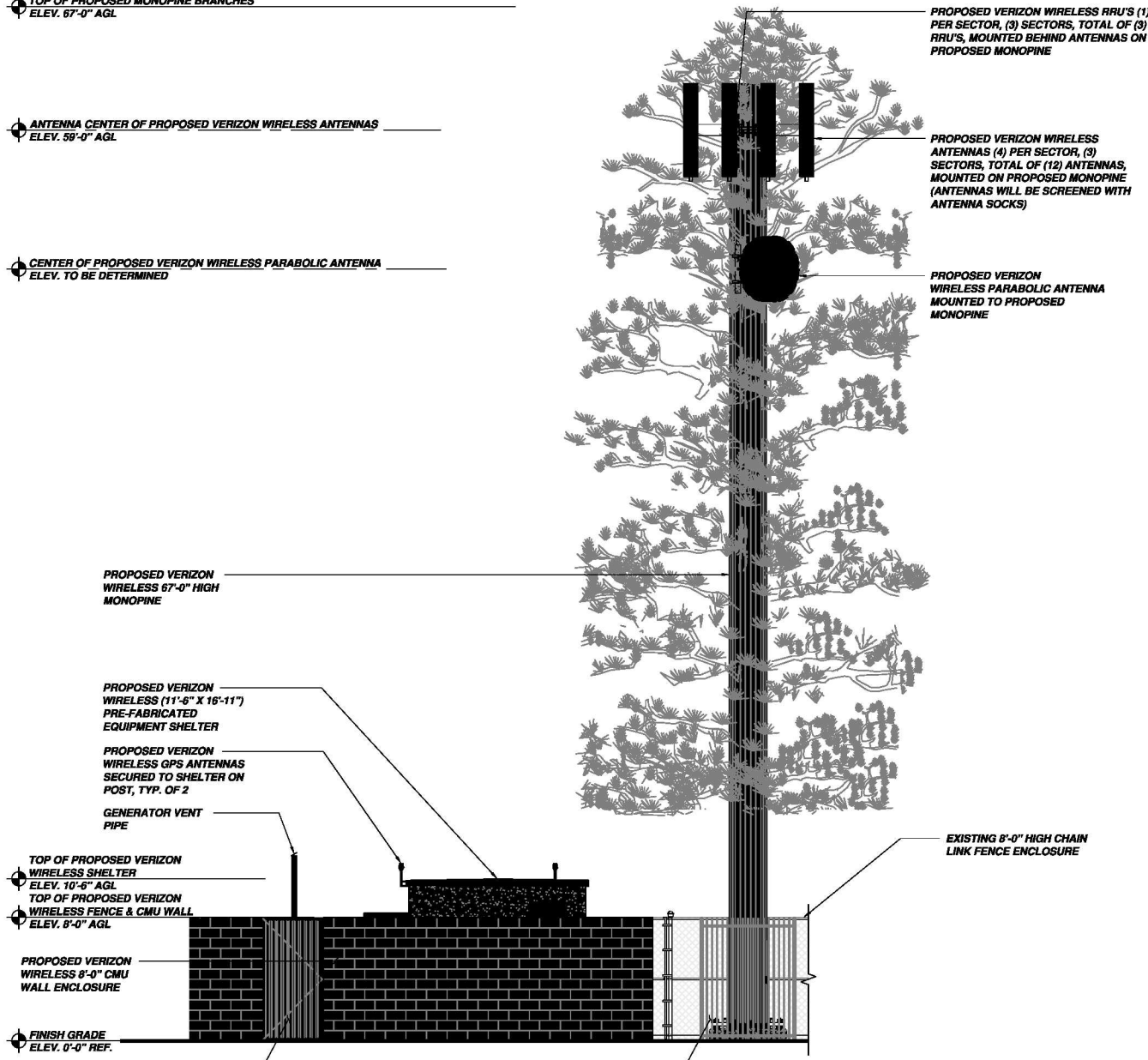
NORTHEAST ELEVATION

0 1.5' 3' 5' SCALE: 3/16" = 1'-0" (24x36)
(OR) 3/32" = 1'-0" (11x17)

1

SOUTHWEST ELEVATION

- NOTES:**
1. THE BRANCH COUNT SHALL BE A MIN. OF 2.5 BRANCHES PER FOOT COVERED.
 2. THE BRANCHES SHALL EXTEND BEYOND THE ANTENNAS A MIN. OF 1'-0".
 3. SIMULATED "BARK" SHALL COVER THE POLE ITS ENTIRE LENGTH.



0 1.5' 3' 5' SCALE: 3/16" = 1'-0" (24x36)
(OR) 3/32" = 1'-0" (11x17)

2



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REV.	DATE	REVISION DESCRIPTION
3	10-01-13	100% ZONING DRAWINGS
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1	04-11-13	100% ZONING DRAWINGS
0	02-21-13	90% ZONING DRAWINGS

PROJECT INFORMATION:
MYERS
24556 EUCALYPTUS AVE
MORENO VALLEY, CA 92553
RIVERSIDE COUNTY

CANDIDATE NAME:
A - CHRISTIAN CHURCH
DRAWN BY: **TB** CHECKED BY: **VD**

SHEET TITLE:
NORTHEAST & SOUTHWEST ELEVATIONS

SHEET NUMBER: **A-4** REV.: **3**

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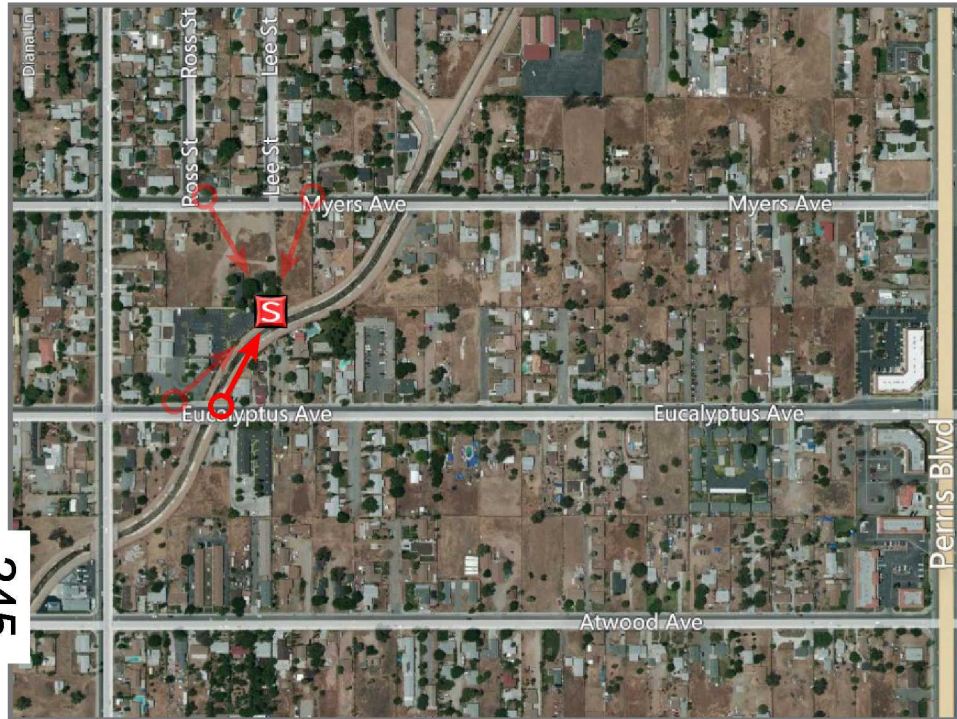


MYERS

2456 EUCALYPTUS AVENUE MORENO VALLEY CA 92553



-245-



LOCATION

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EXISTING



PROPOSED

LOOKING NORTHEAST FROM EUCALYPTUS AVENUE



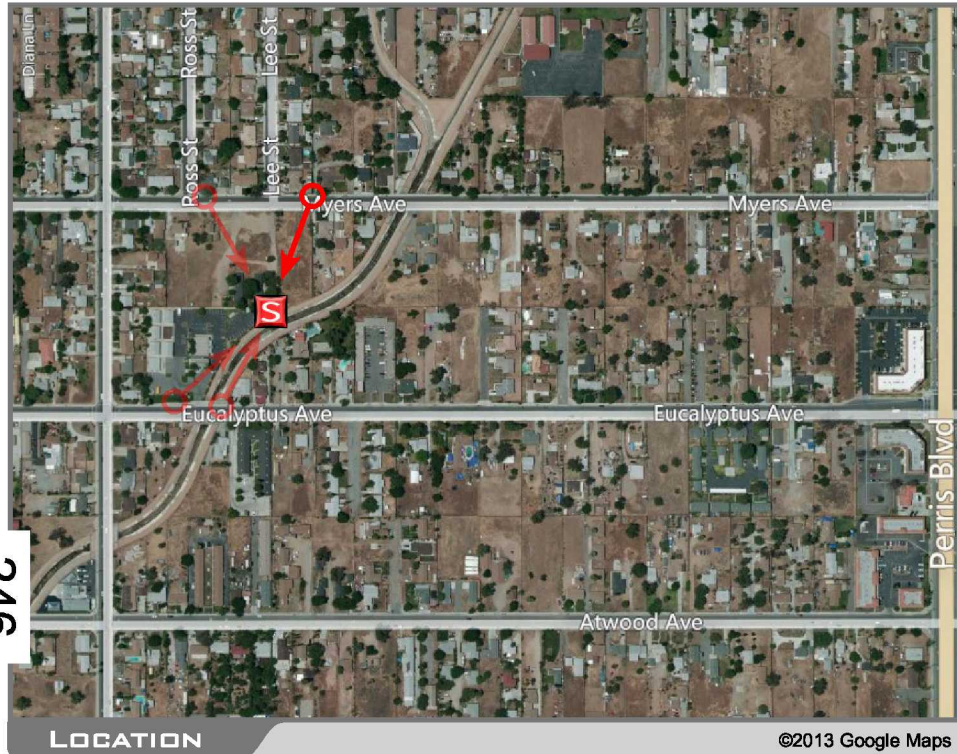
MYERS

2456 EUCALYPTUS AVENUE MORENO VALLEY CA 92553



VIEW 2

-246-



LOCATION

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EXISTING



PROPOSED

LOOKING SOUTHWEST FROM MYERS AVENUE



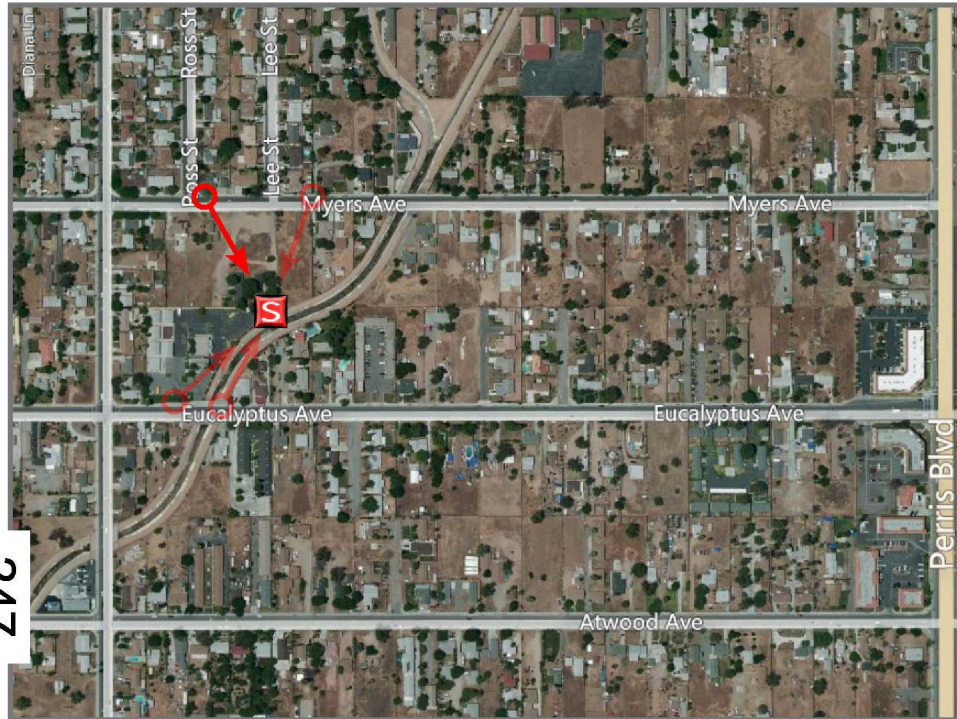
MYERS

24556 EUCALYPTUS AVENUE MORENO VALLEY CA 92553



VIEW 3

-247-



LOCATION

©2013 Google Maps



EXISTING



PROPOSED

LOOKING SOUTHEAST FROM MYERS AVENUE



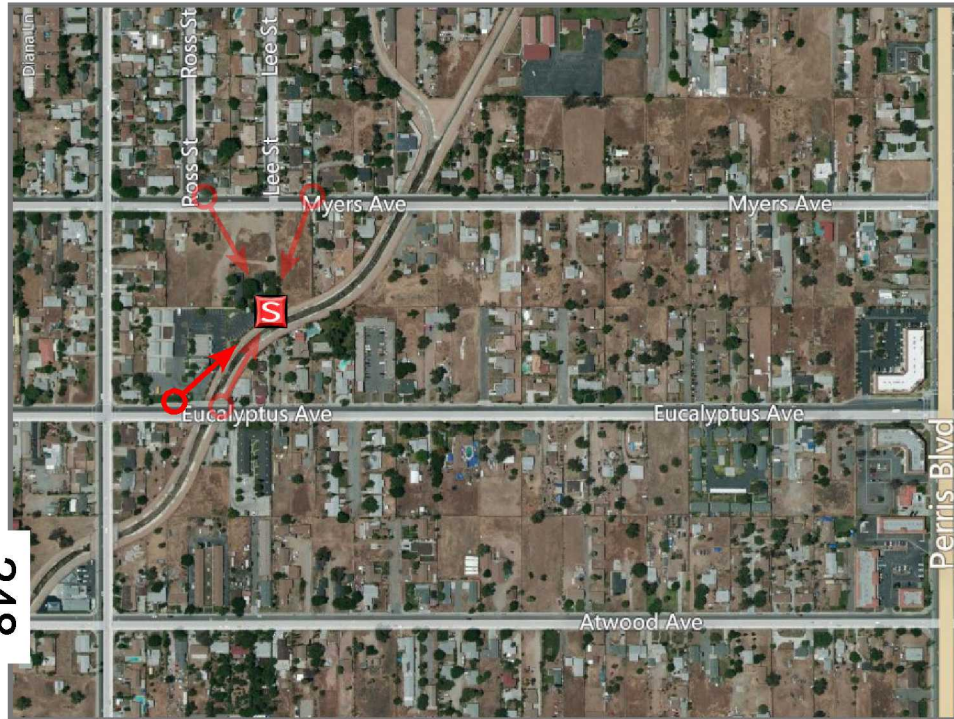
MYERS

24556 EUCALYPTUS AVENUE MORENO VALLEY CA 92553



VIEW 4

-248-



LOCATION

©2013 Google Maps



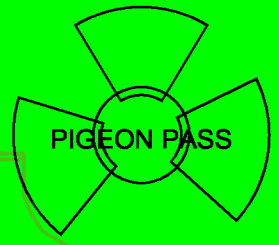
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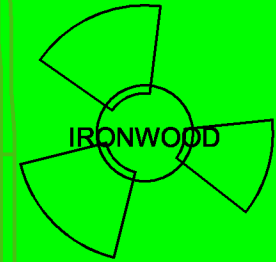
PROPOSED

LOOKING NORTHEAST FROM EUCALYPTUS AVENUE

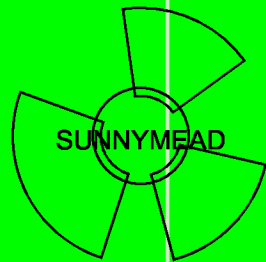
Existing Coverage



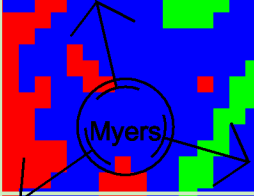
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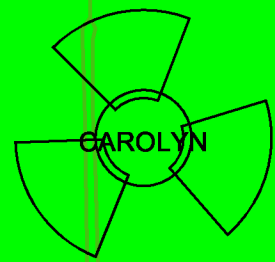
IRONWOOD



SUNNYMEAD



Myers



GAROLYN

-249-

Session: Car_C_A
 User: cherrer
 Thu Apr 4 07:20:31 2013
 Default Square
 Datum: NAD83
 Center Lat: 33-55-59.17 N
 Center Lon: 117-14-29.84 W

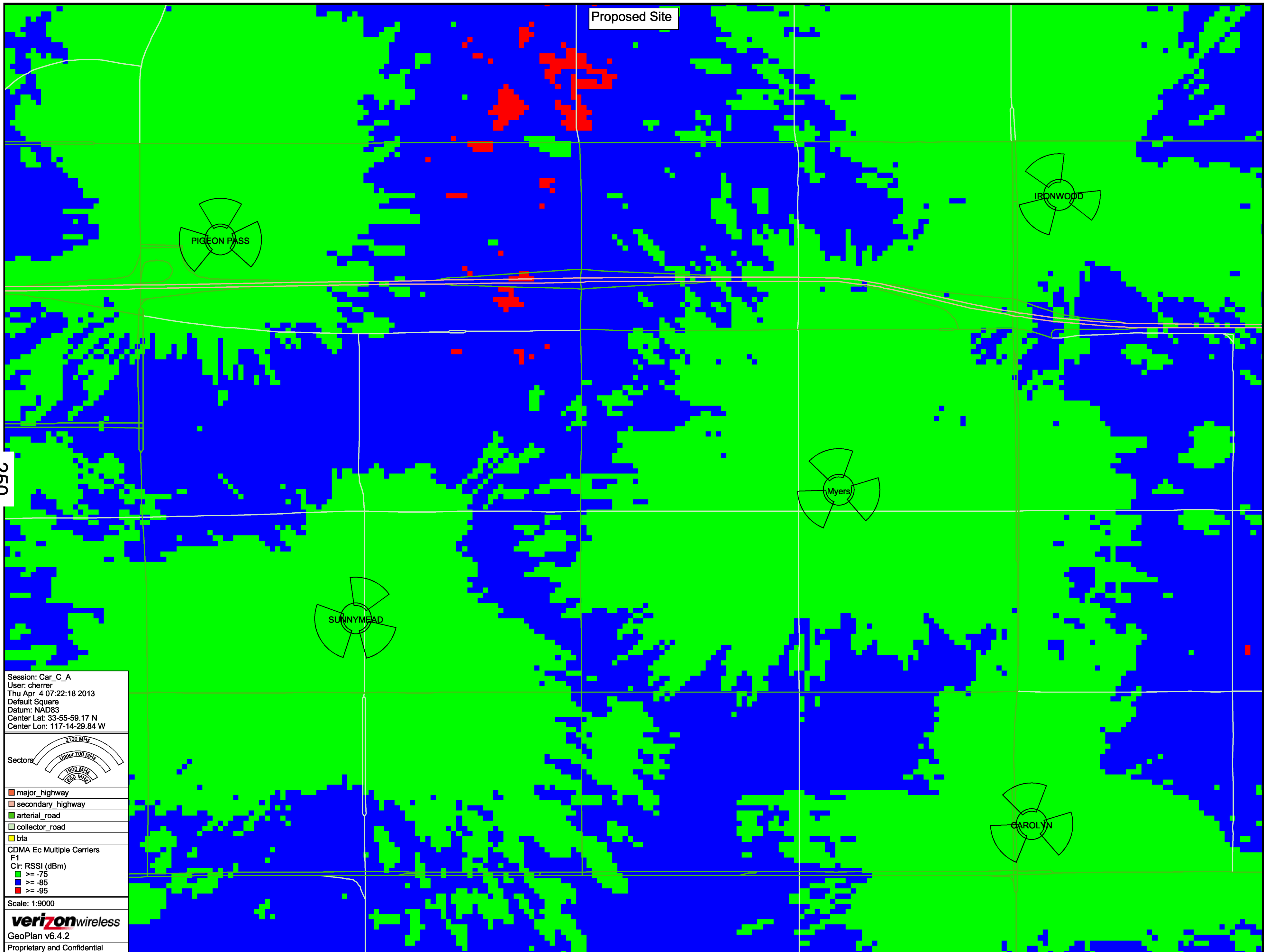
Sectors

major_highway
 secondary_highway
 arterial_road
 collector_road
 bta

CDMA Ec Multiple Carriers
 F1
 Clr: RSSI (dBm)
 >= -75
 >= -85
 >= -95

Scale: 1:9000

verizonwireless
 GeoPlan v6.4.2
 Proprietary and Confidential



Proposed Site

PIGEON PASS

IRONWOOD

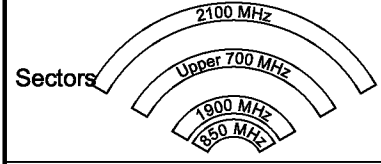
Myers

SUNNYMEAD

GAROLYN

-250-

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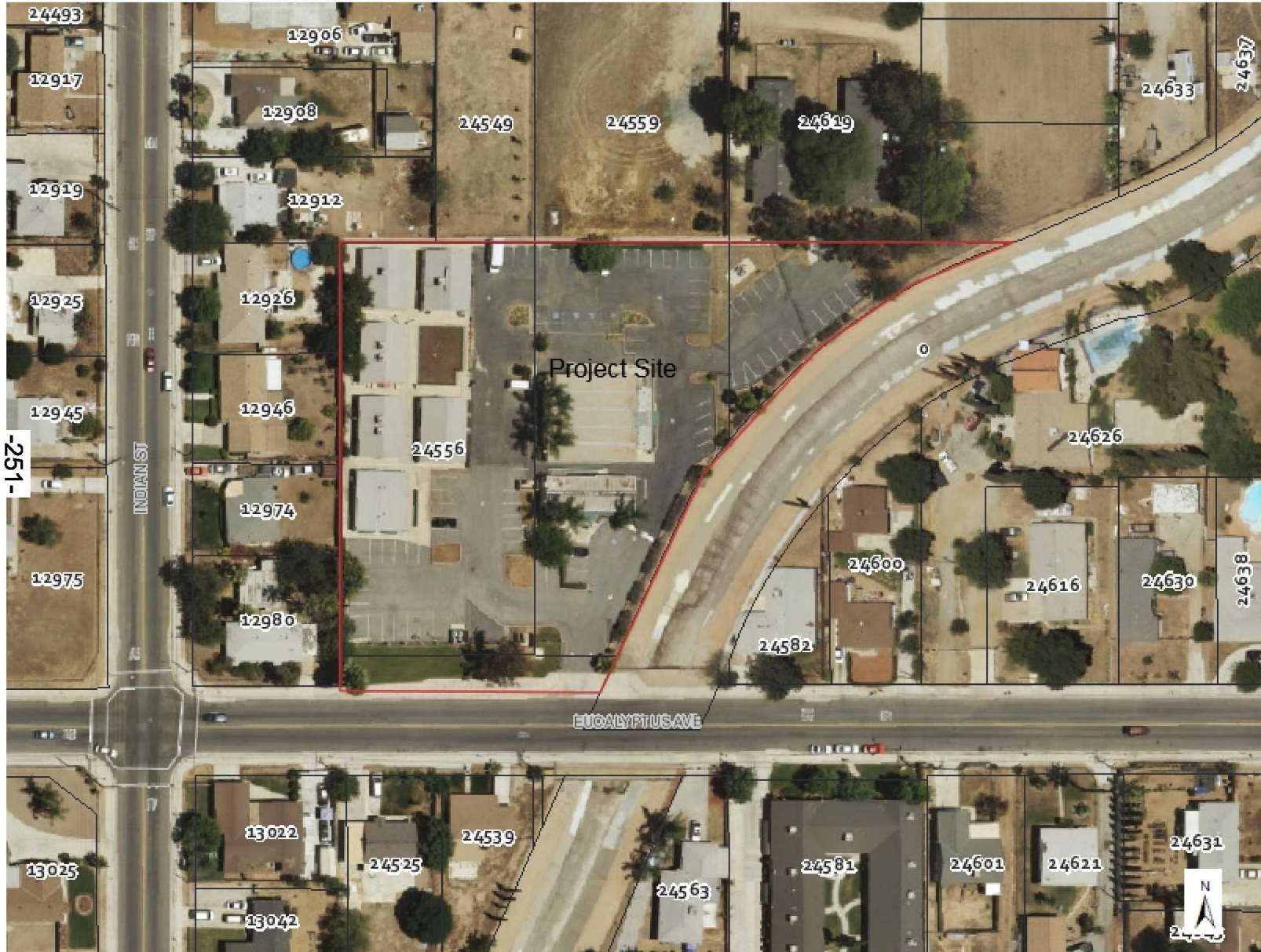
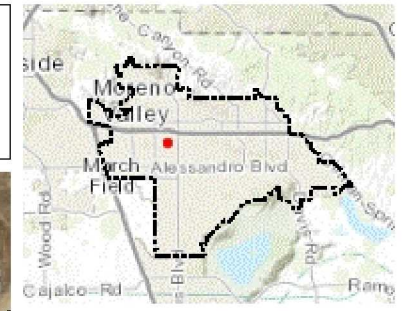
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- secondary_highway
- arterial_road
- collector_road
- bta

CDMA Ec Multiple Carriers
 F1
 Cir: RSSI (dBm)
 >= -75
 >= -85
 >= -95

Scale: 1:9000
verizonwireless
 GeoPlan v6.4.2
 Proprietary and Confidential



PA13-0018



- Legend**
- Public Facilities
 - Public Facilities
 - ★ Fire Stations
 - Road Labels
 - Parcels
 - ⬜ City Boundary
 - ⊞ Sphere of Influence

Notes

207.2 0 103.59 207.2 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 2/10/2014

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

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**PLANNING COMMISSION
STAFF REPORT**

Case: PA13-0065 – Conditional Use Permit

Date: February 27, 2014

Applicant: Robert Aikin,
American Medical Response

Representative: Robert Aikin

Location: 13373 Perris Blvd. Suite B104

Proposal: A Conditional Use Permit application for
an Ambulance Comfort Station within
an existing commercial center. Zone:
CC

Recommendation: Approval

SUMMARY

The applicant, Robert Aikin of American Medical Response is requesting the approval of a Conditional Use Permit for an Ambulance Comfort Station within an existing commercial center. Approval of this Conditional Use Permit as proposed is consistent with the current General Plan designation of Commercial (C) and Zoning designation of Community Commercial (CC).

PROJECT DESCRIPTION

Project

The proposed project is a Conditional Use Permit for an Ambulance Comfort Station within an existing commercial center. The Ambulance Comfort Station will occupy Suite B104 which is approximately 882 square feet and the site address is 13373 Perris Blvd. (Assessor's Parcel Number 482-152-047). The project is located in-between Dracaea Ave. and Cottonwood Ave.

American Medical Response is proposing to operate a comfort station. This new location is in close proximity to their current location that they have occupied since 1978. This new location will be a comfort station for their 12 hour ambulance shift, and will be available to crews 24 hours a day. Therefore it will mainly be used for resting, eating meals, completing paperwork and using the restroom facilities. There will be two ambulances with two crew members deployed from this location for a total of four employees. Shift times are typically 12 hours from 6:00am to 6:00pm. In addition, although it is rare, there is a possibility that a unit covering the area during low call levels could result in three crews resting and waiting for their next call for service. The station will not store any hazardous materials or be performing ambulance repairs/mechanical at this location. For all 911 emergency responses, the red warning light and sirens will not be activated until the ambulance enters the city streets. They are required by the California Highway Patrol to use all code three warning devices responding to 911 emergencies. There will be several ambulances coming and going from this location multiple times per day.

An Ambulance Service use is a permitted use within the Community Commercial (CC) zone, but requires a Conditional Use Permit when located within 300 feet of a residential zone or use. Staff has reviewed and determined that the ambulance comfort station is a use that is compatible at this location since the proposed project is within an existing shopping center. The closest residential homes to the project are located to the west behind the existing commercial center. The project has been reviewed and meets or exceeds the development standards for an ambulance comfort station in the CC zone and is consistent with and does not conflict with the goals, objectives, policies or programs of the General Plan.

Site

The Ambulance Comfort Station will occupy approximately 882 square feet within an existing commercial center. The parking lot and landscaping are already developed and are part of the existing commercial center. The project is located in-between Dracaea Ave. and Cottonwood Ave. Site Address is 13373 Perris Blvd. Suite B104. The parcel is currently zoned (CC) Community Commercial.

Surrounding Area

The area within immediate proximity to the subject site is zoned predominately for commercial, office commercial and residential development. The zoning surrounding the proposed project is CC (Community Commercial) zone to the north, OC (Office Commercial to the East, CC (Community Commercial) and R5 (Residential 5 District) to the south, and R5 (Residential 5 District) to the west.

The surrounding land uses consists of inline commercial tenant spaces to the north, vacant land to the east, inline commercial tenant spaces, the Dollar General and single family homes to the south, and single family homes to the west.

Overall, the proposed Ambulance Comfort Station is compatible with existing zoning in the area and the City's General Plan.

Access/Parking

There is a total of three access points provided for the project, all three access points are within the existing commercial center. This includes the two access points off of Perris Boulevard, and one off of Dracaea Avenue.

The proposed ambulance comfort station will have two ambulances and 4 employees deployed from this location. It is expected that no more than a total of 6 parking spaces would be occupied. The ambulance use is not specifically mentioned in the parking section of the Municipal Code. The comfort station is located within an existing commercial center, and general retail is parked at one parking space for every 225 square feet of general retail. Based on staff's comparison of the required parking for retail space to the parking required for this specific use, the proposed project will not have an impact on the existing parking within the center.

Design/Landscaping

The proposed project will occupy an existing tenant space within an existing commercial center. This project has been reviewed and conforms to all development standards of the CC zone as required within the Moreno Valley Municipal Code.

The proposed project design is all interior, no changes are being proposed to the exterior of the building. The existing commercial center does provide landscaping within the center.

REVIEW PROCESS

The first staff review of this project took place on December 5, 2013, additional information was later submitted in mid-December, and then the project was scheduled for Planning Commission after identified issues had been addressed.

ENVIRONMENTAL

Planning staff has reviewed this project and determined that this item will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Staff did not route plans to outside agencies due to the project being within an existing commercial center and no new additions to the commercial center are being proposed.

STAFF RECOMMENDATION

APPROVE Resolution No. 2014-07, recommending that the Planning Commission:

1. **RECOGNIZE** that this project is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities; and
2. **APPROVE** PA13-0065 (Conditional Use Permit), based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

Prepared by:

Approved by:

Gabriel Diaz
Associate Planner

Chris Ormsby, AICP
Interim Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2014-07 with Conditions of Approval attached as Exhibit A.
3. Reduced Site Plan
4. Reduced Floor Plan
5. Aerial Photograph
6. Zoning Map



Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: PA13-0065 (Conditional Use Permit)

APPLICANT: Robert Aikin

OWNER: Formosa Rentals

REPRESENTATIVE: Robert Aikin

LOCATION: 13373 Perris Blvd. Suite B104
APN: 482-152-047

PROPOSAL: A Conditional Use Permit application for a proposed Ambulance Comfort Station within an existing commercial center. Zone: CC

ENVIRONMENTAL DETERMINATION: The project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities.

COUNCIL DISTRICT: 1

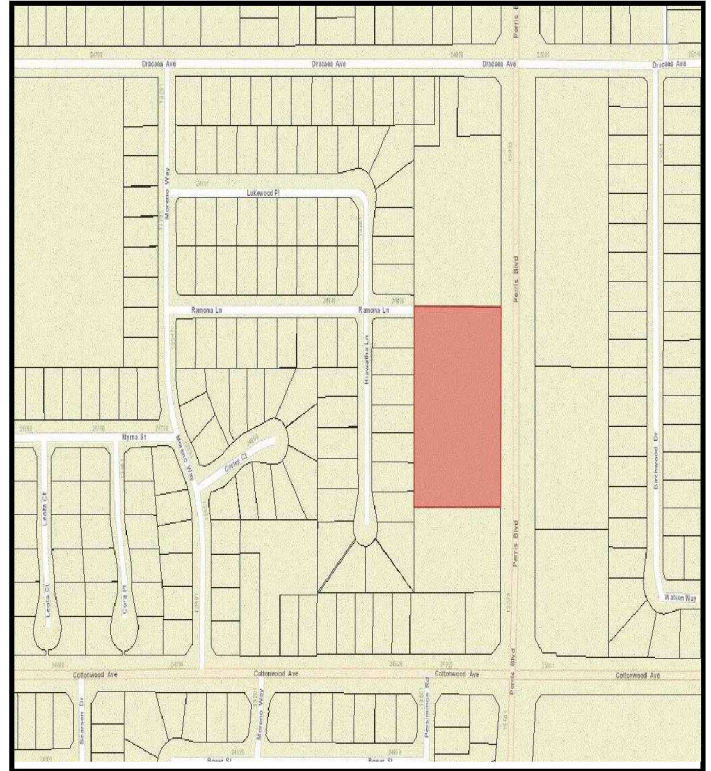
STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 6:00 p.m., Monday through Thursday and 7:30 a.m. to 1:30 p.m. on the 2nd and 4th Friday of every month), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



LOCATION N Ø

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: February 27, 2014 at 7 PM

CONTACT PLANNER: Gabriel Diaz

PHONE: (951) 413-3226

ATTACHMENT 1

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RESOLUTION NO. 2014-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA13-0065 (CONDITIONAL USE PERMIT) FOR AN AMBULANCE COMFORT STATION WITHIN AN EXISTING COMMERCIAL CENTER LOCATED AT 13373 PERRIS BLVD. SUITE B104. APNS: 482-152-047.

WHEREAS, Robert Aikin of American Medical Response has filed an application for the approval of PA13-0065 (Conditional Use Permit) for an 882 square foot Ambulance Comfort Station within an existing commercial center as described in the title of this Resolution; and

WHEREAS, on February 27, 2014, the Planning Commission of the City of Moreno Valley held a meeting to consider the application; and.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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 on February 27, 2014, 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 proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The Conditional Use Permit would propose an 882 square foot Ambulance Comfort Station within an existing commercial

ATTACHMENT 2

center. The General Plan designation is (C) Commercial. The proposed project is consistent with the General Plan. If approved, the proposed use would be consistent with the goals, objectives, policies and programs of the General Plan.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: As designed and conditioned, the project will comply with the Community Commercial (CC) zoning standards and the applicable development standards.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed Conditional Use Permit will not be detrimental to the public health, safety or welfare. As conditioned, the proposed ambulance comfort station would not cause serious public health problems. There are no known hazardous conditions associated with the property.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The ambulance comfort station will be going into an existing shopping center that is fully developed. No exterior changes to the building are being proposed. The operation of the facility would be compatible with the commercial uses within the shopping center.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA13-0065, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2014-07 recognizing that the project qualifies as a Categorical Exemption under CEQA Guidelines Section 15301, and approving PA13-0065 (Conditional Use Permit) for an ambulance comfort station subject to the attached conditions of approval included as Exhibit A.

APPROVED this 27th day of February, 2014.

Meli Van Natta
Chair, Planning Commission

ATTEST:

Chris Ormsby, Interim Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT**

Case No: PA13-0065

APN: 482-152-047

APPROVAL DATE:
EXPIRATION DATE:



- Planning (P)**
- Police (PD)**
- Fire Prevention Bureau (F)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

GENERAL CONDITIONS

- P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
- P2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
- P3. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon,

Exhibit A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

CO - Certificate of Occupancy or building final
WP - Water Improvement Plans

R - Map Recordation
BP - Building Permits

GP - Grading Permits
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
Res - Resolution
SBM - Subdivision Map Act

GP - General Plan
Ord - Ordinance
UFC - Uniform Fire Code

MC - Municipal Code
DG - Design Guidelines
UBC - Uniform Building Code

PLANNING DIVISION
CONDITIONS OF APPROVAL
Case No. PA13-0065
PAGE 2

all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

- P4. Any signs indicated on the submitted plans are not included with this approval. Any signs, **whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag)**, proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. **No signs are permitted in the public right of way.** (MC 9.12)

Special Conditions

- P5. **The site has been approved for an Ambulance Comfort Station. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit.**
- P6. **For all 911 emergency responses the red warning light and sirens will not be activated until the ambulance enters the city streets.**

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

- PD1. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community and Economic Development Department - Building Division for routing to the Police Department. (DC 9.08.080)
- PD2. All exterior doors in the rear and the front of the buildings need an address or suite number on them.
- PD3. Window coverings shall comply with the city ordinance.

FIRE PREVENTION BUREAU

1. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F2. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
- F3. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)
- F4. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)
- F5. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
- F6. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. All exterior security emergency

**PLANNING DIVISION
CONDITIONS OF APPROVAL
Case No. PA13-0065
PAGE 4**

access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

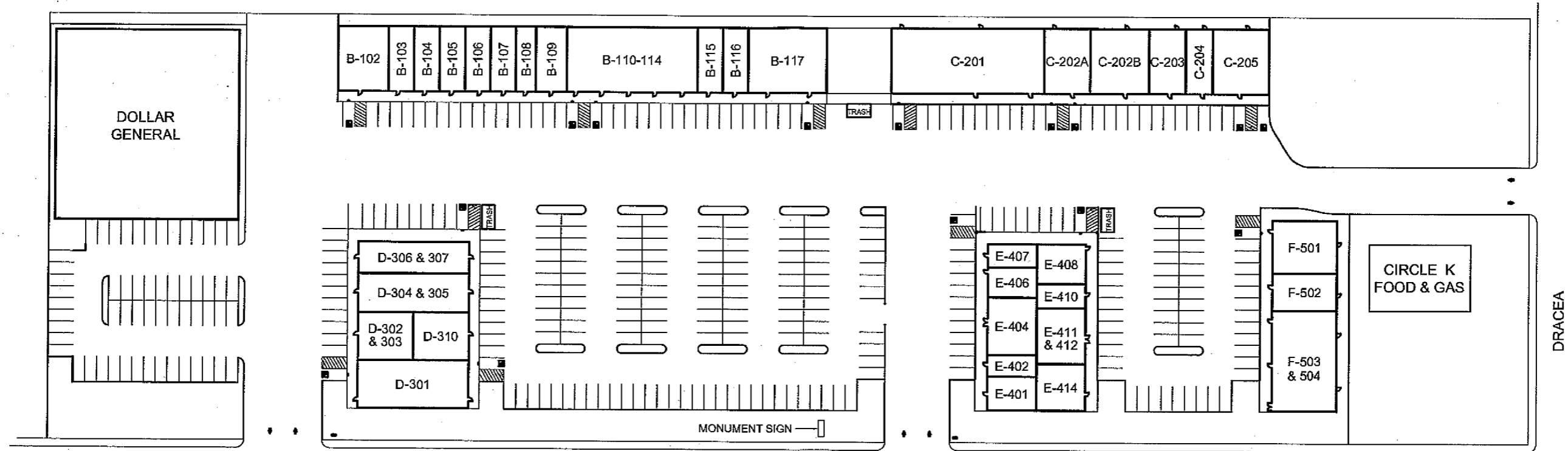
- F7. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F8. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F9. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)
- F10. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)
- F11. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)
- F12. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)
- F13. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved

PLANNING DIVISION
CONDITIONS OF APPROVAL
Case No. PA13-0065
PAGE 5

shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

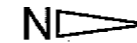
- F14. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)
- F15. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

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HOMETOWN SQUARE
13373 Perris Boulevard
Moreno Valley, Ca. 92553
(951) 485-7388

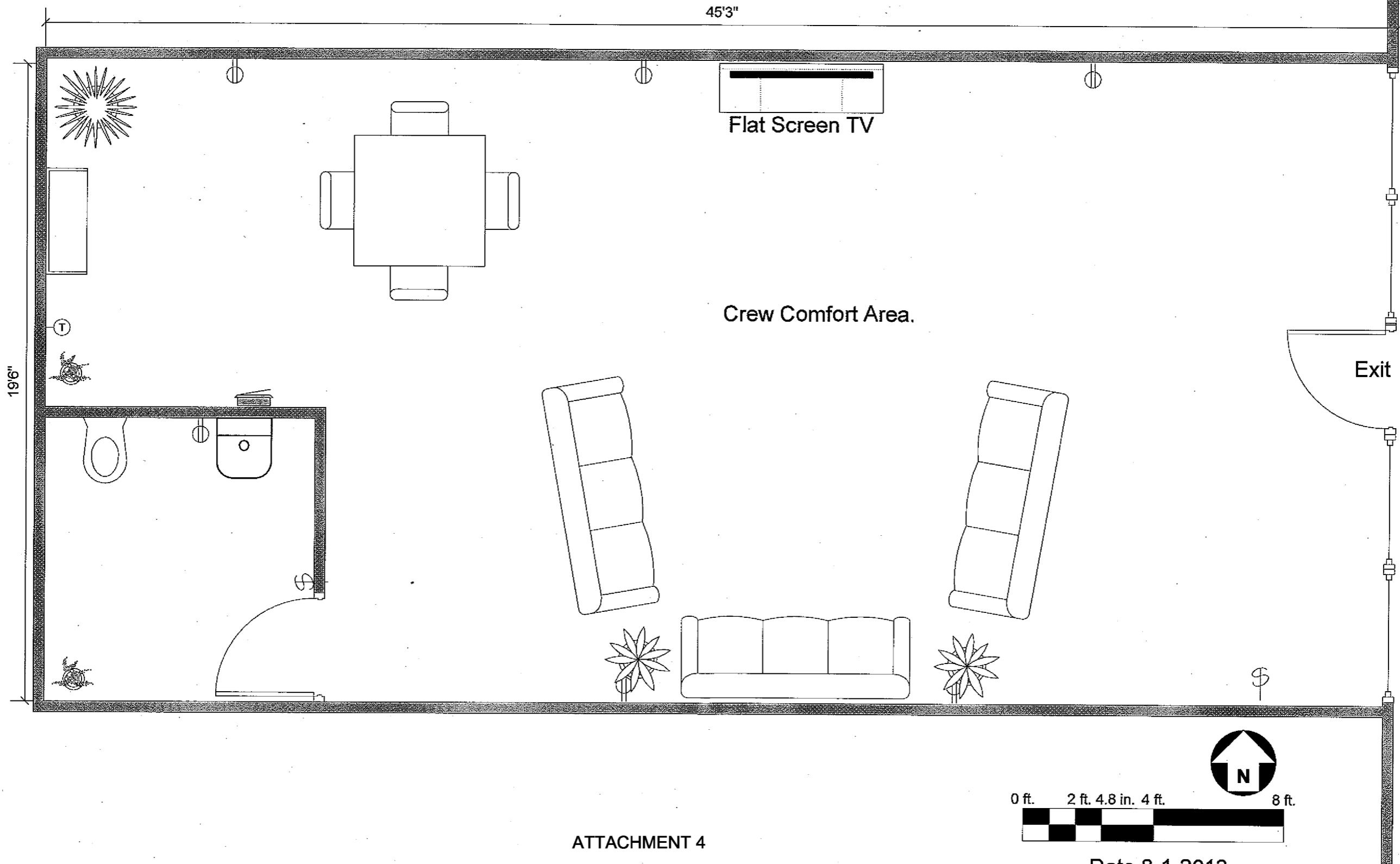
PERRIS BLVD.



DRACEA

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American Medical Response
13373 suite B104 Perris Blvd
Moreno Valley Ca.
Robert Aikin (909) 260-6833



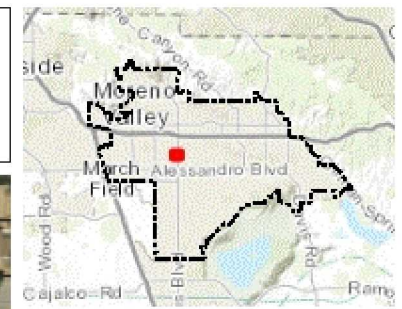
-271-

ATTACHMENT 4

Date 8-1-2013

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Attachment 5. Aerial Photograph



Legend

- Public Facilities**
- Public Facilities
 - ★ Fire Stations
- Parcels
- ⊞ City Boundary
- ⊞ Sphere of Influence

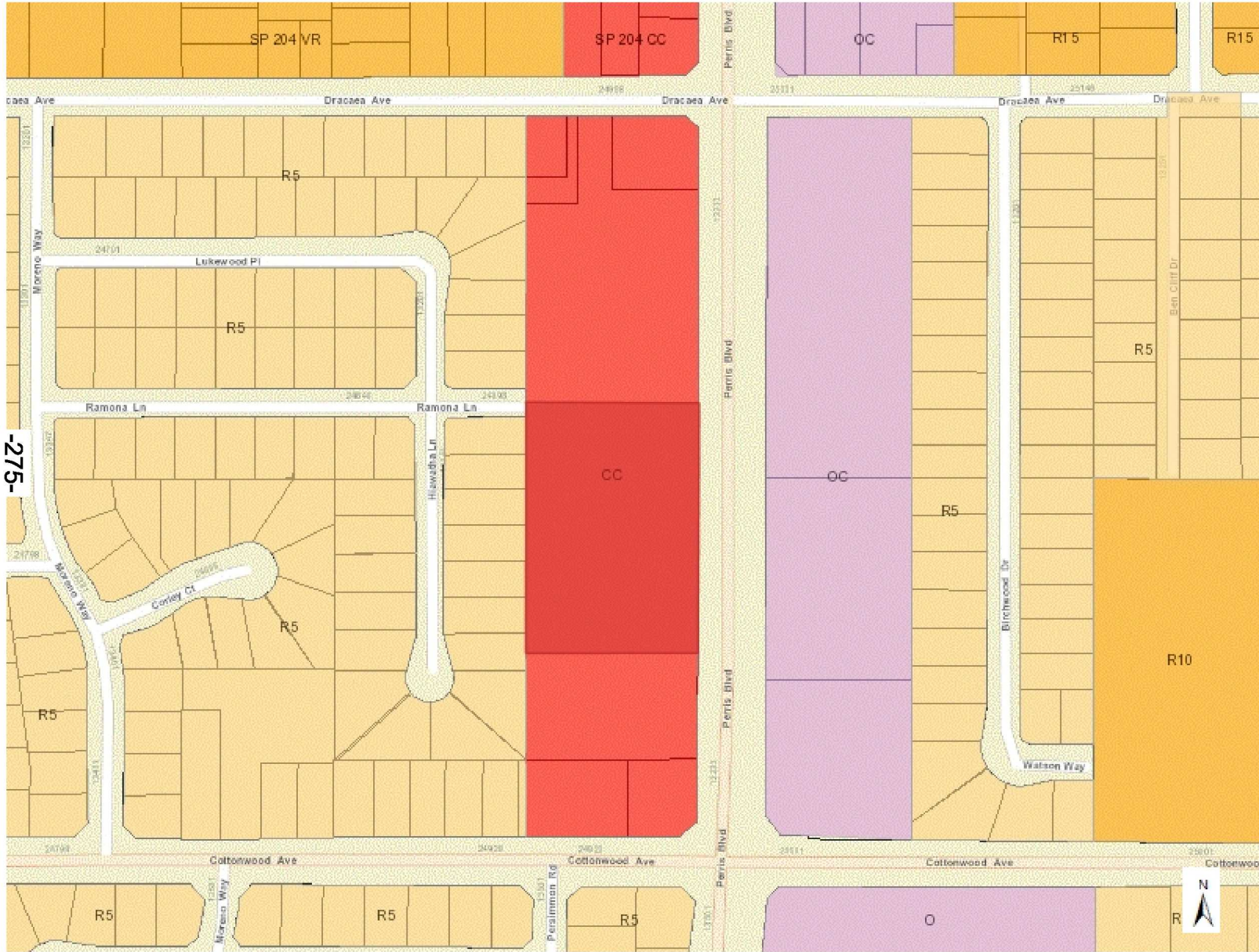
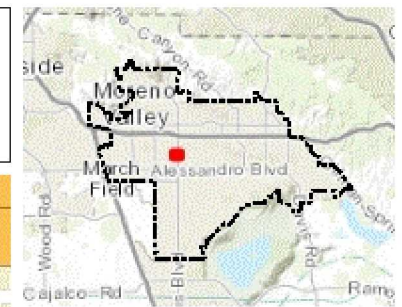
Notes

ATTACHMENT 5

543.5 0 271.77 543.5 Feet

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Attachment 6. Zoning Map



Legend

Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

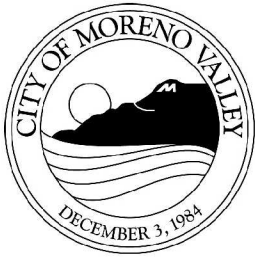
- Parcels
- City Boundary
- Sphere of Influence

Notes

ATTACHMENT 6

524.8 0 262.41 524.8 Feet

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PLANNING COMMISSION STAFF REPORT

Case: P13-127 (Amended Plot Plan - Tract 31618)

Date: February 27, 2014

Applicant: FH II, LLC
Frontier Communities

Representative: Shane Bouchard

Location: Tract 31618, SWC Bay Avenue and Moreno Beach Drive

Proposal: A request from Frontier Communities to modify the Conditions of Approval from PA03-0106, Tract 31618.

Recommendation: Approval

SUMMARY

The applicant, Frontier Communities has requested revisions to the approved Conditions of Approval for Tract Map 31618 a 55 lot subdivision located on the southwest corner of Moreno Beach Drive and Bay Avenue.

PROJECT DESCRIPTION

Project

The project is a 55 lot subdivision PA03-0106 approved on November 29, 2004. The applicant is requesting modifications to, and elimination of some of the conditions of approval for the recorded map.

The following are the requested modifications including the addition of three conditions of approval for Special Districts relating to the maintenance of the off-site and basin landscaping areas. With the exception of one condition, (TE2) staff has determined the requested revisions are reasonable and can be accommodated with the approval of the Planning Commission:

Existing Condition PA13-0106	Revised Condition
P20. Prior to the issuance of building permits, the developer's successor in interest shall pay all applicable fees, including but not limited to Development Impact Fees (DIF), Transportation Uniform Mitigation Fee (TUMF), and park in lieu fees. (ORD)	P20. Prior to the issuance of building permits, the developer's successor in interest shall pay all applicable fees, including but not limited to Development Impact Fees (DIF), Transportation Uniform Mitigation Fee (TUMF), and park in lieu fees on a per lot basis.
P22. The City participates in the Multi Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species needs, including preservation of habitat and native vegetation in Western Riverside County. Prior to issuance of building permits, this project shall be subject to fees adopted by the City to support the implementation of the Multi-species Habitat Conservation Plan.	P22. The City participates in the Multi Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species needs, including preservation of habitat and native vegetation in Western Riverside County. Prior to issuance of building permits, this project shall be subject to fees adopted by the City to support the implementation of the Multi-species Habitat Conservation Plan on a per lot basis.
P26. (CO) Prior to the issuance of Certificate of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in Planning. (MC 93080.03710, Ldscp)	P26. (CO) Prior to the issuance of Certificate of Occupancy or building final, all required and proposed fences and walls which serve the requested lots shall be constructed per the approved plans on file in Planning.
LD38. Prior to recordation of the final map, the developer shall deposit with the Public Works Department-Land Development Division a cash sum based on the current fee schedule as mitigation for traffic signals impacts. Should the developer choose to defer the time of payment of the traffic signal mitigation	LD38. DIF fees are required to be paid for each lot prior to the issuance of building permit.

<p>fee, he may enter into a written agreement with the City deferring said payment to the time of issuance of a building permit.</p>	
<p>LD52. The City of Moreno Valley has recently adopted an area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to payment prior to issuance of requested building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.</p>	<p>LD52. Transportation Uniform Mitigation Fee (TUMF) shall be subject to payment prior to issuance of requested building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.</p>
<p>LD57. Prior of final map approval, the Developer shall record an offsite sewer easement within the future extension of Bethany Road from the south tract boundary to Alessandro Boulevard to the satisfaction of the City Engineer.</p>	<p>LD57. Agree to eliminate condition.</p>
<p>LD58. Prior to final map approval, the Developer shall record an offsite water and drainage easement within the future extension of Bethany Road from the south tract boundary to Alessandro Boulevard to the satisfaction of the City Engineer.</p>	<p>LD58. Prior to Final Map approval, the Developer shall record any water easements necessary for the orderly construction of the proposed water main in accordance with the approved improvement plans, to the satisfaction of the City Engineer.</p>
<p>LD61a. Moreno Beach Drive (167' RW / 110' CC) shall be constructed to half-width plus a raised landscaped median plus a fourteen foot travel lane with an earth ditch adjacent to the fourteen-foot travel lane edge of pavement. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, street lights, dry and wet utilities, and relocation of overhead power poles. The Developer shall transition the proposed 14-foot travel lane with downstream and upstream existing conditions and re-stripe all necessary legs of the intersection of Moreno Beach Drive and Bay Avenue to accommodate the required median improvements on Moreno Beach Drive.</p>	<p>LD61a. Moreno Beach Drive (134' RW / 110' CC) shall be constructed to half-width plus 23 feet with an earth ditch adjacent to the northbound edge of pavement. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, street lights, dry and wet utilities, traffic signal interconnect and the relocation of existing overhead power poles. The Developer shall transition the proposed northbound travel lane with downstream and upstream existing conditions and re-stripe all necessary legs of the intersection of Moreno Beach Drive and Bay Avenue to accommodate the required improvements on Moreno Beach Drive.</p>
<p>LD61b. Bay Avenue (66' RW / 44' CC) shall be constructed to half-width plus a twelve-foot lane and street slope with an earth ditch adjacent to the twelve-foot</p>	<p>LD61b: Bay Avenue, along the tract frontage (66' RW / 44' CC) shall be constructed to half-width plus a twelve-foot lane and street slope with an earth</p>

<p>travel lane edge of pavement and at the top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, street lights, dry and wet utilities.”</p>	<p>ditch adjacent to the twelve-foot travel lane edge of placement and at the top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, street lights, dry and wet utilities.</p>
<p>LD61c. Bethany Road (66' RW / 44' CC) shall be constructed to half-width plus twelve-foot lane and street slope with an earth ditch adjacent to the twelve-foot travel lane edge of pavement and at top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, and dry and wet utilities.</p>	<p>LD61c: Bethany Road, along the tract frontage (66' RW / 44' CC) shall be constructed to half-width plus twelve-foot lane and street slope with an earth ditch adjacent to the twelve-foot travel lane edge of pavement and at top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, and dry and wet utilities.</p>
<p>LD61f. Offsite Sewer shall be constructed within a sewer easement and the future extension of Bethany Road from the south tract boundary to Alessandro Boulevard. The proposed sewer shall then continue eastward within Alessandro Boulevard to Moreno Beach Drive and then southward within Moreno Beach Drive to Cactus Avenue where it will connect to an existing sewer in Cactus Avenue.</p>	<p>LD61f. Agree to eliminate condition.</p>
<p>LD61g. Offsite Water and earth ditch shall be constructed within a water and drainage easement and future extension of Bethany Road from the south tract boundary to Alessandro Boulevard. The proposed water line shall connect to an existing water in Alessandro Boulevard.</p>	<p>LD61g. Agree to eliminate condition.</p>
<p>LD61i-New Condition</p>	<p>LD61i: (NEW) The Fire Department requires a second point of access to the project after the 35th home has been constructed. The first access point is located at Moreno Beach and Bay, the second is at the Developer's discretion, and can be either by the extension of Bay Avenue westerly to Oliver Street or, the extension of Bethany either southerly to Alessandro Boulevard or northerly to Cottonwood Avenue.</p> <p>The extension of Bay Avenue from the tract boundary westerly to Oliver Avenue shall be improved to a minimum paved</p>

	<p>section of 4"ashalt / 6" Aggregate Base" (2x) (or greater if in accordance with the R-value), to a width of 24-feet. Improvements shall consist of only pavement, base, possible drainage features and the necessary signage and striping. It is not anticipated that this section of roadway will include water, sewer, or utilities.</p> <p style="text-align: center;">or</p> <p>The extension of Bethany Road from the tract boundary southerly to Alessandro Blvd. (or northerly to Cottonwood Ave.) shall be improved to a minimum paved section of 4"ashalt / 6" Aggregate Base (2x) (or greater if required by the R-value), to a width of 24-feet. Improvements shall consist of only pavement, base, possible drainage features and the necessary signage and striping. It is not anticipated that this section of roadway will include water, sewer, or utilities.</p>
<p>LD62. All onsite runoff shall be routed to a proposed water quality basin where it will be filtered before it is discharged into the public drainage system. The water quality basin shall be maintained by an HOA or other entity to the satisfaction of the City Engineer.</p>	<p>LD62: All onsite runoff shall be routed to a proposed water quality basin where it will be filtered before it is discharged into the public drainage system. The water quality basin shall be transferred in fee title as 'tenants in common' by each of the residential properties within the Tentative Tract 31618, and maintained by the City's Stormwater Program through a maintenance covenant which shall be fully executed prior to the first building final/occupancy. The water quality basin shall be required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining of utility systems with existing or future landscape areas, not associated with the basin landscaping, are not permitted.</p>
<p>SD18. Any lots which are identified to as "Water Quality Basins / Bio-Swales" shall be owned in fee by an HOA or as</p>	<p>SD18: Any lots which are identified to as "Water Quality Basins / Bio-Swales" shall be owned in fee as 'tenancy in common'</p>

<p>'tenancy in common" by each of the residential properties within the Tentative Tract 31618. A maintenance easement will be required to be dedicated to either the City of Moreno Valley and/or Moreno Valley Community Services district. Additionally, the maintenance of the lots will be through a contract between the City of Moreno Valley or the Moreno Valley Community Services District with the generation of funds to pay for the maintenance to be paid by annual maintenance charge placed on the Riverside County tax bill and/or by direct billing to the property owners within the tract.</p>	<p>by each of the residential properties within the Tentative Tract 31618. A maintenance easement may be required to be dedicated to either the City of Moreno Valley and/or Moreno Valley Community Services District. Additionally, the maintenance of the lots will be through a maintenance covenant with the generation of funds to pay for the maintenance to be paid by annual maintenance charge placed on the Riverside County tax bill to each of the property owners within the tract. Said maintenance covenant shall be fully executed prior to the first building final/occupancy.</p>
<p>TE1: Prior to the issuance of certificate of occupancy, traffic signal plans shall be prepared by a registered civil and/or traffic engineer for the intersection of Moreno Beach Drive and Bay Avenue to the satisfaction of the City Engineer. The traffic signal shall be constructed per the approved plans and coordinated with the street improvements of Moreno Beach Drive and Bay Avenue. This traffic signal is on the City's Programmed Traffic Signal list. The project proponent shall enter into an agreement with the City concerning fee credits and/or reimbursements as required by the City Engineer.</p>	<p>TE1: Agree to eliminate condition.</p>
<p>TE2. Prior to issuance of certificate of occupancy, a traffic signal interconnect shall be installed along the entire tract frontage of Moreno Beach Drive per General Plan Implementation Program III, M, 19.</p>	<p>TE2. Do Not agree to eliminate condition.</p>
<p>TE3: Prior to the issuance of certificate of occupancy, street improvements shall be made at the following locations as required by the City Engineer:</p> <ol style="list-style-type: none"> 1. Moreno Beach Drive – half street improvements for a Divided Major Arterial (134' RW/110' CC) along entire project frontage from Bay 	<p>TE3: Agree to eliminate condition.</p>

<p>Avenue to project southern boundary per City Standard Plan No. 101.</p> <p>2. Bay Avenue – half street improvements a Residential Collector (66’ RW/ 44’ CC) along entire project frontage from Moreno Beach Drive to project western boundary per City Standard Plan No. 107.</p> <p>3. Bethany Road – half street improvements a Residential Collector (66’ RW/ 44’ CC) along entire project frontage from Bay Avenue to project southern boundary per City Standard Plan No. 107.</p>	
<p>SD21. New Condition.</p>	<p>SD21. Parkway, median, slope and/or open space landscape areas maintained as part of the City of Moreno Valley Community Facilities District No. 2014-01 shall be required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining of utility systems with existing or future landscape areas, not associated with the City of Moreno Valley Community Facilities District (CFD) landscaping, are not permitted.</p>
<p>SD22. New Condition.</p>	<p>SD22. Ongoing maintenance and/or repair of the retaining wall/tubular fencing shall be the responsibility of the City of Moreno Valley Community Facilities District No. 2014-01. The walls/fencing are located behind the parkway landscaping, within the public right-of-way, on Bethany Road and Owen Drive. Specifications for these improvements are to be included in the parkway landscape improvement plans.</p>
<p>SD23. New Condition.</p>	<p>SD-23 Prior to the occupancy of the first production unit, an approximate 7.5 feet of additional street right-of-way dedication, beyond the existing right-of way dedication per Final Map 31618, will be required along</p>

	<p>the entire frontage (i.e. Owen Drive and Bethany Road) of the water quality basin located on Lot "I" in order to accommodate the future landscape area to be maintained as part of Community Facilities District (CFD) No. 2014-01 ("CFD No. 2014-01"). The additional dedication shall be wide enough to encompass the retaining wall/tubular fence and footings within the public right-of-way.</p>
<p>Fire Division</p>	<p>The Fire Department requires a second point of access to the project after the 35th home has been constructed. The first access point is located at Moreno Beach and Bay Avenue, the second is at the Developer's discretion, and can either be by the extension of Bay Avenue westerly to Oliver Street or, the extension of Bethany either southerly to Alessandro Boulevard or northerly to Cottonwood Avenue.</p>

Site

The site is located on the southwest corner of Moreno Beach Drive and Bay Avenue and has been previously graded. A revised grading plan is currently under review.

Surrounding Area

Properties to the north and east are zoned Residential 3, to the east is Residential 2A and to the south is Residential 3 with Community Commercial on the northwest corner of Alessandro and Moreno Beach adjacent to this project

Access/Parking

Access to the tract will be from Moreno Beach Drive and Bay Avenue with a secondary access required after the 35th building permit. The secondary access will be Bay Avenue to Oliver and south to Alessandro Boulevard.

Design

The project has been reviewed and the design of the tract approved in 2003.

REVIEW PROCESS

As the project will occur within an approved recorded tract map, the request for condition modification was reviewed internally by City Staff.

ENVIRONMENTAL

It has been determined that the intent to modify Conditions of Approval is consistent with the original project and within the scope of the Negative Declaration prepared for PA03-0106.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Due to the location and type of project, namely a recorded tract map, the transmittal was not sent to outside agencies.

STAFF RECOMMENDATION

That the Planning Commission **APPROVE** Resolution No. 2014-03 and thereby:

1. **RECOGNIZE** that P13-127 an Amended Plot Plan is within the scope of the adopted Negative Declaration for PA03-0106; and,
2. **APPROVE** P13-127 an Amended Plot Plan subject to the attached revised conditions of approval included as Exhibit A.

Prepared by:

Approved by:

Julia Descoteaux
Associate Planner

Chris Ormsby, AICP
Interim Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2014-03 with revised Conditions of Approval
3. Conditions of Approval PA03-0106
4. Zoning Map
5. Ortho Map
6. Site Plan

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Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: P13-127 (Amended Plot Plan)

APPLICANT: FH II, LLC

OWNER: FH II, LLC

REPRESENTATIVE: Shane Bouchard

LOCATION: SWC Moreno Beach and Bay Avenue

PROPOSAL: An Amended Plot Plan to modify Conditions of Approval for PA03-0106 Tract Map 31618, including Land Development, Planning, Transportation, Special Districts and Fire conditions.

ENVIRONMENTAL DETERMINATION: It has been determined that the intent to modify Conditions of Approval is consistent with the original project and with the Negative Declaration prepared for PA03-0106.

COUNCIL DISTRICT: 3

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 6:00 p.m., Monday through Thursday and 7:30am to 1:30 p.m. every 2nd and 4th Friday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



LOCATION N Ø

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: February 27, 2014 at 7:00 PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

ATTACHMENT 1

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RESOLUTION NO. 2014-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING P13-127 TO REVISE THE CONDITIONS OF APPROVAL FOR PA06-0106, TRACT MAP 31618, LOCATED ON THE SOUTHWEST CORNER OF MORENO BEACH DRIVE AND BAY AVENUE

WHEREAS, Frontier Communities has filed an application for the approval of P13-127 to modify the Conditions of Approval for PA03-0106, Tract Map 31618 as described in the title of this Resolution; and

WHEREAS, on February 27, 2014, the Planning Commission of the City of Moreno Valley held a meeting to consider the application; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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 on February 27, 2014, 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 proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

ATTACHMENT 2

FACT: The proposed revised Conditions of Approval are consistent with General Plan policies. As designed and conditioned, Tract Map 31618 will be compatible with the goals, objectives, policies, and programs established within the General Plan and future developments, which may occur within the immediate area.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: As designed and conditioned, Tract Map 31618 was recorded and is in conformance with all applicable zoning and other regulations.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: Planning staff has reviewed this project and determined that this item will not have a significant effect on the environment and is within the scope of the Negative Declaration adopted with PA03-0106.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The proposed revisions to the Conditions of Approval will not change the location, overall design of the tract or the operation. The modification includes changes to specific timing of developer fees, street improvements, onsite and offsite and the elimination of satisfied conditions.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by

the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for P13-127 incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2014-03 approving P13-127 subject to the attached Conditions of Approval attached as Exhibit A.

APPROVED this 27th day of February, 2014.

Meli Van Natta
Chair, Planning Commission

ATTEST:

Chris Ormsby, Interim Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
AMENDED PLOT PLAN P13-137
TO MODIFY CONDITIONS OF APPROVAL FOR PA03-0106
TRACT 31618
SWC MORENO BEACH DRIVE AND BAY AVENUE**

APPROVAL DATE: February 27, 2014
EXPIRATION DATE: February 27, 2017

- Planning (P), including School District (S), Post Office (PO), Building (B)**
- Fire Prevention Bureau (F)**
- Public Works, Land Development (LD)**
- Financial and Management Services, Special Districts (SD)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

- P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
- P2. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
- P3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P4. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

EXHIBIT A

Special Conditions

P5. This approval is for the modification to the Conditions of Approval for PA03-0106 Tract Map 31618.

The following Conditions of Approval from PA03-0106 have been eliminated: LD57, LD61f, LD61g, TE1 and TE3.

Revisions to Conditions of Approval P20, P22, P26, LD38, LD52, LD58, LD61a, LD61b, LD61c, LD62 and SD18 are included below.

The following Conditions of Approval have been added: SD21 and SD 22.

A change or modification shall require separate approval.

P6. All Conditions of Approval of PA03-0106, Tentative Tract Map 31618, and all associated Projects, Activities and Plan-checks shall remain in effect unless specifically superseded herein.

P20. Prior to the issuance of building permits, the developer's successor in interest shall pay all applicable fees, including but not limited to Development Impact Fees (DIF), Transportation Uniform Mitigation Fee (TUMF), and park in lieu fees on a per lot basis.

P22. The City participates in the Multi Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species needs, including preservation of habitat and native vegetation in Western Riverside County. Prior to issuance of building permits, this project shall be subject to fees adopted by the City to support the implementation of the Multi-species Habitat Conservation Plan on a per lot basis.

P26. (CO) Prior to the issuance of Certificate of Occupancy or building final, all required and proposed fences and walls which serve the requested lots shall be constructed per the approved plans on file in Planning.

FIRE DIVISION

The Fire Department requires a second point of access to the project after the 35th home has been constructed. The first access point is located at Moreno Beach and Bay Avenue, the second is at the Developer's discretion, and can either be by the extension of Bay Avenue westerly to Oliver Street or, the extension of Bethany either southerly to Alessandro Boulevard or northerly to Cottonwood Avenue.

PUBLIC WORKS DEPARTMENT

LAND DEVELOPMENT

- LD38.** DIF fees are required to be paid for each lot prior to the issuance of building permit.
- LD52.** Transportation Uniform Mitigation Fee (TUMF) shall be subject to payment prior to issuance of requested building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.
- LD58.** Prior to Final Map approval, the Developer shall record any water easements necessary for the orderly construction of the proposed water main in accordance with the approved improvement plans, to the satisfaction of the City Engineer.
- LD61a.** Moreno Beach Drive (134' RW / 110' CC) shall be constructed to half-width plus 23 feet with an earth ditch adjacent to the northbound edge of pavement. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, street lights, dry and wet utilities, traffic signal interconnect and the relocation of existing overhead power poles. The Developer shall transition the proposed northbound travel lane with downstream and upstream existing conditions and re-stripe all necessary legs of the intersection of Moreno Beach Drive and Bay Avenue to accommodate the required improvements on Moreno Beach Drive.
- LD61b:** Bay Avenue, along the tract frontage (66' RW / 44' CC) shall be constructed to half-width plus a twelve-foot lane and street slope with an earth ditch adjacent to the twelve-foot travel lane edge of placement and at the top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, street lights, dry and wet utilities.
- LD61c:** Bethany Road, along the tract frontage (66' RW / 44' CC) shall be constructed to half-width plus twelve-foot lane and street slope with an earth ditch adjacent to the twelve-foot travel lane edge of pavement and at top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, and dry and wet utilities.
- LD61i:** The Fire Department requires a second point of access to the project after the 35th home has been constructed. The first access point is located at Moreno Beach and Bay, the second is at the Developer's discretion, and can be either by the extension of Bay Avenue westerly to Oliver Street or, the extension of Bethany either southerly to Alessandro Boulevard or northerly to Cottonwood Avenue.

The extension of Bay Avenue from the tract boundary westerly to Oliver Avenue shall be improved to a minimum paved section of 4" asphalt / 6"

Aggregate Base (2x) (or greater if in accordance with the R-value), to a width of 24-feet. Improvements shall consist of only pavement, base, possible drainage features and the necessary signage and striping. It is not anticipated that this section of roadway will include water, sewer, or utilities.

or

The extension of Bethany Road from the tract boundary southerly to Alessandro Blvd. (or northerly to Cottonwood Ave.) shall be improved to a minimum paved section of 4"ashalt / 6" Aggregate Base (2x) (or greater if required by the R-value), to a width of 24-feet. Improvements shall consist of only pavement, base, possible drainage features and the necessary signage and striping. It is not anticipated that this section of roadway will include water, sewer, or utilities.

LD62: All onsite runoff shall be routed to a proposed water quality basin where it will be filtered before it is discharged into the public drainage system. The water quality basin shall be transferred in fee title as 'tenants in common' by each of the residential properties within the Tentative Tract 31618, and maintained by the City's Stormwater Program through a maintenance covenant which shall be fully executed prior to the first building final/occupancy. The water quality basin shall be required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining of utility systems with existing or future landscape areas, not associated with the basin landscaping, are not permitted.

FINANCIAL AND MANAGEMENT SERVICES

SD18: Any lots which are identified to as "Water Quality Basins / Bio-Swales" shall be owned in fee as 'tenancy in common' by each of the residential properties within the Tentative Tract 31618. A maintenance easement may be required to be dedicated to either the City of Moreno Valley and/or Moreno Valley Community Services District. Additionally, the maintenance of the lots will be through a maintenance covenant with the generation of funds to pay for the maintenance to be paid by annual maintenance charge placed on the Riverside County tax bill to each of the property owners within the tract. Said maintenance covenant shall be fully executed prior to the first building final/occupancy.

SD21. Parkway, median, slope and/or open space landscape areas maintained as part of the City of Moreno Valley Community Facilities District No. 2014-01 shall be required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining of utility systems with existing or future landscape areas, not associated with the City of Moreno Valley Community Facilities District (CFD) landscaping, are not permitted.

SD22. Ongoing maintenance and/or repair of the two retaining wall/tubular fencing sides located within the right of way on Bethany Road and Owen Drive shall be the responsibility of the City of Moreno Valley Community Facilities District No. 2014-01. The walls/fencing are located behind the parkway landscaping, within the public right-of-way, on Bethany Road and Owen Drive. Specifications for these improvements are to be included in the parkway landscape improvement plans.

SD23. Prior to the occupancy of the first production unit, an approximate 7.5 feet of additional street right-of-way dedication, beyond the existing right-of way dedication per Final Map 31618, will be required along the entire frontage (i.e. Owen Drive and Bethany Road) of the water quality basin located on Lot "I" in order to accommodate the future landscape area to be maintained as part of Community Facilities District (CFD) No. 2014-01 ("CFD No. 2014-01"). The additional dedication shall be wide enough to encompass the retaining wall/tubular fence and footings within the public right-of-way.

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November 30, 2004

Dev West Engineering, Inc.
12063 Alta Carmel Ct., Ste. #162
San Diego, CA 92128

Attention: Jim Devlin

Subject: Status of Tentative Tract Map No. 31618 (PA03-0106)

Dear Mr. Devlin:

Attached are the Final Conditions of Approval for Tentative Tract Map No. 31618 (PA03-0106). Tentative Tract Map No. 31618 will subdivide 18.99-net acres in the R3 zone into 56 single-family residential lots. This project is located at the southwest corner of Moreno Beach Drive and Bay Avenue.

The Planning Commission of the City of Moreno Valley approved this project on November 29, 2004, subject to the attached Final Conditions of Approval. This approval is final unless an appeal is filed with the City Council within 10 calendar days of the approval date. If an appeal is not filed, this conditionally approved project will expire November 29, 2007, unless extended as provided by City Ordinance.

If you have any questions, please contact the Planning Division at (951) 413-3206.

Sincerely,

Jeff Bradshaw
Associate Planner

John
Planning

C. Terrell, AICP
Official

Attachment: Final Conditions of Approval for PA03-0106

c: Moreno Valley Land Company, LLC, Steve Hamilton
Case File PA03-0106

ATTACHMENT 3

**CITY OF MORENO VALLEY
 PLANNING DIVISION
 FINAL CONDITIONS OF APPROVAL FOR PA03-0106
 TENTATIVE TRACT MAP NO. 31618
 ASSESSOR'S PARCEL NUMBERS: 477-200-003 and -004**

Approval Date: November 29, 2004
Expiration Date: November 29, 2007

- Planning (P), including School District (S), Post Office (PO), Building (B)**
- Fire Prevention Bureau (F)**
- Public Works, Land Development (LD)**
- Public Works, Special Districts (SD)**
- Public Works – Transportation (TE)**
- Parks & Recreation (PR)**
- Police (PD)**
- Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

- P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
- P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
- P3. The site shall be developed in accordance with the approved tentative map on file in the Community and Economic Development Department – Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp – Landscape Requirements
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

**PLANNING DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 2**

- P5. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust, while developer or successor-in-interest owns said undeveloped property. (MC 9.02.030)
- P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris, by the developer or the developer's successor-in-interest. (MC 9.02.030)
- P7. Graded slopes shall have variations that do not exceed 2:1, and shall follow existing contours whenever possible.
- P8. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)
- P9. (R) In the event that a water quality basin(s) is required and must be added to the tentative tract map, then the map may be revised subject to approval of the Community and Economic Development Director.**
- *P10. (R) Prior to final map recordation, the typical section for Moreno Beach Drive shall be revised. A curb adjacent sidewalk is not acceptable at this location and the map must be revised to show curb, then parkway, then the sidewalk, or provide a meandering sidewalk subject to approval of the Community and Economic Development Director.**
- P11. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community and Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) before any further work commences in the affected area.

**PLANNING DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 3**

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA)

- P12. (GP) Prior to issuance of precise grading permits, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.
- P13. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)
- P14. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to Planning for review and approval for all retaining walls and all required street side yard and property line walls. (MC 9.08.070)
- P15. (GP) Prior to issuance of grading permits, the developer shall comply with the provisions of any applicable City ordinances and resolutions, which have been established as mitigation for the Stephens' kangaroo rat (SKR). Mitigation may include payment of a SKR mitigation fee prior to issuance of a grading permit(s). (Ord)
- P16. (GP) Prior to the issuance of grading permits, parkway and median enhancement landscape/irrigation plans shall be submitted to Public Works Department - Special Districts Administration Division for review and approval by Special Districts and other City staff as required.**
- P17. (GP) Prior to issuance of grading permits, the developer shall submit a tree plan plotted on the precise grading plan to Planning for review. The plan should identify all existing mature trees on the site.
- P18. (GP) Prior to issuance of grading permits, the developer shall work with the Planning Division and with the Public Works Department to determine the future location of the existing power poles, which must be relocated.**

**PLANNING DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 4**

- P19. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a six (6) foot high solid decorative block perimeter wall with pilasters to be placed at the rear of all lots with reverse frontage along Moreno Beach Drive, and lots which back to the commercial zoned property and the existing RV storage facility to the south. Decorative block walls are also required for the street side yards of all interior corner lots. Decorative fences or walls are required around any water quality basin(s) if such a feature is required. Wood fences are permitted for all interior side yards. Perimeter walls and retaining walls shall not exceed a combined eight-feet in visible height. (MC 9.08.070)**
- P20. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable fees, including but not limited to Development Impact Fees (DIF), Transportation Uniform Mitigation Fees (TUMF), and park in-lieu fees. (Ord)
- P21. (BP) Prior to issuance of building permits, all required landscape and irrigation plans and fence/wall plans shall be approved.
- P22. (BP) The City participates in the Multi Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. Prior to issuance of building permits, this project shall be subject to fees adopted by the City to support the implementation of the Multi-species Habitat Conservation Plan.
- P23. (BP) Enhanced window and door treatments shall be included on the approved plans for all homes having side and/or reverse frontages to public streets or open space areas.
- P24. (CO) Prior to the issuance of Certificates of Occupancy or building final, landscape and irrigation for all cut or fill slopes over 3 feet high shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)
- P25. (CO) Prior to issuance of Certificates of Occupancy or building final, all required landscaping and irrigation, including street trees, shall be installed. (MC 9.03.040)
- P26. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in Planning. (MC 9.080.070, Ldscp)

**PLANNING DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 5**

Building and Safety Division

- B-1. The site shall be developed in compliance with all current model codes to include: Uniform Building Code (UBC), Uniform Plumbing Code (UPC), Uniform Mechanical Code (UMC), National Electrical Code (NEC), as well as Title 24 and ADA and all other applicable State and Federal codes. (Ord, State and Federal codes)

SCHOOL DISTRICT

- S-1. (BP) Prior to issuance of building permits, the developer shall provide to the Community and Economic Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

- PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

*Condition of approval amended by Planning Commission at public hearing on 11/29/04.

**CITY OF MORENO VALLEY
FIRE PREVENTION BUREAU
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
ASSESSOR'S PARCEL NUMBER: 477-200-003 and -004**

FIRE PREVENTION BUREAU

Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, Uniform Building Code (UBC), Uniform Fire Code (UFC), and related codes, which are in force at the time of building plan submittal.

- F1. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 1/2") located at each intersection of all residential streets and spaced no more than 330 feet apart in any direction, with no portion of any lot frontage more than 165 feet from hydrant. Minimum fire flow shall be 1,000 GPM for 2 hours duration of 20 PSI.
- F2. (BP) Prior to issuance of the building permit for development, two (2) independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards.
- F3. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access, based on street standards approved by the Public Works Director and the Fire Prevention Bureau.
- F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief based on City street standards shall determine minimum turning radius for fire apparatus and fire apparatus manufacture specifications. (UFC 902.2.2.3)
- F5. During phased construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (UFC 902.2.2.4)
- F6. Prior to construction, "private" driveways over 150 feet in length shall have a turnaround or hammer head capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (UFC 902.2.2.4, 902.2.2.6 Appendix III –D)
- F7. Prior to construction, all locations where structures are to be built shall have an approved Fire Department vehicle access road (all weather surface) for 80,000 lbs GVW to be provided prior to construction (UFC 8704.2 & 902.2.2.2.2)
- F8. Prior to construction, roads and private road shall not exceed 12 percent grade (UFC 902.2.2.4, 902.2.2.6)

**FIRE PREVENTION BUREAU
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 2**

- F9. Prior to construction, fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than the thirteen (13) feet six- (6) inches (UFC 902.2.2.2.1)
- F10. If construction is phased, each phase shall provide an approved access and fire protection prior to any building construction. (UFC 8704 & 902.2.2)
- F11. (CO) Prior to issuance of Certificate of Occupancy or Building final a simple plot plan and a simple floor plan, each as an electronic file of the .DWG format must be submitted to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.**
- F12. (BP) Prior to issuance of building permits, the developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall be: signed by a registered civil engineer; contain a Fire Prevention Bureau approval signature block; and conform to hydrant type, location, spacing and minimum fire flow standards. After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system including fire hydrants shall be installed and accepted by the Moreno Valley Fire Department prior to any combustible building materials being placed on an individual lot. (UFC 8704.3, 901.1.1.1 and National Fire Protection Association 24 sec. 1-4.1)
- F13. (BP) Prior to issuance of building permits, the applicant shall participate in the Fire Impact Mitigation Program.
- F14. (CO) Prior to issuance of Certificate of Occupancy or building final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (UFC 901.4.3)
- F15. (CO) Prior to issuance of Certificate of Occupancy or building final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (UFC 901.4.4)
- F16. (CO) Prior to Certificate of Occupancy or building final, all structures shall have fire retardant roofing materials (Class A roofs) as described in Section 1504 of the UBC.

**CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
ASSESSOR'S PARCEL NUMBERS: 477-200-003 and -004**

Note: The following conditions are standard to all or most development projects. For those projects where specific standard conditions may not be applicable, the City Engineer may determine the applicability of the condition. All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT

The following are the Public Works Department Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department.

General Conditions

- LD1. The developer shall comply with the State of California Subdivision Map Act and all applicable City ordinances and resolutions. (MC 9.14.010)
- LD2. Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. (MC 9.14.100)
- LD3. It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the tentative map to be resubmitted for further consideration. (MC 9.14.040)
- LD4. Tracts maps may be developed in phases with the approval of the City Engineer. A construction-phasing plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer prior to recordation of the final map. Financial security shall be provided for all improvements within the entire tract prior to final tract map recordation. The boundaries of any multiple tract map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular tract map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of future occupants of the development.
- LD5. (R) Prior to recordation of the final map, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards and requirements shall be approved by the City Engineer. (MC 9.14.100.C.2)

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 2**

- LD6. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall, prior to final map approval, enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. (SMA 66462.5)
- LD7. (CO) Prior to issuance of a Certificate of Occupancy or building final, all required improvements, including but not limited to: curb and gutter, A.C. pavement, sidewalks, drive approaches, parkway landscaping, medians, street lights and signing and striping on all public streets shall be constructed as required by the City Engineer.
- LD8. The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Public Works construction operations including all work described on permits issued by the Public Works Department, shall be restricted to Monday through Friday from 7:00 AM to 6:00 PM. Work on week ends and holidays shall be pursuant to written approval of the City Engineer no later than 48-hours prior to the weekend or Holiday.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 3**

Drainage – Standard Conditions

- LD9. The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)
- LD10. Drainage easements, when required, shall be shown on the final map and noted as follows: "Drainage Easement – no buildups, obstructions, or encroachments by land fills are allowed."
- LD11. The project shall be designed to accept and properly dispose of all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)
- LD12. All lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales independent of adjacent lots. Concentrated drainage on commercial lots shall be diverted through parkway drains under sidewalks. (MC 9.08.080)
- LD13. (IP/GP) Prior to the approval of any improvement or grading plan, the developer shall comply with the rules and regulations of FEMA and City Ordinance for development within a flood hazard area, which may include obtaining a letter of map revision from FEMA.
- LD14. (IP/GP) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110)
- LD15. (R) Prior to recordation of the final map, the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 4**

- LD16. (R) Prior to recordation of the final map, resolution of all drainage issues shall be as approved by the City Engineer, including the payment of the prevailing area drainage fee to Riverside County Flood Control and Water Conservation District. The fee is payable to the Riverside County Flood Control District and Water Conservation District by either cashiers check or money order. (MC 9.14.100)
- LD17. Construction of Master Drainage Plan facilities as part of the improvement obligations of this development are to be inspected, operated and maintained by the Riverside County Flood Control and Water Conservation District. The developer shall enter into an agreement with the District establishing the terms and conditions covering their inspection, operation and maintenance. (MC 9.14.110)
- LD18. (IP) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)
- LD19. (IP) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow should be contained within the street right-of-way. When either of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110)
- LD20. (IP) Prior to the initiation of the final improvement plans for those facilities required to be built as part of the County Master Plan, the developer shall contact the Riverside County Flood Control and Water Conservation District to determine the terms and conditions of design, construction, inspection, transfer of rights-of-way, project credit in lieu of charges, and reimbursement schedules which may apply. The developer should note that if the estimated cost for required Area Drainage Plan facilities exceeds the required mitigation charges, and he wishes to receive credit or reimbursement in excess of his charges, the facilities may be constructed as a Public Works contract. Scheduling for these facilities will be at the discretion of the District. (MC 9.14.110)

Grading – Standard Conditions

- LD21. (GP) Prior to issuance of a grading permit and as a condition of the Santa Ana Regional Water Quality Control Board, a Notice of intent for an NPDES permit must be filed and a W.D.I.D. permit number obtained from the Regional Water Quality Control Board. (Clean Water Act)

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 5**

- LD22. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
- LD23. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer. (SMA)
- LD24. A grading permit shall be obtained from the Public Works Department – Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
- LD25. (GP) No grading shall take place until all improvement plans are substantially complete and approved by the City Engineer and appropriate clearance letters are provided to the City. (MC 9.14.030)
- LD26. (GP) No grading shall take place prior to recordation of the final map unless otherwise approved by the City Engineer. (MC 9.14.030)
- LD27. (GP) Prior to the issuance of grading permits, the developer shall submit two (2) copies of a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.
- LD28. (GP) Prior to issuance of a grading permit, the developer shall submit four (4) copies of a comprehensive grading plan to the Public Works Department - Land Development Division. The plan shall comply with the City Grading ordinance, and these Conditions of Approval.
- *LD29.(GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading is proposed to take place outside of the project boundaries to the satisfaction of the City Engineer.
- LD30. (GP) Prior to the issuance of a grading permit erosion control plans and notes shall be submitted and approved by the Public Works Department – Land Development Division. (Grading Ord.)

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 6**

Streets – Standard Conditions

- LD31. All street dedications shall be irrevocably, offered to the public and shall continue in force until the City accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the City Engineer.
- LD32. All work performed within the City right-of-way requires an encroachment permit. (MC 9.14.100)
- LD33. Aggregate slurry, as defined in section 203-5 of Standard Specifications for Public Works Construction, may be required one year after acceptance of street(s) by the City if the condition of the street(s) warrant its application as determined by City Engineer. All striping shall be replaced in kind.
- LD34. The street design and circulation pattern of this project shall be coordinated with adjoining developments. (MC 9.14.020)
- LD35. (IP) Prior to approval of the improvement plans, the developer shall provide securities and agreements, submit clearances from all applicable agencies, and pay all fees. (MC 9.14.210)
- LD36. (IP) The street improvement plans shall comply with the following design standards throughout this project:
- a. All driveways shall conform to the applicable City of Moreno Valley standards and shall be shown on the street improvement plans. (MC 9.14.100)
 - b. All driveways shall be located at a minimum of two (2) feet from the property line prolongation at the curb. (MC 9.14.100)
 - c. Concrete sidewalks shall be constructed along all public street frontages in accordance with City Standard 210.
 - d. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.
 - e. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)
 - f. Centerline radii shall be per City Standard 113. (MC 9.14.100)

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 7**

- g. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)
 - h. All street intersections shall be at ninety (90) degrees or as approved by the City Engineer. (MC 9.14.020)
 - i. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.
 - j. Electrical and communication trenches shall be provided in accordance with Standard 603. (MC 9.14.130)
 - k. Streetlights shall be provided along streets adjoining and within the subject site in accordance with Standard 500/ 501 or as approved by the City Engineer. (GP Objective 44, MC 9.14.100)
- LD37. (IP) Improvement plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
- LD38. (R) Prior to recordation of the final map, the developer shall deposit with the Public Works Department – Land Development Division a cash sum based on the current fee schedule as mitigation for traffic signal impacts. Should the developer choose to defer the time of payment of the traffic signal mitigation fee, he may enter into a written agreement with the City deferring said payment to the time of issuance of a building permit.
- LD39. (R) Prior to recordation of the final map, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)
- LD40. (R/BP) Prior to recordation of a final map or issuance of building permits if recordation has already been accomplished, the developer shall construct or post security guaranteeing the construction of all public improvements in conformance with applicable City standard, including, but not limited to the following:
- a. Street improvements including, but not limited to: pavement, curb and gutter, medians, sidewalks, drive approaches, street lights, signing, striping, traffic signal systems and other traffic control devices as appropriate.
 - b. Storm drain facilities.
 - c. Landscaping.

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 8**

- d. Sewer and domestic water systems.
 - e. Undergrounding of existing and proposed utility distribution lines.
 - f. Street lighting. (SMA, GP Objective 50.6, MC 9.14.210)
- LD41. (CO) Prior to issuance of a Certificate of Occupancy or building final, a second independent paved access to the nearest paved road maintained by the City shall be designed and constructed by the developer within the public right-of-way, in accordance with City standards, to a minimum width of 32 feet. (MC 9.14.100)
- LD42. (CO) Prior to issuance of Certificate of Occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)
- LD43. (CO) Prior to issuance of Certificate of Occupancy, one 4 inch conduit shall be installed along the frontage of all major public streets in a joint trench with traffic signal interconnect conduits as required by the City Engineer. Spacing, size and location of pull boxes shall be determined at the time of approval of street improvement plans. These conduits shall become the property of the City of Moreno Valley upon completion and acceptance of the street improvements.
- LD44. If improvements associated with this project are not initiated within two years of the date of approval of the improvement agreement, the City Engineer may require that plans be modified to reflect current codes and standards in effect at the time of request for an extension of time for the improvement agreement or issuance of a permit.
- LD45. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% or last 5 homes (whichever is more) of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.
- LD46. Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map on compact disk in (DXF) digital format to the Land Development Division of the Public works Department.
- LD47. The final conditions of approval issued by the Planning Division subsequent to Planning Commission approvals shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on 24 x 36 inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 9**

LD48. (R/BP) Prior to recordation of a final map or issuance of construction permits, the developer shall submit all improvement plans and final maps, on compact disks, in (DXF) digital format to the Land Development Division of the Public Works Department.

LD49. Prior to approval of the final map the developer shall submit plans for review and approval by the City Engineer, for a telecommunications conduit network that provides for the future installation of cable, wire or fiber optic runs to a final termination in a riser to an access panel in each home constructed as part of this development. This network shall be installed and completed and shall be dedicated to the City for public purposes prior to the first occupancy of this development.

*LD50. Prior to approval of the final map the developer shall show on the map an offer of dedication of a three foot wide (3") electrical utility easement to the City of Moreno Valley along all side yard lot lines of all developable lots to the satisfaction of the City Engineer.

LD51. When work is required in an intersection that involves or impacts access ramps, all access ramps in that intersection shall be retrofitted to comply with A.D.A. requirements.

LD52. The City of Moreno Valley has recently adopted an area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

LD53. Prior to final map approval, the Developer shall vacate 7 feet of right of way on the south side of Bay Avenue along tract frontage so that the half-width street right of way is 33 feet.

***LD54. Prior to final map approval or on the final map, the Developer shall dedicate a 6-foot landscape easement beyond right of way on the south side of Bay Avenue.**

***LD55. Prior to final map approval or on the final map, the Developer shall dedicate 12 feet of right of way on the west side of Moreno Beach Drive for a total half-width street right of way of 67 feet.**

***LD56. Prior to final map approval or on the final map, the Developer shall dedicate a 10-foot landscape easement beyond right of way on the west side of Moreno Beach Drive.**

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 10**

- *LD57. Prior of final map approval, the Developer shall record an offsite sewer easement within the future extension of Bethany Road from the south tract boundary to Alessandro Boulevard to the satisfaction of the City Engineer.**
- *LD58. Prior to final map approval, the Developer shall record an offsite water and drainage easement within the future extension of Bethany Road from the south tract boundary to Alessandro Boulevard to the satisfaction of the City Engineer.**
- LD59. Prior to final map approval, the Developer shall enter into an agreement to acquire the offsite right of way necessary to construct a twelve-foot lane and related street slope on the west side of Bethany Road and incur all costs related to the right of way acquisition.**
- LD60. (GP) Prior to grading plan approval, the Developer shall show a proposed graded earth swale with a minimum flow line grade of 1% adjacent to the proposed edge of pavement and at the top or toe of proposed slopes that result from street construction. All tributary runoff from the north side of Bay Avenue shall be carried in the graded swale on Bay Avenue and then routed to a similar graded earth swale on the west side of Bethany Road all within public right of way. The proposed earth swale shall be graded within a proposed drainage easement from the south tract boundary to Alessandro Boulevard.**
- LD61. Prior to final map approval, the Developer shall submit an improvement agreement and post bonds for the improvements below and construct these improvements prior to issuance of building permits:**
 - a. Moreno Beach Drive (167' RW / 110' CC) shall be constructed to half-width plus a raised landscaped median plus a fourteen-foot travel lane with an earth ditch adjacent to the fourteen-foot travel lane edge of pavement. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, dry and wet utilities, and relocation of overhead power poles. The Developer shall transition the proposed 14-foot travel lane with downstream and upstream existing conditions and re-stripe all necessary legs of the intersection of Moreno Beach Drive and Bay Avenue to accommodate the required median improvements on Moreno Beach Drive.**

**LAND DEVELOPMENT DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 11**

- b. Bay Avenue (66' RW / 44' CC) shall be constructed to half-width plus a twelve-foot lane and street slope with an earth ditch adjacent to the twelve-foot travel lane edge of pavement and at top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, dry and wet utilities.**
- c. Bethany Road (66' RW / 44' CC) shall be constructed to half-width plus a twelve-foot lane and street slope with an earth ditch adjacent to the twelve-foot travel lane edge of pavement and at top and toe of street slope. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, and dry and wet utilities.**
- d. Streets "A" and "D" (60' RW / 40' CC) shall be constructed to full-width. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, and dry and wet utilities.**
- e. Streets "B", "C", and "E" and the cul-de-sac portion of Street "A" (56' RW / 36' CC) shall be constructed to full-width. Improvements shall consist of, but not be limited to, pavement, curb, gutter, sidewalk, streetlights, and dry and wet utilities.**
- f. Offsite Sewer shall be constructed within a sewer easement and the future extension of Bethany Road from the south tract boundary to Alessandro Boulevard. The proposed sewer shall then continue eastward within Alessandro Boulevard to Moreno Beach Drive and then southward within Moreno Beach Drive to Cactus Avenue where it will connect to an existing sewer in Cactus Avenue.**
- g. Offsite Water and earth ditch shall be constructed within a water and drainage easement and the future extension of Bethany Road from the south tract boundary to Alessandro Boulevard. The proposed water line shall connect to an existing water line in Alessandro Boulevard.**
- h. Master Storm Drain Line H-3 (Moreno Area Drainage Plan). The Developer shall pay area drainage plan fees for the future construction of this storm drain.**

***LD62. All onsite runoff shall be routed to a proposed water quality basin where it will be filtered before it is discharged into the public drainage system. The water quality basin shall be maintained by an HOA or other entity to the satisfaction of the City Engineer.**

***Condition of approval amended by Planning Commission at public hearing on 11/29/04.**

**CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS ADMINISTRATION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
ASSESSOR' PARCEL NUMBERS: 477-200-003 AND -004**

Note: All Special Conditions are in bold lettering. All other conditions are standard to all or most development projects.

PUBLIC WORKS DEPARTMENT

Special Districts Administration Division

The following items are Special Districts' Conditions of Approval for this project and shall be completed at no cost to any Government Agency. All questions regarding the intent of the Conditions shall be referred to the Special Districts Administration Division of the Public Works Department.

- SD1. This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 51.2, MC 9.14.100)
- SD2. (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts Administration of intent to record the final map 70 days prior to recordation. (California Government Code)
- SD3. This project shall be incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Recreation) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements. (GP Objective 51.2, Ord. MC 9.14.100)

**SPECIAL DISTRICTS ADMINISTRATION DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 2**

- SD4. (R) In compliance with Proposition 218, the developer shall agree to approve the Moreno Valley Community Services District mail ballot proceeding for residential street lighting maintenance and energy charges (Zone B), and to pay for all costs associated with the balloting process. The mail ballot proceeding must occur prior to the recordation of the final map. The developer must notify Special Districts Administration of intent to record final map 70 days prior to City Council action authorizing recordation of the map. (California Government Code)
- SD5. (R) In compliance with Proposition 218, the developer shall agree to approve the Moreno Valley Community Services District mail ballot proceeding for parkway/extensive landscaping maintenance and utility charges (Zone D), and to pay for all costs associated with the balloting process. The mail ballot proceeding must occur prior to the recordation of the final map. The developer must notify Special Districts Administration of intent to record final map 70 days prior to recordation. (California Government Code)
- SD6. (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration Of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges when due.
- **For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts Administration, phone (951) 413-3480.
- SD7. (GP) Prior to the issuance of a grading permit, final median and/or parkway enhancement/landscape/irrigation plans shall be submitted to the Community and Economic Development Department – Planning Division, Public Works Department – Special Districts Administration and Transportation Divisions for review and approval by each division. (GP – Circulation Master Plan, Ldscp)
- SD8. (R) Easements for reverse frontage parkway and slope areas abutting 10 ft landscape easement on Moreno Beach Dr. and a 6ft. landscape easement on Bay, if Bay street is developed as a reverse parkway shall be dedicated to the Moreno Valley Community Services District for landscape maintenance purposes. Said easements shall be depicted on the final map, and an offer of their dedication made thereon.
- SD9. (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

**SPECIAL DISTRICTS ADMINISTRATION DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 3**

SD10. In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (Zone D), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

*SD11.(BP) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the last five building permits for this tract.

SD12. The developer, or the developer's successors or assignees shall be responsible for all parkway and/or median landscaping maintenance until such time as the District accepts maintenance duties.

SD13. (CO) Prior to issuance of a Certificate of Occupancy or building final, a copy of the recorded **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel within the recorded map shall be submitted to the Special Districts Administration Division for acknowledgment. Please forward to:

City of Moreno Valley
Special Districts Administration
Landscape Project Administrator
14177 Frederick Street
Moreno Valley, CA 92553

SD14. (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts Administration, the current list of all Assessor's Parcel Numbers assigned to the recorded map. Please forward to:

City of Moreno Valley
Special Districts Administration
Landscape Project Administrator
14177 Frederick Street
Moreno Valley, CA 92553

SD15. Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

**SPECIAL DISTRICTS ADMINISTRATION DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 4**

SD16. City of Moreno Valley Municipal Utility Service – Electrical Distribution:

Prior to issuance of grading permit, the Applicant shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Applicant **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Applicant shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all conduit, lines, and equipment (including but not limited to the vaults, ducts, wires, switches, facilities, conductors, transformers, resistors, and amplifiers – collectively referred to as “utility system”), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the transmission and/or delivery of any and all “utility services” to each lot and unit within the Tentative Map. For purposes of this condition, “utility services” shall mean electricity, cable television, telecommunications (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of this approval.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Applicant may select alternative utility service providers subject to a license agreement between the City and said utility service provider authorizing nonexclusive access to and use of the utility system and providing for maintenance and security thereof.

SD17. (R) This project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Elimination Discharge System (NPDES) as mandated by the Federal Clean Water Act. The City of Moreno Valley established a Municipally Owned Utility pursuant to Resolution No. 2002-46 to provide the authority to implement utility charges necessary to provide, but not limited to, storm water utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley Storm Water rate structure that is in place at the time of recordation.

**SPECIAL DISTRICTS ADMINISTRATION DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 5**

SD18. (R) Any lots which are identified to as “Water Quality Basins/ Bio-Swales” shall be owned in fee by a Homeowners Association or as “tenancy in common” by each of the residential properties within Tentative Tract 31618. A maintenance easement will be required to be dedicated to either the City of Moreno Valley and/or Moreno Valley Community Services district. Additionally, the maintenance of the lots will be through a contract between the City of Moreno Valley or the Moreno Valley Community Services District with the generation of funds to pay for the maintenance to be paid by annual maintenance charge placed on the Riverside County tax bill and/or by direct billing to the property owners within the tract.

SD19. (R) Prior to recordation the Rough Grading Plan(s) and Landscape and Irrigation Plan(s) prepared for the “Water Quality Basins/Bio-Swales” shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer’s successors or assignees shall secure the initials of the Enterprise Services Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

SD20. (CO) Prior to issuance of a Certificate of Occupancy or building final for the last production unit, the “Water Quality Basins/Bio-Swales” shall be constructed and operational as required by the City Engineer.

*Condition of approval amended by Planning Commission at public hearing on 11/29/04.

**CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
ASSESSOR’S PARCEL NUMBER: 477-200-003 AND -004**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

- *TE1. Prior to the issuance of certificate of occupancy, traffic signal plans shall be prepared by a registered civil and/or traffic engineer for the intersection of Moreno Beach Drive and Bay Avenue to the satisfaction of the City Engineer. The traffic signal shall be constructed per the approved plans and coordinated with the street improvements of Moreno Beach Drive and Bay Avenue. This traffic signal is on the City’s Programmed Traffic Signal list. The project proponent shall enter into an agreement with the City concerning fee credits and/or reimbursements as required by the City Engineer.**

- TE2. Prior to issuance of certificate of occupancy, a traffic signal interconnect shall be installed along the entire tract frontage of Moreno Beach Drive per General Plan Implementation Program III, M, 19.**

- TE3. Prior to the issuance of certificate of occupancy, street improvements shall be made at the following locations as required by the City Engineer:**
 - 1. Moreno Beach Drive – half street improvements for a Divided Major Arterial (134’ RW/110’ CC) along entire project frontage from Bay Avenue to project southern boundary per City Standard Plan No. 101.**
 - 2. Bay Avenue – half street improvements a Residential Collector (66’ RW/ 44’ CC) along entire project frontage from Moreno Beach Drive to project western boundary per City Standard Plan No. 107.**
 - 3. Bethany Road – half street improvements a Residential Collector (66’ RW/ 44’ CC) along entire project frontage from Bay Avenue to project southern boundary per City Standard Plan No. 107.**

- TE4. Prior to the issuance of a certificate of occupancy, stop sign control shall be installed for northbound traffic on “D” Street at Bay Avenue.**

- TE5. All driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City’s Municipal Code – Design Guidelines and City of Moreno Valley Standard No. 117 for residential driveway approach.**

**TRANSPORTATION ENGINEERING DIVISION
FINAL CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
PAGE 2**

- TE6. Sight distance at all proposed streets and driveways shall conform to City of Moreno Valley Standard No. 125 & 126 at the time of preparation of final grading, landscape, and street improvement plans.
- TE7. Prior to the final approval of the street improvement plans, a signing and striping plan will be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'44' and wider.
- TE8. Prior to the sign-off of final inspection of the street improvements, all approved signing and striping will be installed per current City Standards and the approved plans.
- TE9. Prior to the commencement of construction activity, construction traffic control plans prepared by a Registered Civil or Traffic engineer shall be submitted to the City for plan approval or as required by the City Traffic Engineer.
- TE10. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

*Condition of approval amended by Planning Commission at public hearing on 11/29/04.

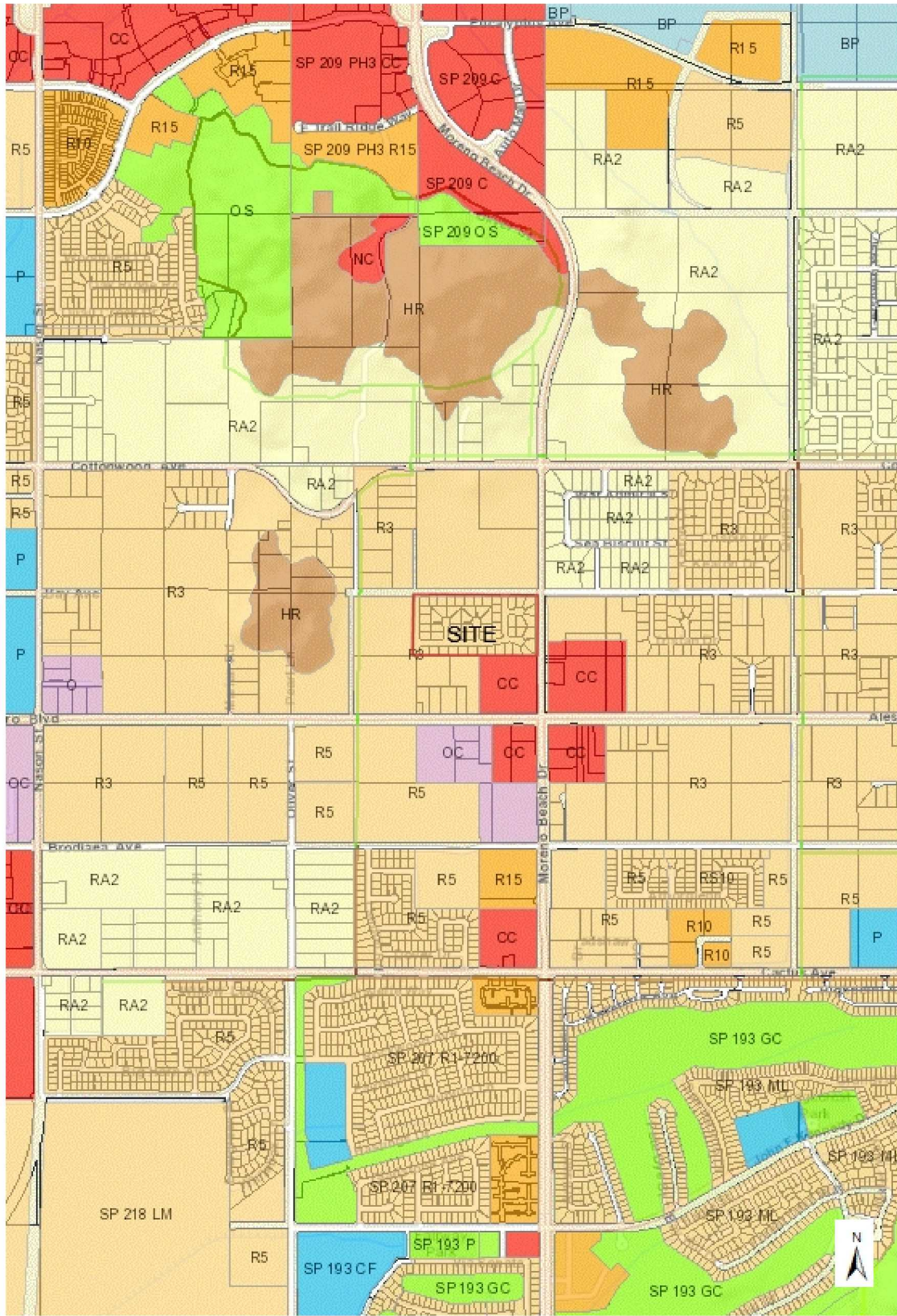
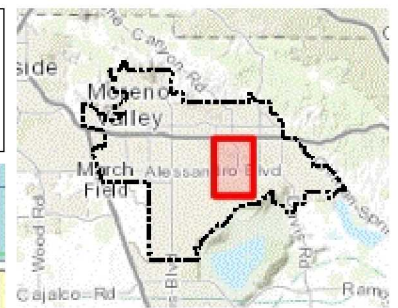
**CITY OF MORENO VALLEY
POLICE DEPARTMENT
CONDITIONS OF APPROVAL FOR PA03-0106
TENTATIVE TRACT MAP NO. 31618
ASSESSOR'S PARCEL NUMBERS: 477-200-003 AND -004**

POLICE DEPARTMENT

- *PD1. Prior to the start of any housing construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)
- PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

*Condition of approval amended by Planning Commission at public hearing on 11/29/04.

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Legend

Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

- Parcels
- City Boundary
- Sphere of Influence



3,267.3 0 1,633.65 3,267.3 Feet

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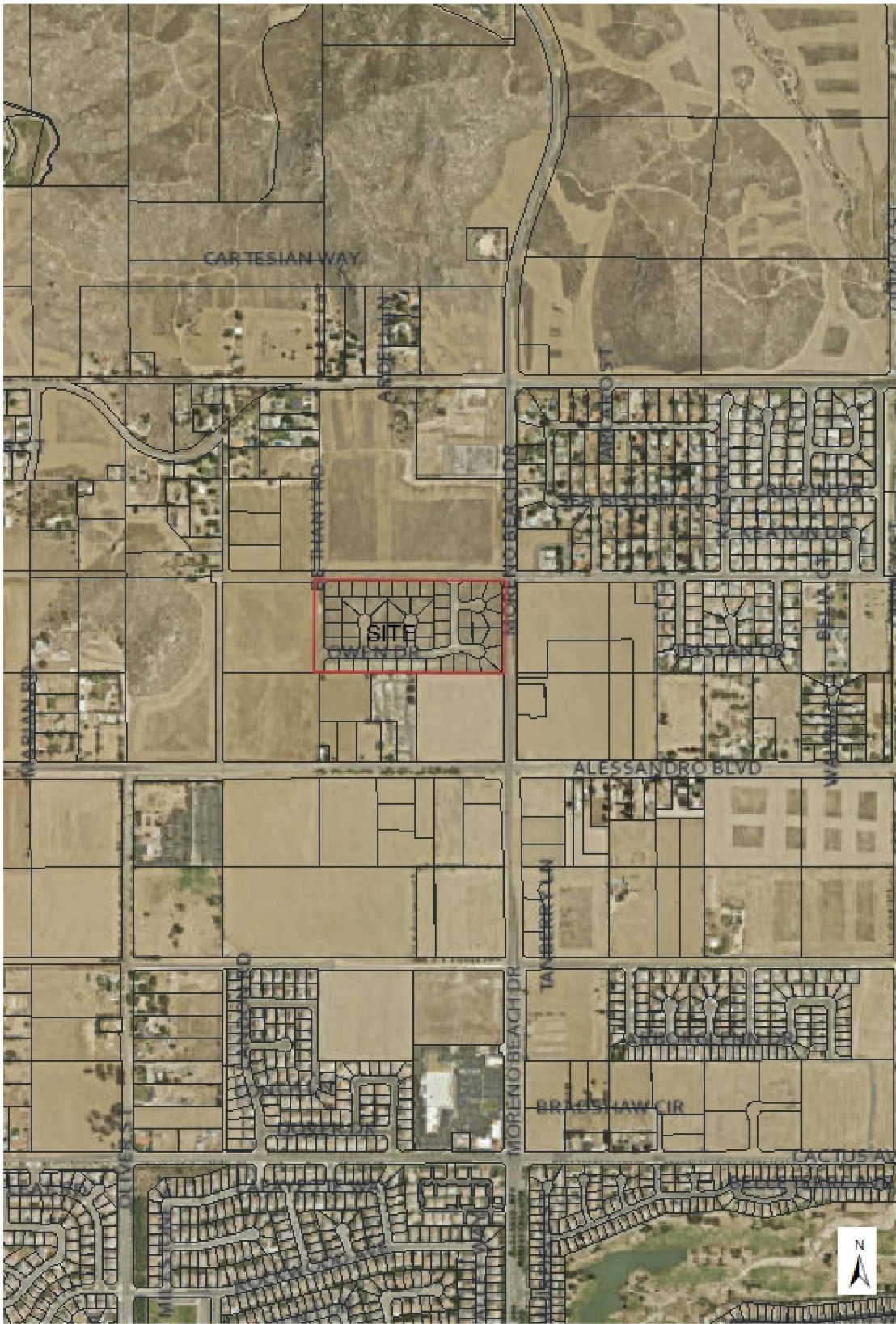
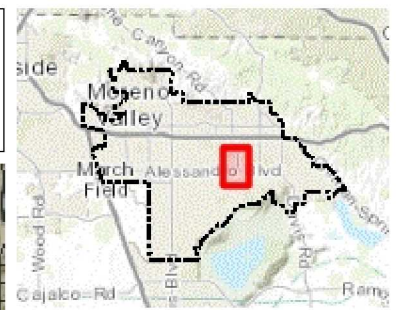
Print Date: 11/5/2013

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

Notes

ATTACHMENT 4

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Legend

- Public Facilities**
 - Public Facilities
 - ★ Fire Stations
- Parcels
- ⊞ City Boundary
- ◻ Sphere of Influence

Notes

2,146.9 0 1,073.46 2,146.9 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 11/5/2013

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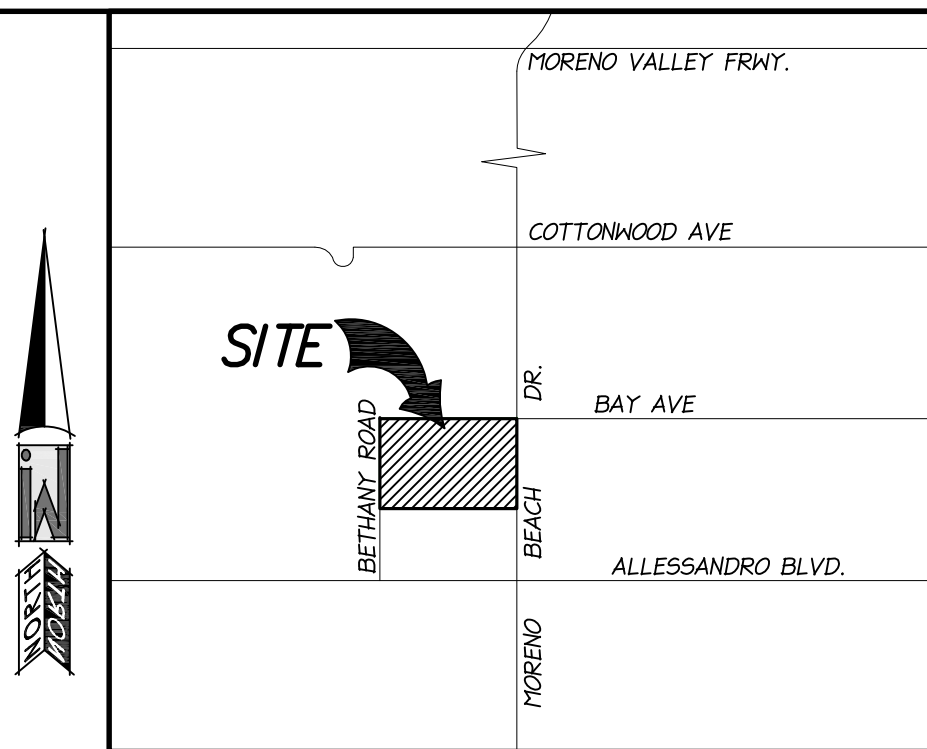
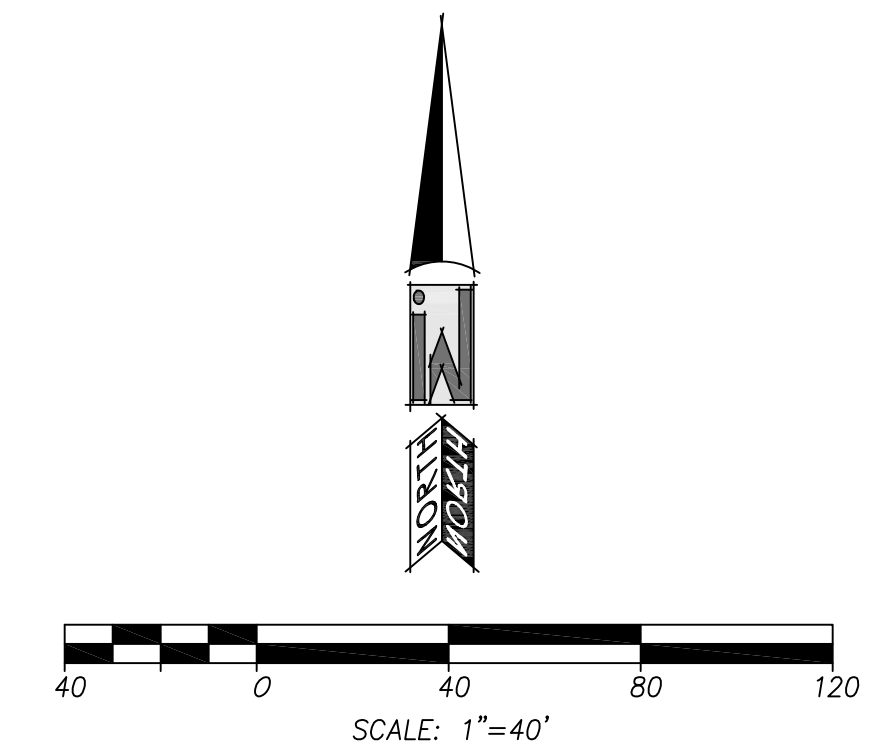
ATTACHMENT 5

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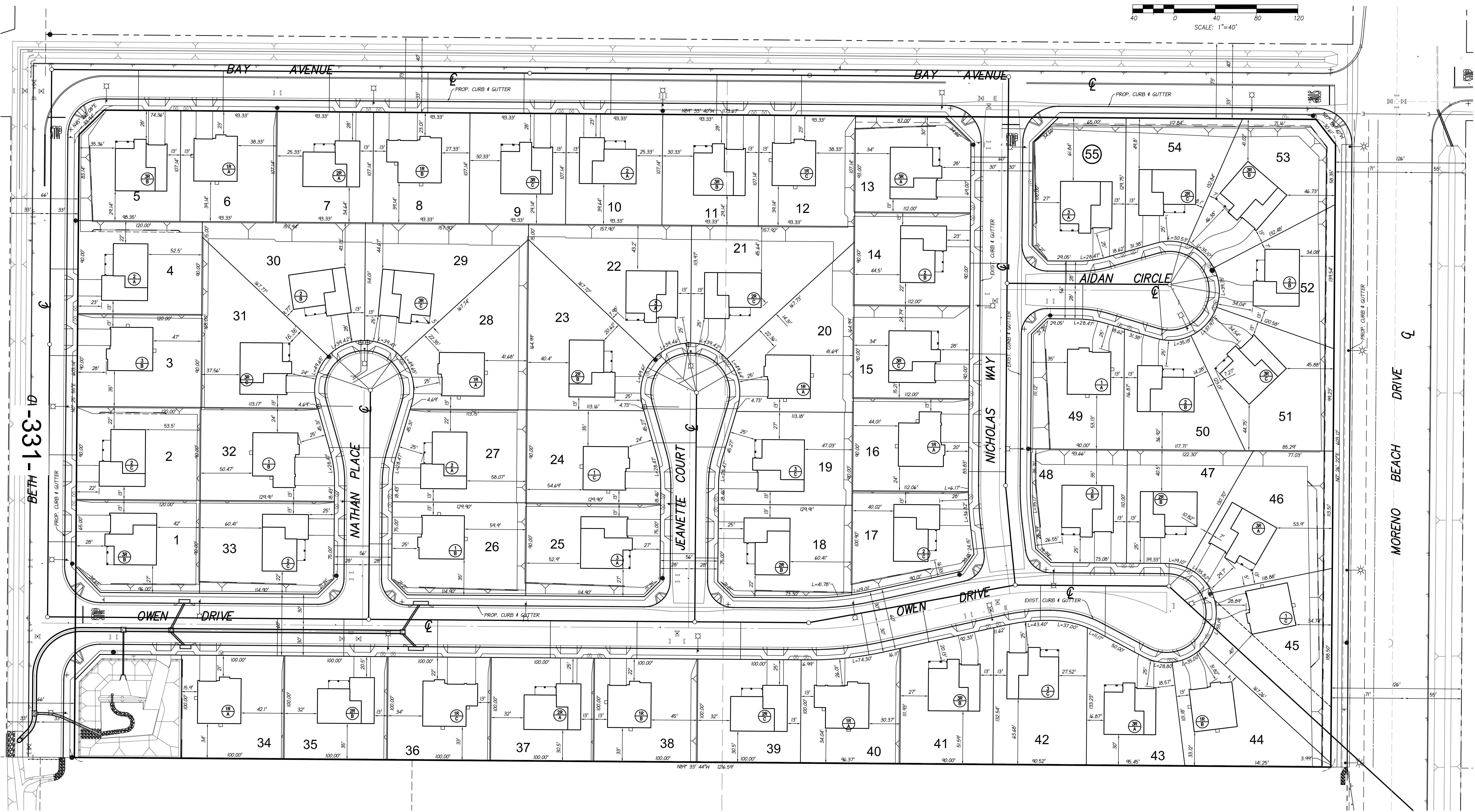
CITY OF MORENO VALLEY

PLOT PLAN

TRACT NO. 31618



VICINITY MAP
 THOMAS GUIDE - PAGE 718, D-5 (2008 EDITION)
 SECTION 10, TOWNSHIP 3 SOUTH RANGE 3 WEST
 NOT TO SCALE



- LEGEND**
- EXISTING PROPERTY LINE
 - - - PROPOSED RIGHT OF WAY
 - - - EXISTING RIGHT OF WAY
 - - - EXISTING CENTERLINE
 - - - BUILDING SET BACK LINE
 - - - PROPOSED CURB
 - - - EXISTING CURB
 - - - PROPOSED SIDEWALK
 - - - EXISTING SIDEWALK
 - - - EXISTING DIRT ROAD
 - - - PROPOSED PARKING STRIPE
 - - - EXISTING EASEMENT
 - - - EXISTING CONTOUR MAJOR
 - - - EXISTING CONTOUR MINOR
 - - - EXISTING FENCE
 - - - EXISTING BUILDING
 - - - EXISTING CONCRETE
 - - - EXISTING EDGE OF PAVEMENT
 - - - PROPOSED EDGE OF PAVEMENT
 - - - EXISTING CONTOUR ELEVATION
 - - - EXISTING SPOT ELEVATION
- 1A** INDICATES PLAN NO. & ARCH. ELEV.
R INDICATES "REVERSE" FLOORPLAN.

- ABBREVIATIONS**
- L.S. LANDSCAPE
 - S.F. SQUARE FEET
 - C/L CENTERLINE
 - R/W RIGHT OF WAY
 - P/L PROPERTY LINE
 - S/W SIDEWALK
 - D/W DRIVEWAY
 - F.L. FLOKLINE
 - F.S. FINISH SURFACE
 - T.H. TOP OF WALL
 - T.F. TOP OF FOOTING
 - P.S. PARKING SPACE
 - E.P. EDGE OF PAVEMENT
 - T.B.R. TO BE REMOVED
 - O.O.D. OFFER OF DEDICATION
 - N.A.P. NOT A PART
 - R/R REMOVE AND RELOCATE
 - P.I.P. PROTECT IN PLACE
 - 16% EXISTING GRADE
 - 16% PROPOSED GRADE

OWNER/APPLICANT
 FRONTIER COMMUNITIES
 8300 UTICA AVE., STE 300
 RANCHO CUCAMONGA, CA 91786
 PHONE: (909) 925-5300
 FAX: (909) 925-5302

CONTACT: CHRIS COURTNEY

REPRESENTATIVE
 IW CONSULTING ENGINEERS, INC.
 3544 UNIVERSITY AVENUE
 RIVERSIDE, CA 92501
 PHONE: (951) 925-5300
 FAX: (951) 925-5302

LEGAL DESCRIPTION
 LOTS 1 THRU 55, TRACT 31618,
 SEC. 10 T.35. R.34.
 FOR TOTAL DESCRIPTION SEE ASSESSORS MAPS

ZONING/GENERAL PLAN/LAND USE
 EXISTING ZONING: R-1
 EXISTING LAND USE: SINGLE FAMILY RESIDENTIAL
 PROPOSE ZONING: SAME NO CHANGE
 PROPOSE LAND USE: SAME NO CHANGE

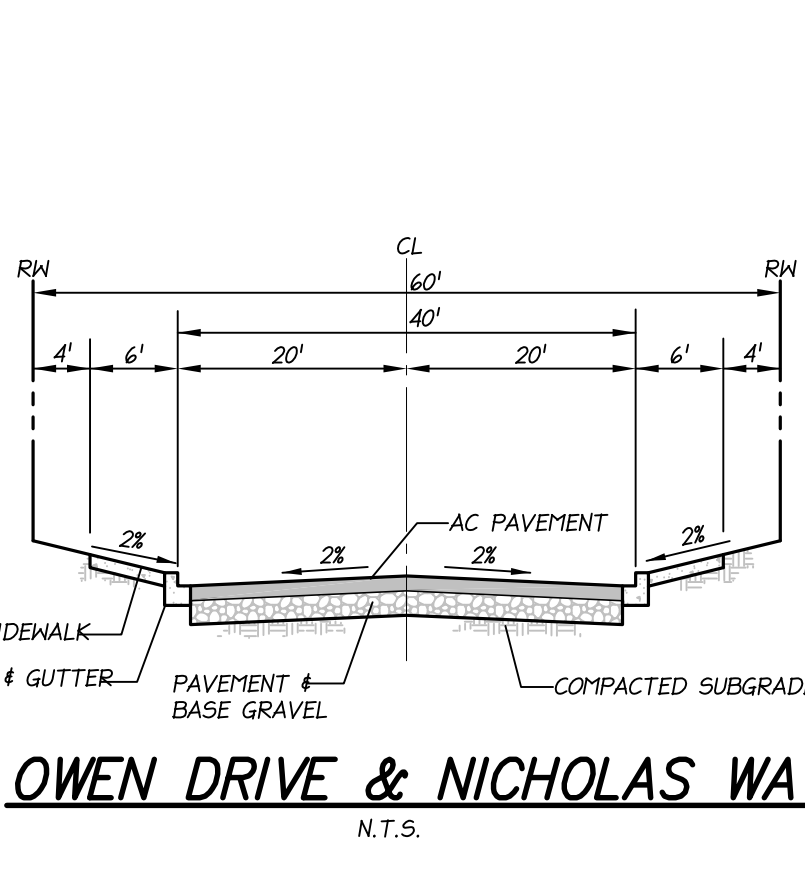
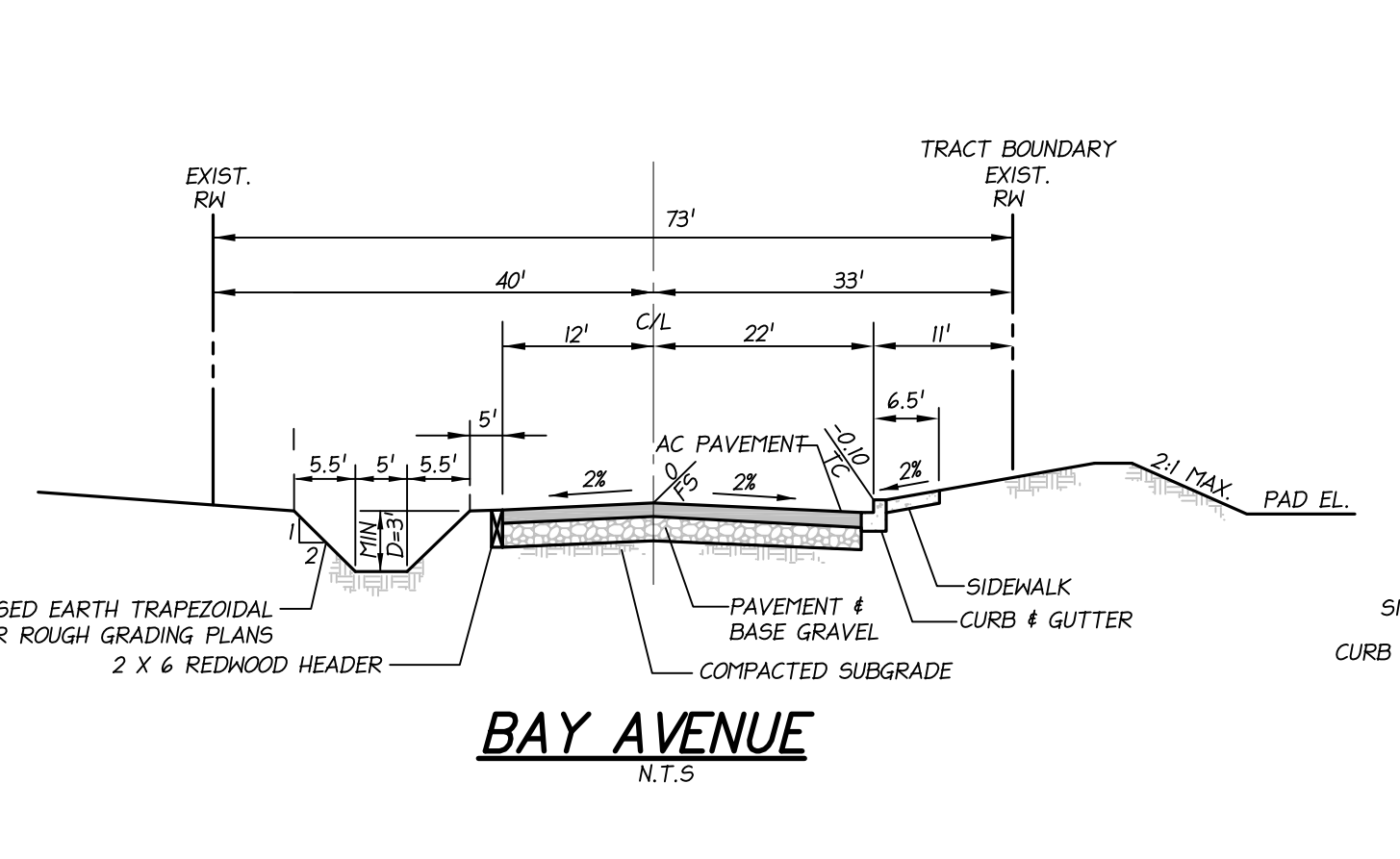
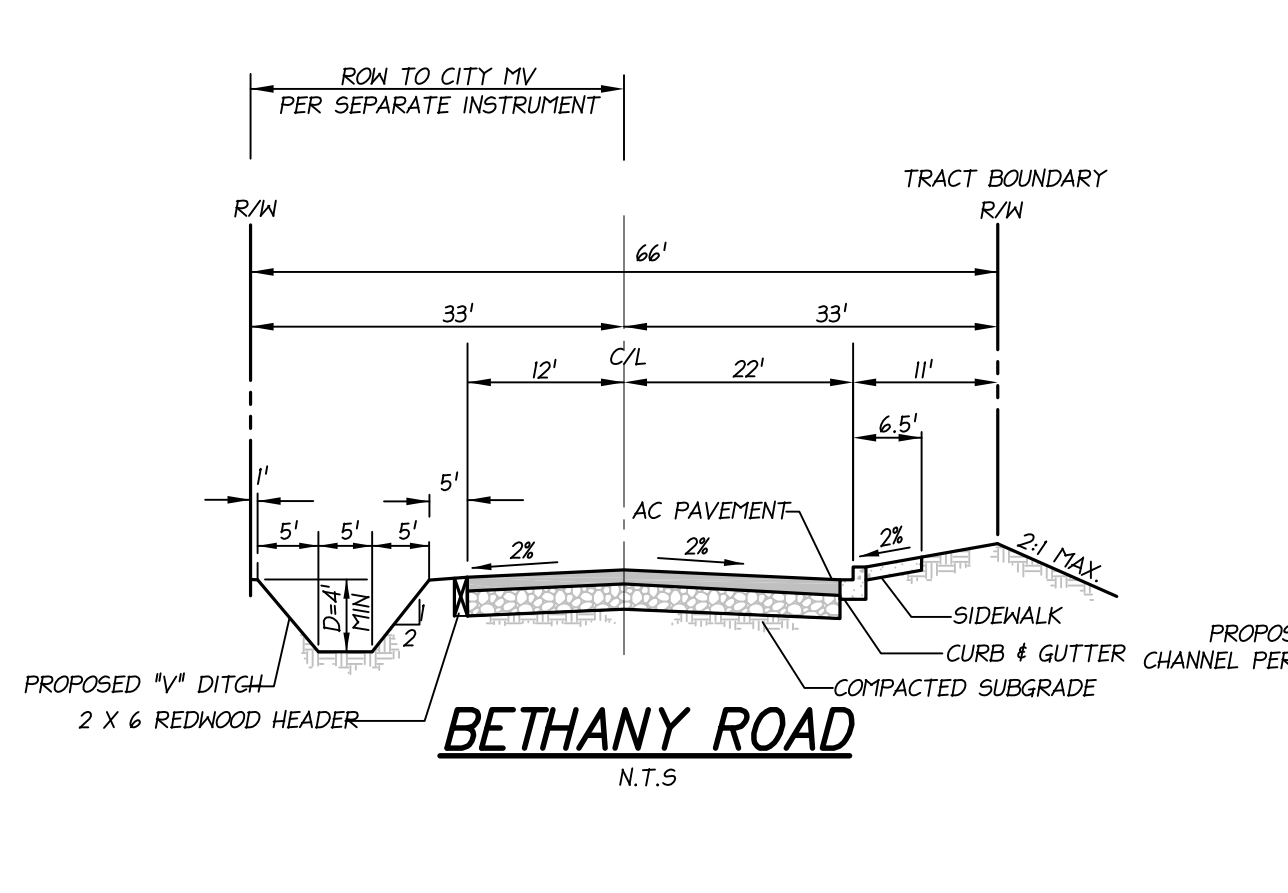
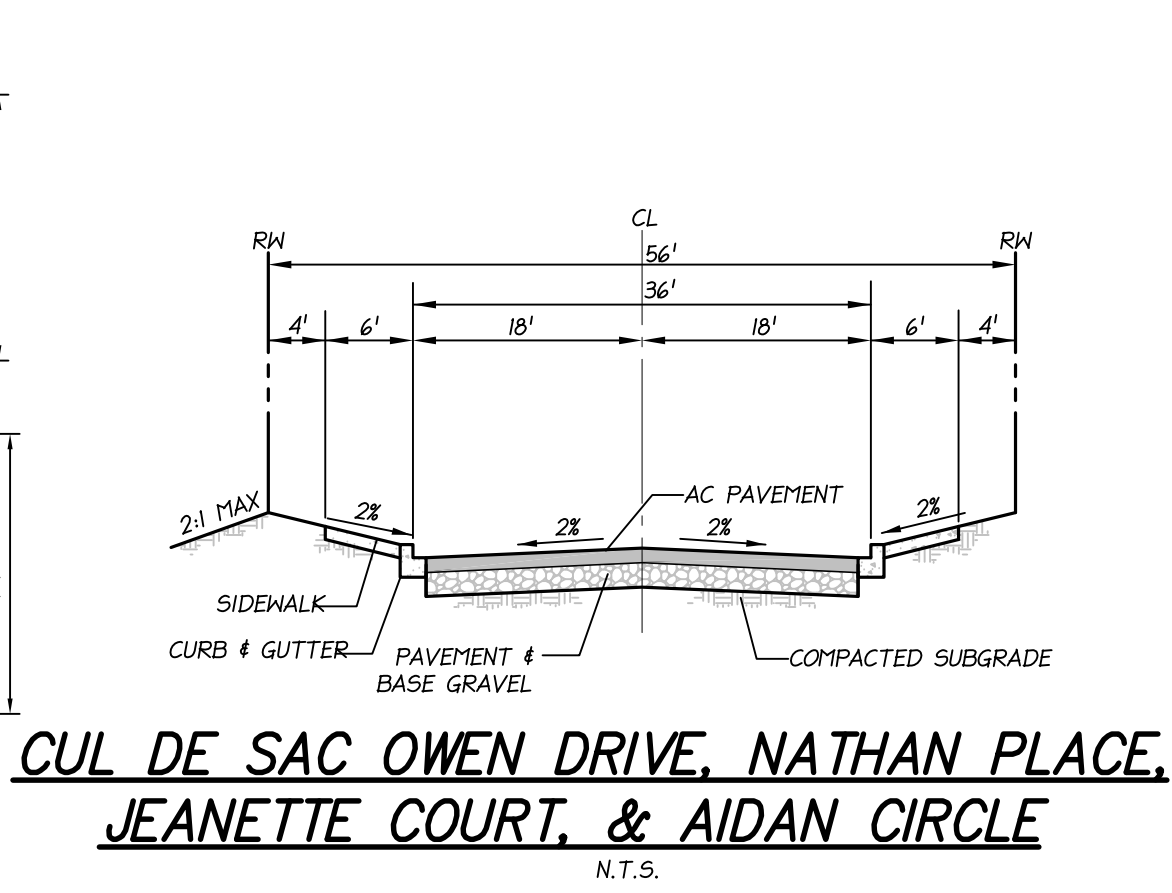
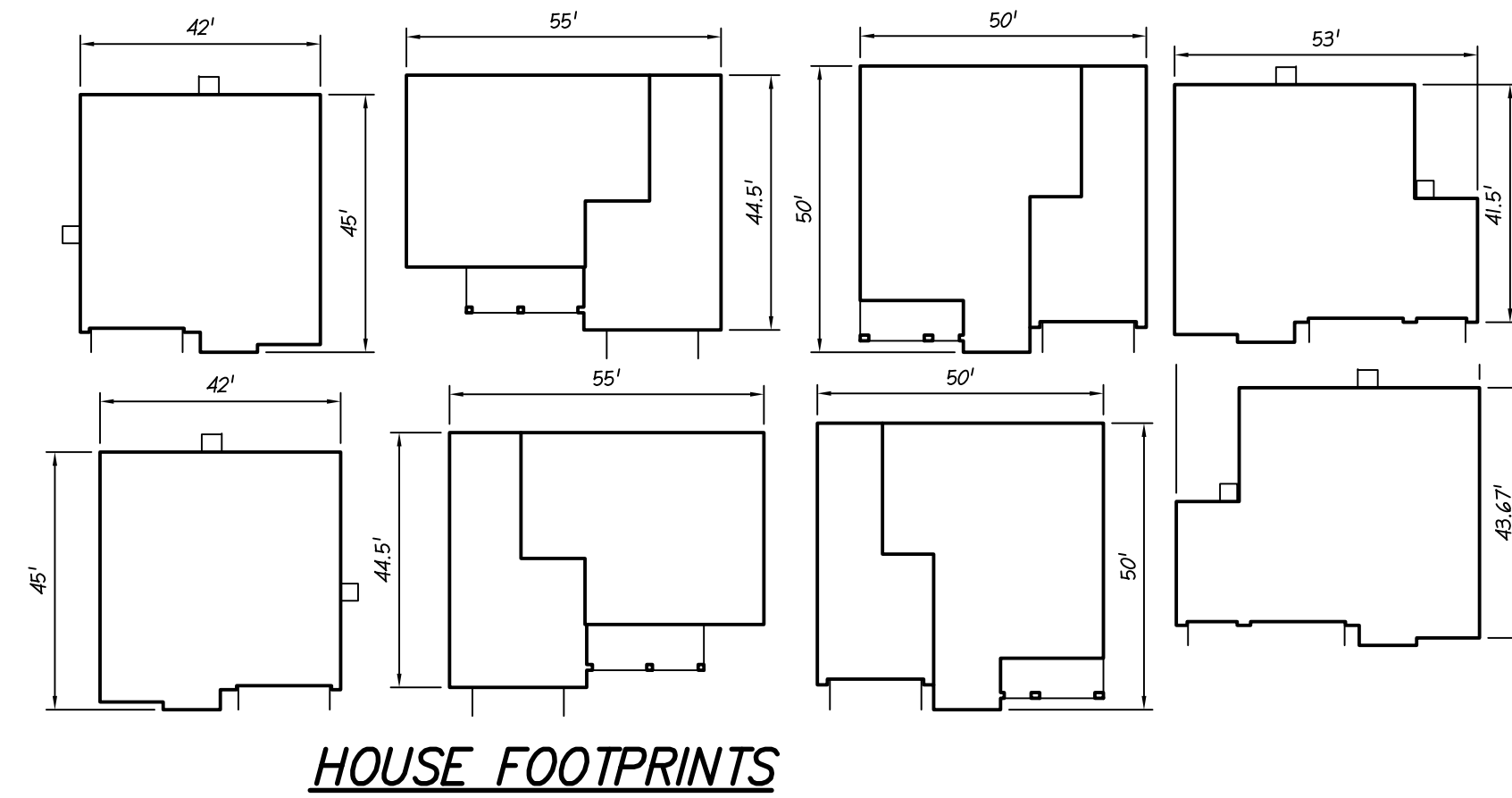
UTILITY PURVEYORS

- GAS: 50. CALIF. GAS (800) 427-2200
- ELECTRICAL: 50. CA. EDISON (800) 455-4555
- TELEPHONE: VERIZON (800) 483-5000
- WATER & SEWER: EASTERN MUNICIPAL WAT. DIST. (951) 928-3777
- CABLE: TCI CABLEVISION (800) 227-2600

SITE ADDRESS:
 ADDRESS: SOUTHWEST CORNER OF
 MORENO BEACH DRIVE & BAY AVE.

BUILDING SET BACK (R-3 ZONE)

- FRONT BUILDING SET BACK 25'
- REAR BUILDING SET BACK 30'
- SIDE YARD BUILDING SET BACK 5' MIN.; 20' TOTAL
- STREET SIDE BUILDING SET BACK 15'



MARK	REVISIONS	DATE	BY

PLOT PLAN
TRACT NO. 31618

FOR: FRONTIER COMMUNITIES	SCALE: 1"=40'	I.W. 469.001
DATE: 8/2013	DESIGNED: JB	SHEET 1
CHECKED: AM	PLN. CK. REF: F.B.	OF 1 SHEETS
		DWG. NO. 469.001

IW CONSULTING ENGINEERS, INC.
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 • SURVEYING • ENVIRONMENTAL ENGINEERING
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