

1 **CITY OF MORENO VALLEY PLANNING COMMISSION**
2 **REGULAR MEETING**
3 **CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET**
4

5 **Thursday, March 24th, 2016, 7:00 PM**

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8 **CALL TO ORDER**
9

10 **CHAIR LOWELL** – Good evening ladies and gentleman. I would like to call the
11 March 24th, 2016, Regular Meeting of the Planning Commission to order. The
12 time is 7:11 PM. Could we have rollcall please?
13

14
15 **ROLL CALL**
16

17 **Commissioners Present:**

18 Commissioner Ramirez
19 Commissioner Van Natta
20 Commissioner Baker
21 Commissioner Barnes
22 Alternate Commissioner Gonzalez
23 Alternate Commissioner Nickel
24 Vice Chair Sims
25 Chair Lowell
26

27 **Staff Present:**

28 Rick Sandzimier, Planning Official
29 Paul Early, Assistant City Attorney
30 Erica Tadeo, Administrative Assistant
31 Claudia Manrique, Associate Planner
32 Gabriel Diaz, Associate Planner
33 Mark Gross, Senior Planner
34 Jeff Bradshaw, Associate Planner
35
36

37 **PLEDGE OF ALLEGIANCE**
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40 **CHAIR LOWELL** – I am here also. Thank you very much. I'd like to have
41 Rafael Brugueras lead us in the Pledge of Allegiance tonight. I apologize for
42 butchering your name.
43
44

1 **APPROVAL OF THE AGENDA**

2
3 **Approval of Agenda**

4
5 **CHAIR LOWELL** – Thank you very much. I'd like to move to approval of
6 tonight's Agenda with one exception, or one cavity. I would like to move the last
7 item, which is the continuance of the Public Hearing Item to be the first item we
8 talk about tonight just as a moment of clarity. So, with that, would anyone like to
9 motion to approve tonight's Agenda?

10
11 **COMMISSIONER BAKER** – I will.

12
13 **CHAIR LOWELL** – Nope. We can't vote. Okay, so motioned by Commissioner
14 Baker. Do we have a second?

15
16 **COMMISSIONER VAN NATTA** – Second.

17
18 **CHAIR LOWELL** – Seconded by Commissioner Van Natta. So, Ray, if you'd
19 like to push the move button. Second. Perfect, now please cast your votes.
20 Perfect, all votes have been cast. The Agenda has been approved, 7-0 and we
21 can move onto the meeting. That's awesome.

22
23
24 Opposed – 0

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27 **Motion carries 7 – 0**

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30 **CONSENT CALENDAR**

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32 *All matters listed under Consent Calendar are considered to be routine and all*
33 *will be enacted by one rolcall vote. There will be no discussion of these items*
34 *unless Members of the Planning Commission request specific items be removed*
35 *from the Consent Calendar for separate action.*

36
37
38 **CHAIR LOWELL** – I do not believe that we have anything on the Consent
39 Calendar tonight, do we?

40
41 **PLANNING OFFICIAL RICK SANDZIMIER** – We do have the Minutes, but you
42 just wanted to move the last item up first. I think the first one.....

43
44 **CHAIR LOWELL** – I'm not 100% positive whether it should go before the
45 Consent Calendar or after it or just do it immediately.

1 **PLANNING OFFICIAL RICK SANDZIMIER** – I think it's fine to go now.

2
3 **CHAIR LOWELL** – Okay.

4
5
6 **PUBLIC HEARING ITEMS**

- 7
8
9
10 1. Case: PA14-0011
11 Applicant: City of Moreno Valley
12 Owner: City of Moreno Valley
13 Representative: Community Development Department
14 Location: City-wide
15 Case Planner: Claudia Manrique
16 Council District: All
17 Proposal: Municipal Code Amendment
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27 **STAFF RECOMMENDATION:**

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29 Staff recommends that the Planning Commission take the following action:

- 30
31 1. **APPROVE** a continuance of the Public Hearing to the Planning
32 Commission meeting of April 28th, 2016.
33
34

35 **PLANNING OFFICIAL RICK SANDZIMIER** – I'm happy to give a Staff Report.

36
37 **CHAIR LOWELL** – Okay, let's go for that. Was anybody here tonight wanting to
38 speak on that last item, which I'm trying to scroll to? I'll just go to my paper copy.
39 That's a lot easier. The continuance of the Public Hearing to the Planning
40 Commission for the April 28th, 2016 meeting, which was a Municipal Code
41 Amendment. Is anybody here to speak about that tonight? I don't see any
42 hands, so I think it's safe to continue it. So, do we have a Staff Report on this?
43

44 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, Sir. Just a quick Staff
45 Report. This is a comprehensive look at our Municipal Code. It's really a
46 cleanup item. There are a lot of items on there, and this was a heavy Agenda

1 tonight, so it's Staff's recommendation that we just continue that item until April
2 28th, 2016, which would be a much lighter Agenda. Because we did Public
3 Notice that as a hearing for this evening, we want to make sure that we continue
4 it to the date certain. So what we're asking this evening from the Planning
5 Commission is that you'll continue it to April 28th. At that time, there will be a full
6 Staff Report included in the Agenda packet and then we will be able to discuss
7 that item.

8
9 **CHAIR LOWELL** – Okay, with that, I would like to move to continue the item
10 (the Municipal Code Amendment) to the next Planning Commission Meeting on
11 April 28th, 2016. Would anybody like to second?

12
13 **COMMISSIONER BARNES** – Second.

14
15 **CHAIR LOWELL** – Seconded by Commissioner Barnes. So I am the mover on
16 this one, seconded. Now let's go ahead and cast your votes. We're waiting on
17 Commissioner Van Natta. There we go. All votes have been cast. Perfect, the
18 motion passes 7-0. The item has been continued to April 28th, 2016 I believe.
19 Thank you very much.

20
21
22 Opposed – 0

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25 **Motion carries 7 – 0**

26
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28 **APPROVAL OF MINUTES**

29
30 **Planning Commission - Regular Meeting - May 28th, 2015, 7:00PM**

31 **Approve as submitted.**

32
33
34 **Planning Commission - Regular Meeting - June 11th, 2015, 7:00PM**

35 **Approve as submitted.**

36
37
38 **Planning Commission - Regular Meeting - June 25th, 2015, 5:00PM**

39 **Approve as submitted.**

40
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42 **Planning Commission - Regular Meeting - June 30th, 2015, 6:00PM**

43 **Approve as submitted.**

44
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46 **Planning Commission - Regular Meeting - July 23rd, 2015, 7:00PM**

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Approve as submitted.

Planning Commission - Regular Meeting - August 27th, 2015, 7:00PM

Approve as submitted.

Planning Commission - Regular Meeting - December 10th, 2015, 7:00PM

Approve as submitted.

Planning Commission - Regular Meeting - January 28th, 2016, 7:00PM

Approve as submitted.

CHAIR LOWELL – With that item down, now we’re moving onto our Consent Calendar, which is the approval of Minutes. We have quite a few Minutes to approve and we have various Commissioners in line up here, so I would like to take each session of Minutes one at a time if that’s possible.

PLANNING OFFICIAL RICK SANDZIMIER – That would be fine.

CHAIR LOWELL – Any questions or comments on the May 28th, 2015, meeting?

COMMISSIONER VAN NATTA – Okay, who was here?

CHAIR LOWELL – We had Commissioner Ramirez, Commissioner Korzec, Commissioner Van Natta, Commissioner Baker, Vice Chair Sims, myself, and alternate Planning Commissioner Nickel. So, one, two, three, four, five, six, seven. Sorry about that. My microphone turned off, which is why nobody could hear me. So, anybody have any questions or comments on the May 28th, 2015, Minutes? It’s been a long time since we’ve had to approve Minutes. Do we have to vote on them individually, Mr. Sandzimier?

ASSISTANT CITY ATTORNEY PAUL EARLY – You can take them collectively.

CHAIR LOWELL – Okay.

COMMISSIONER VAN NATTA – Well not necessarily if everybody wasn’t at each one of the meetings. That’s why you’d split them out.

1 **CHAIR LOWELL** – So if we wanted to vote on them individually it’s been a long
2 time; almost a year. So, do we motion to approve the Minutes and then vote on
3 them or do we just say all I.....
4

5 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Well Commissioner Van Natta
6 raises a point. If they are different, if it is a different body for each one, then you
7 would want to take the votes separately.
8

9 **CHAIR LOWELL** – So I would say.....
10

11 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And then you could body,
12 number of people sitting could be taken collectively.
13

14 **CHAIR LOWELL** – So but my question was is do we take a motion to approve
15 the Minutes individually?
16

17 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Correct.
18

19 **CHAIR LOWELL** – Okay, so.....
20

21 **COMMISSIONER VAN NATTA** – Okay I move that we approve the Minutes of
22 the Regular Meeting of May 28th, 2015.
23

24 **COMMISSIONER BAKER** – I’ll second that.
25

26 **CHAIR LOWELL** – Perfect and I don’t know, can we vote on them like that?
27 Yeah, let’s do it. Motioned by Commissioner Van Natta and seconded
28 Commissioner Baker . Cast your votes.
29

30 **ASSISTANT CITY ATTORNEY PAUL EARLY** – You’ll need to take
31 Commissioner Nickel by oral roll call.
32

33 **CHAIR LOWELL** – Correct, so I believe Erlan will just hit abstain or just not cast
34 a vote?
35

36 **ASSISTANT CITY ATTORNEY PAUL EARLY** – He’s not sitting for this
37 particular motion.
38

39 **CHAIR LOWELL** – Okay. Commissioner Sims, if you want to cast your vote.
40 And Commissioner Nickel if you’d like to cast your vote.
41

42 **ALTERNATE COMMISSIONER NICKEL** – I
43

44 **CHAIR LOWELL** – Perfect, so that motion passes 7-0. Perfect.
45
46

1 Opposed – 0

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4 **Motion carries 7 – 0**

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7 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the Thursday,
8 June 11th, 2015, meeting. Commissioners present were Commissioner Baker,
9 Commissioner Barnes, Commissioner Ramirez, Commissioner Korzec,
10 Commissioner Van Natta, Vice Chair Sims and myself and the two alternates
11 were there but they weren't seated so.

12

13 **COMMISSIONER BAKER** – I'll move to approve.

14

15 **COMMISSIONER VAN NATTA** – I'll second.

16

17 **CHAIR LOWELL** – Perfect, please cast your votes. And, again, Commissioner
18 Gonzalez you would abstain or not cast a vote and Commissioner Korzec would
19 just be an absent vote. Perfect. That motion passes 6-0 with one absent.

20

21

22 Opposed – 0

23

24

25 **Motion carries 6 – 0**

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27

28 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the June 25th,
29 2015, Special Meeting which started at 5:00PM. The same Commissioners were
30 there, Vice Chair Sims, myself, Commissioner Ramirez, Commissioner Barnes,
31 Commissioner Van Natta, and Commissioner Baker. What about the next set of
32 Minutes? Perfect, I'll motion to approve these Minutes.

33

34 **COMMISSIONER BARNES** – I'll second.

35

36 **CHAIR LOWELL** – So again, Commissioner Gonzalez, you'd abstain from this
37 one. This motion passes 6-0 with one absent.

38

39

40 Opposed – 0

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42

43 **Motion carries 6 – 0**

44

45

1 **CHAIR LOWELL** – Moving onto the June 30th, 2015, Special Meeting. Again,
2 we had Commissioner Baker, Commissioner Barnes, Commissioner Korzec,
3 Commissioner Ramirez, Commissioner Van Natta, Vice Chair Sims and myself.
4 I'll motion to approve these Minutes.

5
6 **COMMISSIONER VAN NATTA**– I'll second.

7
8 **CHAIR LOWELL** – Please cast your vote again with Commissioner Gonzalez
9 abstaining or just not voting. This motion passes 6-0 with one absent.

10
11
12 Opposed – 0

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15 **Motion carries 7 – 0**

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18 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the July 23rd,
19 2015, Regular Meeting of the Planning Commission. Commissioners present,
20 which were Commissioner Baker, Commissioner Barnes, Commissioner
21 Ramirez, Commissioner Korzec, Commissioner Van Natta, Vice Chair Sims and
22 myself. Both alternates were also present. Would anybody like to motion to
23 approve the Minutes?

24
25 **COMMISSIONER RAMIREZ** – I so move.

26
27 **CHAIR LOWELL** – Perfect.

28
29 **COMMISSIONER VAN NATTA** – I second.

30
31 **CHAIR LOWELL** – Seconded by, oh, Commissioner Barnes beat you.

32
33 **COMMISSIONER BARNES** – Sorry, I snuck it in there.

34
35 **COMMISSIONER VAN NATTA** – You have to say it.

36
37 **COMMISSIONER BARNES** – I apologize, I second.

38
39 **COMMISSIONER VAN NATTA** – I cleared it.

40
41 **CHAIR LOWELL** – So we're waiting on Commissioner Baker. There we go.
42 Again, this one passes 6-0 with one absent.

43
44
45 Opposed – 0

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2 **Motion carries 6 – 0**
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4
5 **CHAIR LOWELL** – Moving onto the August 27th, 2015, Regular Meeting. We
6 had both alternate Commissioners that were present, so we have Commissioner
7 Ramirez, Commissioner Korzec, alternate Commissioner Nickel, Commissioner
8 Van Natta, Commissioner Baker, Commissioner Barnes, alternate Commissioner
9 Gonzalez and myself. So please weigh in on this by rollcall vote I guess. I will
10 move to approve these Minutes.

11
12 **COMMISSIONER BAKER** – I second.

13
14 **CHAIR LOWELL** – Try that again Commissioner Barnes, Baker.

15
16 **COMMISSIONER BAKER** – Okay.

17
18 **CHAIR LOWELL** – There we go.

19
20 **ALTERNATE COMMISSIONER NICKEL** – Did they here it? Oh, okay.
21 Commissioner Nickel, I.

22
23 **CHAIR LOWELL** – Okay, we had Commissioners.....so Commissioner Van
24 Natta you have to abstain because you weren't here.

25
26 **COMMISSIONER VAN NATTA** – Which one?

27
28 **CHAIR LOWELL** – We're on the Thursday, August 27th, 2015, meeting.

29
30 **COMMISSIONER VAN NATTA** – Oh, okay. I will still on, I was still looking at
31 that one. Yes I was. Commissioners present.

32
33 **CHAIR LOWELL** – I have this one over here as Commissioners present. Both
34 alternates were present and you were not here and Vice Chair Sims.

35
36 **COMMISSIONER VAN NATTA** – There's my name right there.

37
38 **CHAIR LOWELL** – Oh, I'm sorry, right there. My mistake, so who wasn't here?

39
40 **COMMISSIONER VAN NATTA** – I was here.

41
42 **VICE CHAIR SIMS** – I had an excused absence.

43
44 **CHAIR LOWELL** – Oh, it's confusing me. We had eight present. It's out of
45 order, so I'm confused. We need to figure out who was here on that meeting.
46

1 **ASSISTANT CITY ATTORNEY PAUL EARLY** – We can clean that up
2 afterwards. Since they are all “I” votes, it will still pass.

3
4 **CHAIR LOWELL** – I think they are all “I” votes.

5
6 **ASSISTANT CITY ATTORNEY PAUL EARLY** – We can just vacate the vote of
7 the person who wasn’t here.

8
9 **CHAIR LOWELL** – Okay, perfect.

10
11
12 Opposed – 0

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15 **Motion carries 8 – 0**

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18 **CHAIR LOWELL** – Moving onto the next set of Minutes, which is the December
19 10th, 2015, meeting. Again, we had myself. We had alternate Commissioner
20 Nickel, Commissioner Korzec, alternate Commissioner Gonzalez, Commissioner
21 Van Natta, Commissioner Baker, and Commissioner Barnes. Sims and Ramirez
22 were absent. I’ll move to approve these Minutes.

23
24 **COMMISSIONER BARNES** – Second.

25
26 **CHAIR LOWELL** – So we need a verbal vote by Commissioner Nickel.

27
28 **ALTERNATE COMMISSIONER NICKEL** – I

29
30 **CHAIR LOWELL** – Perfect. Everything is perfect. This motion passes 7-0.

31
32
33 Opposed – 0

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35
36 **Motion carries 7 – 0**

37
38
39 **CHAIR LOWELL** – We’re moving onto the last set of Minutes, which is the
40 Thursday, January 28th, 2016, Regular Meeting. Again everybody was present.
41 We had Commissioner Ramirez, Commissioner Korzec, Commissioner Van
42 Natta, Commissioner Baker, Commissioner Barnes, Vice Chair Sims and myself.
43 Both alternates were also present. I will move to approve these Minutes.

44
45 **ALTERNATE COMMISSIONER GONZALEZ** – I second.

1 **CHAIR LOWELL** – I don't think you can second because you were not here.
2 You weren't seated. That doesn't matter. We'll clean it up. I don't think you can
3 un-second.

4
5 **VICE CHAIR SIMS** – You can't undo what you've done.

6
7 **CHAIR LOWELL** – Gosh. Okay, just cast your votes. We'll clean it up.

8
9 **COMMISSIONER BARNES** – Paul will fix it.

10
11 **COMMISSIONER VAN NATTA** – Yes.

12
13 **CHAIR LOWELL** – Perfect. That motion passes 8-0.

14
15
16 Opposed – 0

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18
19 **Motion carries 8 – 0**

20
21
22 **COMMISSIONER VAN NATTA** – I have a comment about the Minutes.

23
24 **CHAIR LOWELL** – Yes, Ma'am.

25
26 **COMMISSIONER VAN NATTA** – As I have brought this up before. I think it's
27 very counterproductive for us to be looking at Minutes from a year ago.

28
29 **CHAIR LOWELL** – I think there was a technical difficulty they had.

30
31 **COMMISSIONER VAN NATTA** – It took a year to fix the technical difficulty?

32
33 **PLANNING OFFICIAL RICK SANDZIMIER** – My apologies. I mentioned it a
34 couple of meetings ago that we did have a problem with the Minutes, and I think I
35 indicated that we would probably be bringing a large group. And we did get it
36 cleaned up. We believe we've got that problem corrected now, so you should be
37 seeing the Minutes in a much more timely fashion so my sincere apologies. I
38 know it was a lot of volume this time but.....

39
40 **COMMISSIONER VAN NATTA** – I think I mentioned before I think I'm generally
41 used to when we have a meeting, not this....other you know boards that I sit on,
42 when we have a meeting the first thing we do is review and approve the
43 meetings from the last....the Minutes from the last meeting. That way we know
44 if there is anything that needs to be corrected right away. It's hard to remember
45 a year later or even six months later.

1 **COMMISSIONER BAKER** – These are actually transcribed out of house, right?
2 Down in Newport Beach or somewhere?

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – We do use an outside service.
5 They are verbatim Minutes, so it's a matter of listening to the tape and then.....

6
7 **COMMISSIONER BAKER** – The question I had here, Rick, was like I know we
8 met in September and October and possible November. I don't see any Minutes
9 for those meetings. Is something going on there?

10
11 **PLANNING OFFICIAL RICK SANDZIMIER** – We should have them by the next
12 meeting Erica is telling me.

13
14 **COMMISSIONER BAKER** – Okay, very good.

15
16 **COMMISSIONER VAN NATTA** – I think that even if they are being outsourced
17 that a month would be long enough for them to transcribe Minutes because we
18 generally have a month between our meetings.

19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – I agree. I do, so we will be
21 working with our service to make that happen.

22
23 **VICE CHAIR SIMS** – I would almost review their contract and see if there is a
24 termination clause if they can't per their contract. There would seem there would
25 have a some kind of performance standard in their contract that they should be
26 meeting.

27
28 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.

29
30 **COMMISSIONER VAN NATTA** – Thank you.

31
32 **CHAIR LOWELL** – Well, on that, I will just keep piling on.

33
34 **COMMISSIONER BAKER** – Poor Rick.

35
36 **COMMISSIONER BARNES** – Yeah.

37
38
39 **PUBLIC COMMENTS PROCEDURE**

40
41 *Any person wishing to address the Commission on any matter, either under*
42 *Public Comments section of the Agenda or scheduled items or public hearings,*
43 *must fill out a "Request to Speak" form available at the door. The completed*
44 *form must be submitted to the Secretary prior to the Agenda item being called by*
45 *the Chairperson. In speaking to the Commission, member of the public may be*
46 *limited to three minutes per person, except for the applicant for entitlement. The*

1 Commission may establish an overall time limit for comments on a particular
2 Agenda item. Members of the public must direct their questions to the
3 Chairperson of the Commission and not to other members of the Commission,
4 the applicant, the Staff, or the audience. Additionally, there is an ADA note.
5 Upon request, this Agenda will be made available in appropriate alternative
6 formats to persons with disabilities in compliance with the Americans with
7 Disabilities Act of 1990. Any person with a disability who requires a modification
8 or accommodation in order to participate in a meeting should direct their request
9 to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 48 hours prior to
10 the meeting. The 48-hour notification will enable the City to make reasonable
11 arrangements to ensure accessibility to this meeting.
12
13

14 **CHAIR LOWELL** – Moving onto the Public Comments Procedure. With that
15 said, if you'd like to speak on any of the items tonight please do fill out a slip by
16 the door and turn it into Ms. Tadeo up here at the front. Once we call the item,
17 they are going to stop accepting Speaker Slips so this is a fair notice warning.
18
19

20 **NON-PUBLIC HEARING ITEMS**

21 22 1. Hillside Residential Development (Report of: Community Development)

23
24 Case: Hillside Residential Development
25
26 Applicant: City of Moreno Valley
27
28 Owner: N/A
29
30 Representative: N/A
31
32 Location: HR and RR Zoning Districts City-wide
33
34 Case Planner: Jeff Bradshaw
35
36 Council District: City-wide
37
38
39

40 **CHAIR LOWELL** – So the first item up tonight is a Non-Public Hearing Item on
41 Hillside Residential Developments. The Case Planner is Mr. Jeff Bradshaw.
42

43 **COMMISSIONER VAN NATTA** – Would we not be asking for comments on
44 anything that is not on the Agenda for tonight?
45

46 **ASSISTANT CITY ATTORNEY PAUL EARLY** – He does have some.

1
2 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – I do have one on a non-item.

3
4 **CHAIR LOWELL** – Okay, I misspoke so perfect. Could we call up that person?

5
6 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Yeah, Rafael Brugueras.

7
8 **SPEAKER RAFAEL BRUGUERAS** – It's always good to have a non-Agenda
9 speech or a few words. Once again, good evening Staff, Commissioners,
10 residents of Moreno Valley, and our guests. We are here today to make sure
11 that our City continues to grow. It has been growing for the last two or three
12 years. We want to continue to keep the momentum going. I'm glad that we have
13 a full house and that our residents of Moreno Valley are paying attention to
14 what's going on in our City. They have concerns and you're here to hear them
15 and the Staff is here to try to fix them. So thank you so much for tonight. May
16 we all be blessed and get where we're going in Moreno Valley. Thank you.

17
18 **CHAIR LOWELL** – Thank you. Are there anymore Speaker Slips?

19
20 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – There are none.

21
22 **CHAIR LOWELL** – I have a Danny Schwier showing up on my screen.

23
24 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Oh, no. He's not.

25
26 **CHAIR LOWELL** – Okay, let's move onto the Non-Public Hearing Items. Again
27 it's Item No. 1, which is Hillside Residential Development. The Case Planner is
28 Mr. Jeff Bradshaw.

29
30 **PLANNING OFFICIAL RICK SANDZIMIER** – I would like to introduce our
31 Associate Planner Jeff Bradshaw. But, before so, I just wanted to let the
32 Commission know and the audience know that this item has been brought before
33 us at an interest of the previous Planning Commission and also previously
34 expressed interest of our City Council and Staff has continued to evaluate the
35 Hillside Residential Ordinance Standards that we have because of that direction,
36 and so Jeff is going to go over the item this evening. But what we're looking for
37 from the Commission is some idea, some clarification, and if there is any
38 identified discrepancies in our Code that we think we should fix that's what we're
39 looking for tonight is some candid feedback from the Planning Commissioners on
40 this.

41
42 **ASSOCIATE PLANNER JEFF BRADSHAW** – Thank you. Good evening Chair
43 Lowell and Members of the Planning Commission. We had an opportunity to
44 present information related to this topic to the Council and the Planning
45 Commission in a Joint Study Session in October of 2015. It doesn't feel like that
46 happened very long ago. Just by way of background, the Hillside Residential

1 Standards have been in effect with the City since adoption of the General Plan in
2 1988. That was followed shortly by the adoption of the City's first Development
3 Code that included some criteria for some Hillside Development as well. Those
4 standards have served as the basis for protecting the significant landforms in our
5 City. The result has been the preservation of views and vistas; ultimately
6 reduction in erosion and grading in areas of steep topography. So those are the
7 standards that have been in the background that would've governed that type of
8 development. It is important to note that, through the years, the City has
9 received some negative feedback from the development community and from
10 local residents that suggested our regulations might be too restrictive. And I
11 won't go into everything that is in the Staff Report. But, as you review the Staff
12 Report, we are providing some background in that this topic has been something
13 that has been discussed at the Planning Commission Council level a number of
14 times. In 2007, there was a Study Session held. More recently, a Study Session
15 in 2014 and then the most recent presentation of that information to the Planning
16 Commission Council in 2015. As Rick mentioned, following the October meeting,
17 Community Development Staff received a request through our City Council Office
18 to continue to review our standards and more specifically to look at our standards
19 and how they compare along side of the regulations that are currently in place for
20 the City of Riverside. And so the slides that we've prepared tonight are intended
21 to provide that information to you. Again, as Rick pointed out, what we hope to
22 accomplish out of this is be able to present that information to you and be able to
23 out of that receive some direction, advice, comments, recommendations;
24 whatever might be coming after your discussion of that information and use that
25 as a jumping off point to then prepare an appropriate plan of action that we can
26 present to City Council at a later date. And so slides, what we did was insert
27 some new content slide presentation that was done in October. So I'm just going
28 to skip ahead to the content that is new. This slide, I don't know if you can see
29 the detail very clearly. But it's the olive color that represents Riverside Zoning
30 that they have set in place for Hillside Development. So the areas that you see
31 on the western edge of the City and the southeast portion of the City in Riverside
32 are those areas that are RC Zone for that particular type of development. This
33 slide we were presenting their development standards along side of the City of
34 Moreno Valley's Development Standards. Hillside development in Moreno Valley
35 is permitted in two zones, the Hillside Residential Zone and the Rural Residential
36 Zone. So this, again, is just a side-by-side comparison of the two standards.
37 And, as you come down on the far left of both of those tables, you can see the
38 density open space lot area, lot width and depth, building height.

39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – For ease of reference, and I
41 apologize for interrupting. I know the print is kind of small to read, but if you want
42 to follow along in your packet it would be page 455 if you haven't found that
43 already. But if you want us to slow down at any time or point to the right page
44 that he is on, let us know. Sorry, Jeff.

45

1 **COMMISSIONER VAN NATTA** – As far as the technical thing. We have an
2 ability here to toggle between what’s on our Agenda and what’s on the screen.
3 But currently what’s showing on our screen is Mr. Bradshaw.

4
5 **ASSOCIATE PLANNER JEFF BRADSHAW** – Oh, you don’t need to see me.

6
7 **COMMISSIONER VAN NATTA** – Yeah, so if our technical crew could switch it
8 to where the presentation is showing on our screen instead of Mr. Bradshaw.

9
10 **COMMISSIONER BAKER** – There you go.

11
12 **COMMISSIONER VAN NATTA** – Thank you.

13
14 **ASSOCIATE PLANNER JEFF BRADSHAW** – Thank you Commissioner Van
15 Natta. My face can come down off the other screen as well. So one of the
16 challenges in comparing the two standards was that our standard has a number
17 of categories in which we want to try and regulate how the development would
18 occur. Those don’t necessarily match neatly with Riverside’s standards. So, as
19 you compare the two and come across any of those lines, you won’t necessarily
20 see standards in every box and so I won’t spend a lot of time on this slide. We
21 can come back to it if you have any particular questions, but they are similar in
22 many cases and very different in others. And this next slide was intended to be a
23 summary of what appeared to be the most significant of the differences. If you
24 review Riverside’s Ordinance, it would suggest or appear that the number of
25 units per acre is higher under Riverside’s Development Standards. One of the
26 other differences is the requirement for Open Space for developments that are
27 individual home lots (custom homes or standard track development). I did not
28 see an Open Space requirement for development in the City of Riverside. They
29 do have a type of Planned Unit Development called a Planned Residential
30 Development. If you enter into that type of arrangement where you would create
31 specialized zoning for a particular area, then Riverside is looking for an allocation
32 of Open Space. Lot coverage, again I did not see under the Standard
33 Development. But it would also be another factor in a Planned Residential
34 Development scenario in the City of Riverside. Clustering is something that the
35 City of Moreno Valley allows for to protect the steeper portions of a site.
36 Riverside doesn’t require that, or allow for it rather, under standard development
37 in that zone. But they would allow for it in a Planned Unit, Planned Residential
38 Development. The minimum lot size for development in Riverside is one-half
39 acre. And then the biggest difference I thought as I reviewed the two was the
40 limitations on grading. The City of Moreno Valley allows for grading to occur
41 within any of the slopes with some restrictions. In the City of Riverside, once you
42 reach a slope of 40% or greater then grading is no longer allowed within those
43 areas. And we’ll come back to that. I think there is a principal reason for that, so
44 have some slides that will talk about that. So having looked at the differences
45 between what the City of Riverside allows in their Development Standards and
46 what Moreno Valley does, if the City were to consider relaxing our standards or

1 to do something different. If we saw something of benefit in Riverside's
2 standards, I think the balance in that is making sure as we move forward that
3 whatever we do consider is consistent still with our General Plan. If there is
4 something that looks like it might be advantageous to the City of Moreno Valley
5 to better promote development in the Hillside areas then maybe not only do we
6 want to consider changing our standards but revisiting the goals and policies of
7 the General Plan. Maybe in today's setting, the way the City views ridgelines
8 and steep slopes and hilltops and those rock outcroppings maybe it's different.
9 But that is an important thing, I think, to take into consideration that we need to
10 balance any changes with what's stated in our General Plan. For comparative
11 purposes, we provided standards for Hillside Development from other
12 communities. A very similar exercise to what I found as I compared to Riverside,
13 there are some similarities in those communities to what Riverside allows from
14 what Moreno Valley allows and there are some differences. And we can come
15 back to those if you have any questions. This is the other area that I felt like was
16 important for us to consider. The topography, in our City, I think is significantly
17 different than in Riverside. Our community is comprised of the level valley areas
18 that transitions to hillside and then the hillside turns quickly into steep sloping
19 mountainside with rock outcroppings and whatever drainage features would be
20 there. As I looked at the topography in the City of Riverside, most areas that
21 were in that Hillside Residential Zone seemed to be mostly rolling with some
22 hillside and some steep features. But those weren't as prominent as what we
23 see here in the City of Moreno Valley. And I believe in looking at the two
24 standards. That's why our City has tried to be more flexible and allow grading
25 into those steep areas even in slopes in excess of 60% with restrictions while, in
26 Riverside, they control that and don't allow the grading to occur on the slopes
27 that are over 40%. And I believe that's simply because those types of features
28 are less frequent and they are probably a little more sensitive to protecting those
29 where they do occur. The next slides are intended to show those portions of the
30 City of Moreno Valley where the HR Zone is located and then I have some slides
31 from Riverside as well. In this case, the HR Zone is the portion of the Hillside or
32 mountainside you see behind the homes is where the HR Zone is starting. The
33 same thing here. As you transition from the somewhat level area to the steep
34 hillside with the rocks, that's the portion of this slide that's HR (Hillside
35 Residential Zone). Same in this slide. The homes are not in the HR Zone and
36 behind them is where the HR Zone begins. This is a slide that's representative of
37 the areas zoned for Hillside Development in Riverside. The property at the end
38 of that street is also zoned for that same purpose. And the property here very
39 close to the street intersection is zoned for Hillside Development, and then as
40 you rise into the hillside in the background that is also zoned for that same
41 purpose. That really is new content that we prepared and inserted into the
42 slides. The remaining slides are all part of the presentation that we did in
43 October. And, again with having presented that information to you, I'm happy to
44 go back on any portion of the slides or the Staff Report if you have questions but
45 that is what we have prepared for you this evening for your consideration. And,

1 again, we would be looking to either answer questions for you or look for input
2 and direction from you.

3
4 **COMMISSIONER VAN NATTA** – Can you go back to the Redlands
5 comparison? Is Redlands hillside area more similar to what we have in terms of
6 grade rather than, are we more like Redlands than we are Riverside?

7
8 **ASSOCIATE PLANNER JEFF BRADSHAW** – I think Redlands is more like
9 Riverside than like our standard in terms of extent that they'll allow for
10 development to occur in those steep areas.

11
12 **COMMISSIONER VAN NATTA** – But as far as topography goes?

13
14 **ASSOCIATE PLANNER JEFF BRADSHAW** – Oh, I apologize.

15
16 **COMMISSIONER VAN NATTA** – Are we more similar to Redlands than we are
17 to Riverside?

18
19 **ASSOCIATE PLANNER JEFF BRADSHAW** – Personal opinion, I would think
20 that the transitions are more like here. They go from level to steep.....

21
22 **COMMISSIONER VAN NATTA** – Rather quickly.

23
24 **ASSOCIATE PLANNER JEFF BRADSHAW** – Topography rather than the
25 transition.

26
27 **COMMISSIONER BARNES** – I guess I have a question. What's the goal of this
28 evening's discussion? Are we going to put together some type of a
29 recommendation to forward to the Council, or are we directing Staff?

30
31 **PLANNING OFFICIAL RICK SANDZIMIER** – Well what we're looking candidly
32 is any input that the Planning Commissioners may have been hearing from their
33 own constituency from people from the community , any personal observations
34 you've seen over the years while you've been either involved with the City or as a
35 Commissioner or you think there may be some things that we can do differently
36 with our Code. Is our Code the thing that is keeping hillside development from
37 happening in our community or is it other conditions in the City that are affecting
38 whether we attract hillside development or not? What we've tried to do is just
39 provide an overview of what we believe is the regulatory framework that could be
40 providing some obstacles and constraints and then there are also the physical
41 conditions in our community that provide the same opportunities or constraints.
42 We believe that in that ladder the physical constraints in our community are quite
43 different than what we see in Riverside, and so if Riverside has more hillside
44 development and we've had some input from our councilmember's to look at
45 Riverside. We want to be fair and accurate in our assessment there that we may
46 not be able to mimic what's happening in Riverside because of the physical

1 conditions. We may be able to mimic what's in the regulatory framework but they
2 may not apply here because physical conditions just don't lend themselves to
3 having that sort of approach. I hope I'm not confusing the issue, but that's really
4 what we're trying to understand is, is there something broken that needs to be
5 fixed? If there is something that needs to be done differently if it's not a fix. If it's
6 a change in approach, then what I think Mr. Bradshaw has touched on we may
7 need to revisit what's in our General Plan because our General Plan has some
8 framework and some ideas about what the City has already adopted as things
9 we want to protect or respect in our hillsides. And so, if we want to change that
10 in order to allow the development, then maybe what we're looking for is more of a
11 General Plan Review not a Zoning Code Review. So we're just kind of opening it
12 up for that kind of discussion.

13
14 **COMMISSIONER BARNES** – Okay, well that being said then, I'm going to toss
15 out three or four thoughts that I've put together in going through this information,
16 particularly the comparison of Moreno Valley and Riverside. The very first line
17 where they discuss density, that's the huge difference that jumps out at me. And
18 it was brought up at the Joint Session with the City Council. If you look at the HR
19 Development in Moreno Valley (one dwelling unit per 10 acres), City of Riverside
20 (half acre minimum, two acre average). That's a tremendous difference. And
21 then if you look at the RR Zone in Moreno Valley it's one per 20 acres and
22 Riverside preserves a half acre minimum, two acre average. So that's a
23 substantial difference in density. The other factors, you know, you can push
24 those numbers up and down. It's, I think, less significant than that first line. That
25 is a huge difference. And, Jeff, earlier you had mentioned or made a comment
26 about I think percentage of coverage that City of Riverside does not address in
27 their Hillside Ordinance. I think what they do is they have a pad size criteria that
28 is linked to the slope of the property. So, if you look at the slope ranges, as you
29 go up in slope your pad size is restricted. So that's how they control the amount
30 of development in a particular parcel. So and that result I think is similar. Yeah,
31 you preserve more Open Space as it gets steeper. And then the comment about
32 the City of Moreno Valley not restricting grading in areas steeper than I think 30%
33 whereas Riverside prohibits over 40%. That's not particularly practical, so I don't
34 think that's much of an issue in either case because over 40% has been pretty
35 prohibitive to develop.

36
37 **CHAIR LOWELL** – But if you.....

38
39 **COMMISSIONER BARNES** – So those are some of my thoughts.

40
41 **CHAIR LOWELL** – If you had the ability to be creative and put in a lot of
42 retaining walls or something on stilts, 40% at being a limit saying you can't build
43 on anything greater than a steep of 40% is.....

44
45 **COMMISSIONER BARNES** – Right.

46

1 **CHAIR LOWELL** – Stifling in ingenuity.

2
3 **COMMISSIONER BARNES** – Oh yeah, and I'm not saying that I'm in favor of
4 that restriction. I wouldn't be opposed to allowing somebody if they had the
5 money and the creativity, you know go for it. So all these numbers aside, I think
6 in my mind the density is the critical issue and my general recommendation
7 would be that we explore ways to modify the density to accommodate something
8 greater.

9
10 **VICE CHAIR SIMS** – How much actual acreage are we talking about? I mean
11 when I look at the maps here, and I didn't see it maybe it was hidden somewhere
12 in the Staff Report, but how many total acreage are we talking here and within
13 the City? You know, are we talking 2.5 acres per unit or 20 acres a unit? We
14 may be talking 50 units. I mean because the map here, there is very little.

15
16 **PLANNING OFFICIAL RICK SANDZIMIER** – I'm going to have Jeff put the
17 actual map up to show you the areas we're talking about. On this exhibit you're
18 seeing here, the orange or the brownish areas are the areas that are designated
19 for Hillside Residential Development. As a percentage of the City, you can see
20 it's a very small percentage. I don't know what the total acreage is but most of
21 the hillside area has got sparse development on it today. You know, we don't
22 have a lot of development happening in the hillside. One other thing that I don't
23 think came across in the presentation or maybe we didn't include it, is because of
24 the rocky conditions, I have heard that some of the challenge in this hillside area
25 is that there is a lot of rock and putting in a septic system or trying to get a sewer
26 becomes a challenge in some of our areas. I don't know if that's a similar
27 condition in Riverside or not, but it's obvious in the images you saw there was a
28 lot of rocks in our hillside. So it may be somewhat shallow under the ground
29 there. The other area that we did study, and I don't know if we got an exhibit that
30 shows the rural residential...in our area.

31
32 **ASSOCIATE PLANNER JEFF BRADSHAW** – Yeah it's...on this slide, it's the
33 green areas. There's not very much within the city limits. It's residential. But it's
34 the northeast corner of the city, the green shaded area.

35
36 **PLANNING OFFICIAL RICK SANDZIMIER** – Right and then off to the right of
37 this image, you see the area that is all white? There is our sphere of influence. I
38 believe the designation there is for rural residential. So, if we were to annex or
39 pursue annexation of our areas that are within our sphere, then there is an area
40 there in the rural residential (the hillside) can lend themselves to the same types
41 of development. But that's really the acreage potential we have in our City.

42
43 **VICE CHAIR SIMS** – For clarity sake, does the rural residential....so what we're
44 saying here is the rural residential would fall within the same restrictions more or
45 less of the hillside?

1 **ASSOCIATE PLANNER JEFF BRADSHAW** – They have comparable
2 standards. Slope analysis is required to determine density and so similar
3 formulas would apply to that Rural Residential Zone.
4

5 **VICE CHAIR SIMS** – Well, you know, my look at this is I think that Moreno
6 Valley provides, in some of the other criteria it seems like they are more
7 accommodating allowing for combined setbacks. So you could cluster, you could
8 allow a little bit closer...if you do have a piece of developable property in this kind
9 of a zone, you don't have the bigger setbacks to worry about so you can get
10 them up closer to each other. And I think this hillside is demonstrably different
11 than Riverside's hillside areas, and I think that there are very, very intimidating
12 physicality to a lot of this land. I'm not saying all of it, but a lot of it with the rocks.
13 Some of the stuff you just said that would prohibit grading and/or road making or
14 sewer capabilities would be very prohibitive. So I don't know if you made
15 it....well, yeah, you could go to two units to the (one unit to 2.5 acres). I don't
16 know if that's even....
17

18 **COMMISSIONER BARNES** – Right, but if it's not feasible then we've not lost
19 anything because no one.....
20

21 **VICE CHAIR SIMS** – Yeah, okay.
22

23 **COMMISSIONER BARNES** – Will choose to do it whereas, if it's overly
24 restrictive and they are precluded from even thinking about it then we don't know.
25

26 **VICE CHAIR SIMS** – I guess another question I would is, do you have clamoring
27 of developers in the hillside area to go to a land use or a zoning change to
28 amend this? Let me ask the question this way. Has there ever been one?
29

30 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, in fact, a year ago (a little
31 less than a year ago), I had a conversation with Commissioner Van Natta about a
32 developer who had come to us and approached us about the hillside residential
33 off of Pigeon Pass and they were looking to get some opportunities there. But
34 that person has not come back again since then. But, just this week, I actually
35 got another meeting request that they'd like to come back in now and talk to us.
36 Maybe it's because this is on the Agenda. Maybe there is something else going
37 on. It's not happening very frequently but it has happened. We do have a
38 development proposal that is in (in the area around Ironwood and Mason). Part
39 of that lot is zoned RA2 and a portion of the site is. Also in our Hillside
40 Residential Development, there is a proposal in there today. They're requesting
41 that proposal, as I understand it today, is that they keep the hillside knoll Open
42 Space. So there is no proposal in that project to actually develop on the hillside,
43 it's more developing on the more rolling topography or the flat area. We have a
44 couple of develops at Alessandro and Lasselle that around a knoll (Boulder
45 Ridge). The Boulder Ridge Affordable Housing Development was approved
46 three years ago, but it's not proposing any development up on the actual hillside.

1 It's down on the flat area, and Mr. Bradshaw is working on another development
2 that is kind of in the early stages. Right now, it's a multifamily project (about
3 400+ units). But it is again on the other side of Boulder Ridge and it's not
4 encroaching on the hillside, so we have some development in the areas of
5 hillside but nothing on the hillsides that I can recall. And correct me, if I'm wrong,
6 Staff here.

7
8 **CHAIR LOWELL** – I had a couple questions.

9
10 **COMMISSIONER VAN NATTA** – I have a request also.

11
12 **CHAIR LOWELL** – I will let Commissioner Van Natta go then.

13
14 **COMMISSIONER VAN NATTA** – I just wanted to mention that, just because
15 there's not a demand for it right now, doesn't mean that there has not been in the
16 past or there won't be in the future because we're in a we'll just say a building
17 comeback right now that is just beginning. People are just starting to build again
18 where back in the hay-day where everybody was wanting to build out here there
19 were requests like that. I remember seeing one project a number of years ago
20 off of Gilman Springs Road where they were saying we want to build this here
21 and also we want to annex to the City of Moreno Valley. So we want you to look
22 at we're doing here and let us know if we can do that and annex. And what it
23 was, was quite a rolling topography-type area and they wanted to cluster the
24 homes; not make a higher density in terms of number of houses than what might
25 be in a normal development but cluster the homes so that they had more green
26 area, more open area, and there were groups of homes throughout the
27 development. And so I can see that as being something that, if we would permit
28 a higher density in the hillside areas, we may see that type of development
29 where just like that when you're talking about on Ironwood where they are
30 looking at not trying to build up in the areas that would be very difficult to grade
31 and to build but keeping the density in the areas that are easier built on. But
32 when we look at like you were mentioning density, when we look at restricting
33 someone to one house on 20 acres, I mean that doesn't even make sense.
34 That's the same thing as saying we don't want anybody to build out there and we
35 don't want anything at all. Where if it was a little more reasonable, say one
36 house per acre or one house per half acre and then leave in the other restrictions
37 as far as not grading over a certain....not permitting anything being built over a
38 certain grade and so forth, it would be workable. But we have to look at
39 something that is going to make sense. We don't want to destroy the hillside, but
40 at the same time we want people to be able to enjoy it. There's always a lot of
41 talk about well where's somebody going to build houses if we're going to have
42 the million dollar homes and the executives and so forth. Typically, they like to
43 build on the hillsides. They like to be up where they can see the view and that
44 certainly doesn't destroy the view of the hillside for everyone else.

45
46 **CHAIR LOWELL** – Thank you. Commissioner Gonzalez.

1
2 **COMMISSIONER GONZALEZ** – I just want to add to that. I think that anything
3 that makes the hillside residential or residential more flexible to allow people to
4 develop is a good thing. I think one of the reasons that many, some developers
5 haven't come over and submitted any applications is they look at our Code and
6 our Standards and it's that they are too restrictive. So my recommendation
7 would be to look at this, look at the neighboring communities.
8 Riverside/Redlands, we're more similar to them and see what they've done and
9 kind of tailor it and customize for our needs. So I'm sure we could go over the
10 more technical aspects, but in general I'm in favor of making it more flexible and
11 more friendly to developers.
12

13 **CHAIR LOWELL** – I had a question on Page 455 of the packet, which is the
14 Hillside Residential Development comparison between Moreno Valley and
15 Riverside. On the density on the far left chart, which is a HR Zone, it is a scaled
16 density from 10% to 15% as one dwelling unit per two acres; 15.5% to 25% is
17 one dwelling unit per four acres; greater than 25%, it's one dwelling unit per 10
18 acres which is the exact same density as the less than 10%. So, if we have a
19 piece of land that is zoned Hillside Residential, it is as restrictive as the steepest
20 land. It's seems counterintuitive that we have a sliding scale, but the most
21 developed portion of land has the same density restriction as the least
22 developable piece of land.
23

24 **ASSOCIATE PLANNER JEFF BRADSHAW** – I think that's a typo in the chart.
25

26 **CHAIR LOWELL** – So please clarify.
27

28 **ASSOCIATE PLANNER JEFF BRADSHAW** – If you look at the standard, it's
29 one dwelling unit per acre for those areas that are less than 10%.
30

31 **CHAIR LOWELL** – Okay, I was hoping that was the case. And then one of the
32 other questions I have is building height. Is that measured from what you can
33 see from the outside, so would that preclude having a basement? Or let me back
34 up. Is a basement included in building height?
35

36 **ASSOCIATE PLANNER JEFF BRADSHAW** – I would say not but I don't know
37 if Rick has a different interpretation of that.
38

39 **PLANNING OFFICIAL RICK SANDZIMIER** – Since I've been here, we haven't
40 had an actual proposal but the answer I would be looking for is no. I mean if...
41 below grade, the height requirement on a house is typically the exposed portion
42 from an esthetic standpoint and compatible with the neighborhood.
43

44 **CHAIR LOWELL** – On what perspective? Is it from the street, from the side,
45 from the rear? The reason why is one of the pictures you have in here is from
46 the intersection of Canyon Crest and Ransom, and I was working on a project

1 where a person wanted to have a walkout basement. And they actually built it. It
2 has a 10 foot internal ceiling plus a first floor, which has a 10 foot ceiling, plus a
3 vaulted ceiling. And they were running into height issues because from the
4 backside of the house it was exceeding the height restriction, but from the front
5 side of the house it wasn't so.

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – It would be a context sensitive
8 review on that. I understand exactly what you're saying but we would not want it
9 to be restrictive in not allowing someone to use their property. We would want to
10 be able to find a solution to work with them to see if we could mitigate the
11 potential impact. If there is an esthetic impact, is there a way maybe to soften
12 the appearance of a stark wall by maybe doing some offsets with the basement
13 and the rest of the home (possibly some sort of a balcony or landscaping around)
14 or a retaining wall that might be needed for that. So there would be ways that we
15 would try and address that issue.

16
17 **CHAIR LOWELL** – Although there is a height restriction, you could theoretically
18 apply for a Variance?

19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – That would be an option as well.

21
22 **CHAIR LOWELL** – And do we know if we have any lots, going back to the
23 density issue, where we have a 10 acre parcel that is.....well I guess my question
24 is mute. I was going to go back to the 10 acres for one dwelling and for the 10%
25 slope, but I think I answered my own question so I'm good for right now. I
26 apologize for that. Commissioner Barnes.

27
28 **COMMISSIONER BARNES** – Another difference between Riverside and
29 Moreno Valley, which I think is significant is, in Riverside they use a formula to
30 calculate average to actual slope. It's a function of the length of the contours and
31 the area of the lot and the contour intervals. So it actually is a mathematical
32 average over the entire parcel now and Moreno Valley I'm not quite sure how we
33 do it, but it seems kind of subjective. If you analyze the slopes and chunks of the
34 lot are 20% and other chunks are 15% and other chunks are 10%, and in my
35 mind it's somewhat cumbersome as opposed to taking the average over the
36 entire lot and using that to control your density. Because you might have a small
37 section that's extremely steep that on average is not significant, but it might
38 preclude you from developing a chunk of your lot that you might want to so that
39 also is somewhat cumbersome. Just a thought.

40
41 **CHAIR LOWELL** – I was able to reword my question. Do we know what the
42 average lot size is for hillside residential areas? Do we have lots that are steeper
43 than 25% or smaller than 10 acres?
44

1 **ASSOCIATE PLANNER JEFF BRADSHAW** – I don't know the answer to that
2 right offhand. It certainly is something we could look into but I don't know the
3 answer to that.

4
5 **CHAIR LOWELL** – And what would the option be if that was a situation where
6 we had a lot that was subdivided and it's a five acre parcel but it's on the side of
7 a hill that is straight up? Is it an undevelopable lot?

8
9 **PLANNING OFFICIAL RICK SANDZIMIER** – It would be developable to the
10 extent that it could comply with our Code requirements. I mean so.....

11
12 **CHAIR LOWELL** – The Code requirement is one dwelling unit per 10 acres. I
13 mean, if it's a five acre lot, it itself is excluded. So I don't know how you could
14 build half a dwelling unit. It was just a, it's a hyperbolic question I'm just throwing
15 out there. Okay, I know we have a few Public Comments. Did we want to have
16 more comments from?

17
18 **VICE CHAIR SIMS** – Yeah.

19
20 **CHAIR LOWELL** – Okay.

21
22 **VICE CHAIR SIMS** – I did have, so I mean when you look at this only where
23 there really is any real demonstrable (more stringent) is in the lower slope areas
24 where one unit per the acre for less than 10% where the City is two to the acre.
25 But in the footnotes there it says (in a subdivision), which would be a Parcel Map
26 I assume or a Tentative Tract that you have to have a two acre average. So
27 really I mean, at the end of the day, this is only less.....I mean if there was a
28 clause in here that you could have for a single lot development you could get
29 some flexibility. But I really don't see much difference, if you were doing a map,
30 it's very, very similar and in some of the areas and setbacks and so forth you
31 have more flexibility in Moreno Valley.

32
33 **COMMISSIONER BARNES** – In Riverside, if you have a two acre average, you
34 can get five lots whereas in Moreno Valley you can only get one.

35
36 **CHAIR LOWELL** – If it's a 25% slope.

37
38 **COMMISSIONER BARNES** – If it's a 25% slope.

39
40 **VICE CHAIR SIMS** – Yes, yeah, okay. I don't think we're going to have a
41 breakdown on the floodgate to do four lots on 25%.

42
43 **CHAIR LOWELL** – I do like the general rule for the City of Riverside where they
44 had an average half acre lot size (two acre average). It makes sense. That way,
45 if somebody has a big piece of land and it's really steep, if they are really clever
46 and really ingenuitive that they can develop four lots on a 10-acre-parcel have at

1 it. I mean, it still has to come before the Review Board and it still has to come
2 before the City. So the City still has a say so. It's not a carte blanche to do
3 whatever you wish. And I don't see a whole lot of people chomping at the bit to
4 build on the side of a steep slope.

5
6 **COMMISSIONER VAN NATTA** – Yet.

7
8 **CHAIR LOWELL** – Yet, you're right. Yet.

9
10 **COMMISSIONER BARNES** – The ability to take advantage of the average is a
11 big advantage as opposed to a strict one per 10 acres.

12
13 **VICE CHAIR SIMS** – I agree with you. A weighted average of the contour would
14 be a way to apply the slope so you could get to a....

15
16 **COMMISSIONER BARNES** – Yeah and the average lot size is a benefit
17 because five on 10 acres versus one is a big advantage.

18
19 **CHAIR LOWELL** – Okay, well let's move over to the Public Speaker Slips. Let's
20 call up Mr. Roy Bleckert real quick if that would be okay?

21
22 **COMMISSIONER VAN NATTA** – Yeah, I think it's already been said so you can
23 take me off.

24
25 **CHAIR LOWELL** – Okay. Mr. Roy Bleckert, if you'd like to come up.

26
27 **SPEAKER ROY BLECKERT** – The Hillside Ordinance Development
28 Restrictions and everything has been a 30 year battle in this City ever since we
29 became a City. We still sit here. We still do not have very little hillside
30 development mostly because of the confiscatory regulations and rules that we
31 have put in like, oh you can't move these rocks. We have an abundance of
32 rocks. Let's not worry about those. But one of the points I would like to make is
33 what you do is you trade off density on the bottom because you're not allowing
34 the big executive-type homes up on the hillsides, so now you have to cram more
35 density on the bottom. Commissioner Lowell pointed it out. If you can fit these
36 in, creative ways to fit developments in on a piece of property, let's allow that.
37 Moreno Valley has a very unique topography. It does not fit the Riverside
38 Ordinance or the San Juan Capistrano or wherever so our Ordinance needs to
39 be crafted to Moreno Valley and it needs a lot of flexibility in it. It needs a lot of
40 where you can go look at it because I will tell you this. A lot of those lots that you
41 see graded on the hillside up there were graded by the Bleckert Construction
42 Company. Does that name sound familiar? And it was done with a lot of
43 creative ways on how to do it and that was back in the day when we were in the
44 County that they would work with that. There's a proposed annexation. Why
45 would the property owners over there want to come into the City of Moreno
46 Valley when there are more confiscatory regulations and prohibitive roadblocks

1 to get your development? Fix this City before you try to ruin somebody else's.
2 Then you might have a decent chance of actually building this area up. This
3 whole discussion has gone on. Six months this body looked at it and we're still
4 asking the same questions that I heard six months ago. We're not moving
5 forward with it. We need to sit down as a community and figure this out very
6 quickly or else the world is going to pass us by like it has done in the last 30
7 years. Do you want to continue to dig the hole that we've been digging for 30
8 years? The first law hole is stop digging. We ain't learned it yet. Hopefully
9 before I leave this earth, we will learn that law.

10
11 **CHAIR LOWELL** – Thank you very much. You've probably have opened the
12 Public Comments portion, so it's officially opened now.

13
14 **ASSISTANT CITY ATTORNEY PAUL EARLY** – It's not a hearing item so it's
15 fine.

16
17 **CHAIR LOWELL** – I wasn't certain. Mr. Tom Jerele, Sr. please come up.

18
19 **SPEAKER TOM JERELE, SR.** – Tom Jerele, Sr. I am speaking on behalf of
20 myself and a little bit on behalf of the Sundance Center where I spent a little time
21 there because those commercial centers are affected by planning decisions in
22 the community. Chairman Lowell, Vice Chair Sims, Commissioners, alternate
23 Commissioners, and Members of the Staff and public both here in the chambers
24 and watching at home: First I'd like to thank the Planning Commission. I heard
25 some really, really good insightful (good direction). I think it came up, I can't
26 remember if anybody used it but innovation. You've got to be innovative. I was
27 talking to our Planning Director a couple of days ago and bottom line on these
28 rugged properties, in fact I think one was on the picture there. If you look at it
29 from the bottom up, you'd say oh you can get three houses up there. But if you
30 get up there and walk the dirt, yeah I used to do it and there is a couple out here
31 that can testify that I used to do that in these rugged hills. One 40-acre piece is
32 about 125 really good optimum view sites. Now these weren't big one acre level
33 pads. They were cut into the slope and then you really got the road system or it
34 is more of a driveway system. It may look somewhat like a spiderweb when it's
35 done, but it will meet the Codes and bring utilities in because one of the key
36 issues is you have to allow the density to pay for the infrastructure. Water is
37 exceptionally expensive. And one other big bonus to this, not only does this type
38 of development (this high-end housing) raise the property values overall and
39 raises our image, it brings future industry leaders, future employers,
40 professionals to our community. It will provide role models for our kids, people
41 who shop in our stores, contribute to our charities. But moreover because of the
42 higher margins that will be there, water as we all know is a precious commodity.
43 I think it was about a year-and-a-half ago they turned our water off in Moreno
44 Valley. A lot of people didn't know. They kind of kept it real low key until Friday
45 night and I think they put up a notice saying the water was going to be off until
46 Monday morning we hope at the Mill Street Plant. They had to change a big

1 valve because something was leaking out there, and we had enough supply to
2 make it until Tuesday morning but that scared me. I thought that was really
3 creepy if we ever ran out of water in the City. So in this type of development, I
4 think the margins are high enough that we could condition the projects that, if it
5 requires a million gallon tank, give us an extra million gallon tank. Yeah, it's
6 going to cost some money but it will pencil out. It will still make sense, so that
7 there is backup not only for fire flows in that area but for the community at large.
8 So there are a lot benefits. I think it is imperative. It needs to be achieved
9 tonight, and I think you're on the right course, is to provide some clear direction
10 to our City Council, to the Staff, and more importantly to the development
11 community that this community wants to attract and see developed some high
12 quality custom and semicustom or even tract. Clustering is a very quality thing to
13 do. It is a good thing to fund infrastructure costs and a myriad of reasons, so
14 thank you for hearing my comments tonight. Thank you Commissioners.

15

16 **CHAIR LOWELL** – Thank you Mr. Jerele. Up next is Mr. Hines.

17

18 **SPEAKER TOM HINES** – I have a lot of faith in our current Staff. Mr.
19 Sandzimier, Jeff, Mark Gross and anything that is brought through them by a
20 builder or a developer, I am sure is going to go through there their inspection
21 before it gets to you guys. But you still have the chance to look at any project
22 that is brought forth. Moving earth is cheap. You can move a lot of earth real
23 quick. We did millions of yards of cubic dirt in Dos Lagos. We went down 187
24 feet to bedrock to take care of a contaminated soil and then we took it to an EPA
25 approved dumpsite and then we filled the hole back in and built two beautiful
26 lakes. Dos Lagos means two lakes. We did have to line them. Otherwise, all
27 the water would drain out because of all the sandy soil. But we moved a lot of
28 dirt. We had 28 earth movers running at one time, and I didn't get hit in my car
29 once. Of course, it was a red car. But I couldn't take all of the Badlands and in
30 three years make all level lots. It's just a matter of how many earth movers you
31 move in. Yeager and Sukut can do it. Those are big companies. They've got
32 lots of earth movers. It's no problem moving dirt and rocks. Let the builders
33 have the opportunities to bring their projects to Mr. Sandzimier. Let them decide
34 whether or not they can bring them to you. I have complete faith in what they
35 would do with you. Trust our Staff whether it be a five acre, two-and-a-half acre,
36 one acre lot, city lots, condominium projects, even small apartment complexes
37 with a lot of vacant space around to be beautiful sites for high-end people that
38 would like to move to our City and have a beautiful view of our valley. You still
39 get the chance to approve them or deny them. Give them the flexibility to do
40 what they do best. Thank you.

41

42 **CHAIR LOWELL** – Thank you very much. Any other comments? Any other
43 questions or concerns?

44

45 **COMMISSIONER VAN NATTA** – I think it's all very well to say that we have a
46 lot of faith in our current Staff. I think the reason for regulations is so that they

1 will withstand the changing of the guard. I don't think any of us want to see
2 anybody come in and level our hills. I think what we're looking for is a way to
3 develop the hillsides to be able to place properties, to place homes in the hills
4 that will be attractive and add to the neighborhood (add to the appeal of the City)
5 and not just have a developer go in there and level everything down and build as
6 many houses as can fit on the hills. That's not what we're looking for. So we
7 said earlier, yes, we do want to have a little more flexibility, a little more ability to
8 develop but we do have to put some restrictions on it. We do have to put some
9 limits on it and not just have faith that whoever is at the helm at the time
10 somebody comes forward is going to make the right decision.

11
12 **CHAIR LOWELL** – I don't see anybody else wanting to have anymore
13 comments, so I don't know what else you'd like from us Mr. Sandzimier and Mr.
14 Bradshaw.

15
16 **VICE CHAIR SIMS** – I guess I would like, I know there is a lot of talk but just to
17 give this conversation context, how many total acres are we talking about here
18 approximately?

19
20 **CHAIR LOWELL** – 100, 1000?

21
22 **VICE CHAIR SIMS** – Yeah, yeah, no I mean he said 10%. I don't know.

23
24 **PLANNING OFFICIAL RICK SANDZIMIER** – I honestly don't know what the
25 total acreage is. I think the acreage of the whole City, 52 square miles is about
26 33,000 I think I was calculating at one point (33,000 acres). I think if we have,
27 you know maybe 10% of that land, that's a quick little snapshot up there. I'm not
28 even sure if that's even accurate but that would be about 3000 acres kind of
29 sprinkled around. That's just my quick analysis. What I think I've heard this
30 evening, I think that Jeff and I and Mark Gross will go back and look at our Code.
31 You focused on the density comparison being key, so we can look at the other
32 jurisdictions and see how we're calculating density, and if there is an opportunity
33 to provide some additional opportunity by looking at those standards we can do
34 that. I think the slope analysis calculation and the method using a weighted
35 average was a key point that I think I heard there that we can look at and see
36 how our Code is working with regard against other cities and see how that works.
37 The height and understanding better the flexibility in height if there is going to be
38 any terrace grading or anything that's kind of built into a slope, or you might have
39 basements or even just stories in order to accomplish the square footage you're
40 looking at one a steep slope. If you use any sort of....

41
42 **CHAIR LOWELL** – Height options or something.

43
44 **Planning Official Rick SANDZIMIER** – Heights or those sorts of things. If our
45 Code is restrictive in that area, we can look at that and just see and make sure
46 that we've got the right standards in place. I heard a comment about allowing for

1 innovation in the design. I think I heard a couple of comments from different
2 Commissioners that you're not open, I mean you're open to the idea of different
3 types of architecture. It doesn't have to be a certain type of home that sits nice
4 and flat on a piece of property that you're okay with the stilts and the other types
5 of things if it works. And if you allow the people with the ware with all and the
6 money to be creative, we'll just have to make sure our Code is allowing for that. I
7 think that's what I heard. I think one of the speakers touched on water supply as
8 being key. Fire protection would be an issue in our hillside residence. On other
9 projects I have worked on that are hillside related, fire protection was a key
10 concern in providing a gravity of federal water system or water supply is
11 important rather than using lift systems that may have other challenges. So I can
12 look and see if our Code has anything in that regard. And then I think we
13 touched a little bit on sewer and septic systems, which I think I brought up, but I
14 think I did hear at least another Commissioner say that should be a
15 consideration. So we can look at our Code in those regards and where we might
16 be lacking or we might need some modification. I think that's good direction that
17 we can take back to our City Council, so I think the discussion has been very
18 helpful.

19
20 **CHAIR LOWELL** – I had two additional comments that just kind of came to my
21 brain. We are talking about sewer, and one of the options that I've utilized in the
22 past is a private lift station per house. It's called E/One. It's the brand name of
23 the company, and they have a little grinder pump that has I think a 400 gallon
24 capacity and it has a one inch or two inch service line that is a pressure line all
25 the way out to a gravity feed sewer system. So, if the sewer was remote and
26 you're going through really hard rock, this can be shallow. It can be maybe one
27 to two feet of cover. It can follow the terrain, and it has a pretty good amount of
28 it. I can pump pretty far. I don't know if we want to look into the possibility of
29 allowing something like that. Maybe not that company specifically but that type
30 of a system. It will help sewerage instead of having septic, which is difficult in a
31 rocky area. You can move your sewage to a more desirable area. And then the
32 other thing I was thinking about is I just recently went to Avalon and Avalon and
33 Catalina Island has very similar topography to our hills, and they have a lot of
34 homes built right on the rocky hillside. And I was curious if we would like to look
35 into their Hillside Development Ordinance and see how that would compare.
36 Granted we won't want as dense of a development, but they do have a pretty
37 well-established history of building on hillside.

38
39 **PLANNING OFFICIAL RICK SANDZIMIER** – The last thing, I should've
40 mentioned this. I forgot. It sounded like we do want to take a close look at our
41 General Plan goals with regard to preservation of slopes and this sort of thing. If
42 a developer wanted to come in and do some sort of innovative grading to maybe
43 flatten some areas and we're still achieving the overall interest of the community I
44 think is what I'm hearing come across. I don't think we want to be too restrictive,
45 but I think we want to be appreciative of what we do have. I think that's the

1 message I'm taking there. I don't know if Jeff had anything else to offer if he took
2 any other notes.

3
4 **ASSOCIATE PLANNER JEFF BRADSHAW** – I've wrote down all the same
5 things. I don't have anything to add.

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay, again thank you very much
8 for the comments.

9
10 **CHAIR LOWELL** – Okay, I think that moves us to the Public Hearing Items
11 finally.

12
13
14 **PUBLIC HEARING ITEMS**

15
16
17 **CHAIR LOWELL** –

- 18
19
20
21 2. Case: PA15--0019 Conditional Use Permit
22
23 Applicant: Rudy Dekermenjian
24
25 Owner: Gene Cole
26
27 Representative: Ramon Baguio
28
29 Location: 11745 Steeplechase Drive
30
31 Case Planner: Gabriel Diaz
32
33 Council District: 3
34
35 Proposal: PA15-0019 Conditional Use Permit
36

37
38 **STAFF RECOMMENDATION:**

39
40 Staff recommends that the Planning Commission **APPROVE** Resolution No.
41 2016-06, and thereby:

- 42
43 1. **DENY** Conditional Use Permit PA15-0019 based on the findings
44 contained in Planning Commission Resolution 2016-06.
45
46

1
2
3 **CHAIR LOWELL** – So the first item up is Case PA15-0019, Conditional Use
4 Permit. The Applicant is Rudy, I cannot pronounce your last name. I apologize.
5 The Case Planner is Mr. Gabriel Diaz.
6

7 **ASSOCIATE PLANNER GABRIEL DIAZ** – Thank you Chairman and
8 Commissioners. The project is located at 11748 Steeplechase Drive. That's
9 located in Council District 3. The Zoning is Residential 2 (R2). The current
10 owner is Gene Cole. The proposal is for a Conditional Use Application that will
11 convert a 4493 square foot single-family residence into a 12-bed congregate
12 living health facility on a 0.53 acre site. What is congregate living? It's basically
13 for people that are disabled. The City Municipal Code Section 9.09.160 requires
14 approval of a Conditional Use Permit for a Residential Care Facility. The
15 purpose and intent of this section is to ensure that residential care facilities caring
16 for more than six residents do not result in adverse impact to the adjacent
17 residential uses or surrounding neighborhood. The project site is comprised of
18 an existing single-family home, one story on a fully developed site. The project
19 site is within an existing residential neighborhood and is surrounded by fully
20 developed existing single-family homes. The project is within the residential R2
21 Zoning District. The adjacent properties to the north, east, west, and south are
22 all zoned R2 Residential District 2. No additional square footage is being
23 proposed. However, significant interior modifications, additional exterior doors,
24 parking modifications, and an exterior emergency generator is being proposed.
25 The new floor plan includes 10 bedrooms, common area, a foyer, kitchen, pantry,
26 laundry room, a nurse's station, physical therapy room, two ADA bathrooms and
27 one additional restroom. Each bedroom will have an exterior door. Ten new
28 doors are being proposed to be added to the home. There we have an aerial
29 view of the property. It is a large home. Let me give you a floor plan. Here is
30 the existing Floor Plan. No additional square footage is being added. The green
31 is supposedly the front setback. Here is the proposed generator, and here is the
32 Floor Plan. You can tell that each bedroom has a door. Let me leave you with
33 the elevations. That is existing elevations. Here we have proposed elevations.
34 The existing residence is not consistent with the Municipal Code Standards for
35 the R2 Zoning Standard regarding setbacks from the property lines. The south
36 property line, the southerly setback of four feet is nonconforming to the current
37 residential standard of five feet. Let me go back to the Site Plan. The Site Plan
38 south property line shows the house being four feet away and it should be five.
39 Since six of the 10 doors are proposed to be added on the south side of the
40 residence in close proximity to the neighboring single-family residence, a four
41 foot setback does not allow for an area of landscaping along the side yard of the
42 residence, which could be better screened the use from the adjoining properties.
43 Therefore, as designed, the placement of the additional doors on the south side
44 and around the house will not conform with the other existing residences in close
45 proximity. For the proposed project at this location, the Applicant has not
46 provided adequate information to fully evaluate whether certain impacts may

1 pose an adverse impact on adjacent residential uses and the surrounding areas.
2 During the review process, Planning Division requested additional information
3 regarding the noise generated by the proposed generator. The Applicant did not
4 provide the required information to adequately evaluate the potential for the noise
5 from the project on the surrounding residential areas. Therefore, it is not
6 possible to evaluate the project with regard to the Municipal Code Noise
7 Regulation Chapter 11.80 and the Noise Policies of the General Plan at this time.
8 The proposed project at this location is not consistent with all General Plan
9 Policies. General Plan Policy 2.2.17 establishes a policy to discourage
10 nonresidential uses on local residential streets that generate traffic, noise, and
11 other characteristics that would adversely affect nearby residents. In addition,
12 traffic at this location was reviewed. Based upon the conclusions of a Traffic
13 Impact Analysis prepared by LSA Associates dated January 12th, 2016, the
14 number of vehicle trips generated from the proposed project is three times
15 greater than vehicle trips projected for build-out under the existing residential
16 land use. Access: The project will have, and it currently has access off
17 Steeplechase Drive. Currently, the project has two driveway approaches that
18 form a circular driveway. The proposed project will redesign this area by deleting
19 the circular driveway but keeping the two driveway approaches. The project
20 proposes a total of seven parking spaces for the proposed use. A minimum of
21 seven parking spaces is required at this facility. Here is the breakdown for the
22 parking: Two nurses, one for the nurse shift. There is a doctor. There is a
23 delivery person. There is a guest parking. And there is one handicapped space.
24 Three of those parking spaces will be located in the existing garage, and the
25 other four will be in the driveway area. The area will be reconfigured. Here is
26 another General Plan Policy. General Plan Policy 2.3 (Community Design)
27 states that the design of the community specifically affects the quality of life. A
28 pleasing physical environment reinforces the image of the City as a secure,
29 comfortable, and attractive place. In the long-term, good design makes
30 economic sense. It helps to maintain or improve property values. Good design
31 attracts the finest businesses, the best customers, and the most valued
32 employees to the community. It attracts people who desire a pleasant
33 environment in which to live, work, and shop. As proposed, the design at this
34 location the proposed use conflicts with the policies of the General Plan. There
35 was notification in accordance with Section 9.02.200 of the Municipal Code.
36 Public notification was sent to all property owners of record within 300 feet of the
37 proposed project site on March 1st. In addition, a Public Hearing Notice for the
38 project was posted on the project site on March 3rd and published in the local
39 newspaper (Press Enterprise) on March 3rd. There was a concerned neighbor
40 that submitted a letter to the City and that is part of your Staff Report. I included
41 it as Attachment 7. This letter was not supportive of the proposed use. I have
42 had other neighbor's call asking about the project and most said they would be
43 attending the meeting. Most neighbors wanted more information about what was
44 going on and what was being proposed, and I believe we have several members
45 of the public and the neighborhood here in attendance. Environmentally,
46 Planning Staff has reviewed the request in accordance with California

1 Environmental Quality Act Guidelines and has determined the project has the
2 potential for impacts on the environment. Mitigation Measures have been
3 developed in the event the Planning Commission chooses to approve the project.
4 However, because Staff is recommending denial of the project at this time,
5 environmental action is not required. Staff recommendation: Based on Staff's
6 detailed analysis, Staff is not recommending approval of the proposed project.
7 Staff recommends that the Planning Commission **APPROVE** Resolution No.
8 2016-06 and thereby **DENY** Conditional Use Permit PA15-0019 based on the
9 findings contained in Planning Commission Resolution 2016-06. This concludes
10 Staff presentation.

11
12 **CHAIR LOWELL** – Thank you very much. I know we all have a lot of questions
13 on this project. Do we have any questions for Staff? If not, I would like to open it
14 up to Public Hearing so we can hear the citizens and then we can go to our
15 Commissioner debate if that's okay. Perfect, at this time I would like to open the
16 Public Comments portion. And our first speaker is Ms....

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – You should ask the Applicant to
19 speak first.

20
21 **CHAIR LOWELL** – I apologize. I am out of order today. I'd like to invite the
22 Applicant up. I'm sorry. My brain is not working.

23
24 **APPLICANT RAMON BAGUIO** – My name, for the record, is Ramon Baguio,
25 4273 Canoga Avenue, Woodland Hills, California. Yes, it took me four hours to
26 get here today. Just on the note about the hillside. I live on a hillside, but I'm at
27 the bottom of the hill. But your hills here are pretty nice so it would be kind of
28 cool if you guys put some more houses there. Alright, so I think there are some
29 misconceptions here about what a congregate living health facility is. This is a
30 new use in California. It was designed....it was a proposed use to allow people
31 that are not walking to be in a place that feels like home. It's not meant for.....it's
32 not going to be a sober living house. It's not assisted living. It's not adult living.
33 It's not senior living. It's certainly not a clinic, and it is certainly not a hospital.
34 And these things have to be designed in a way that it feels like residential, so I do
35 agree with Planning that that is the case. Now what we originally proposed was
36 not to do all this parking because at the other sites we've done, we've only been
37 required to do three or four. I understand Planning's thought that a doctor is
38 going to be there full time, but no the doctor visits once a week. The patients are
39 not eating food. Most of them are on IV, so there are no real groceries being
40 sent to the site and the linen is washed on site. It's not being delivered to site
41 either. The patients are not on life support, and they are stable. As we did in our
42 projects in LA, we asked the ambulances and the local fire department to go on
43 quiet mode if we do call them and they don't come up with a siren. They are not
44 mentally disturbed. They are not in the condition they are in because of drug use
45 or any kind of abuse, and this is not certainly a drug or alcohol recovery center. I
46 know I've heard this before, not just about this project but in other projects, when

1 neighbors have come to me and said well what stops you from going later and
2 making it into a drug rehabilitation place? That's simply not the case. It can't
3 happen like that. They have two different requirements. If someone wanted to
4 do that, they would have to apply for a whole new Conditional Use Permit.
5 CLHF's were established by the State to offer an alternative to prolonged and
6 sterile hospital stays. The sites must strictly remain residential in nature. The
7 idea is to make the patients feel like they are at home, not a cold and sterile
8 hospital environment. There is no activity outside. There is no signage stating
9 that it is a congregate living health facility. There is no walk-in service. Someone
10 just can't go up to the house and say I want to live here. Visitors can only come
11 by appointment only, and we restrict that so that they can only come one at a
12 time. These sites are quiet. We invited several neighbors and one particular
13 neighbor to visit our other sites, but he was not responsive to it so that he could
14 see firsthand how quiet it is. We invited the Planning Department, but due to
15 complicated schedules this also did not happen. If the Planning Department or
16 the neighbors had actually seen a site, they could witness firsthand that these
17 sites are so quiet even some of the neighbors don't even know that a CLHF
18 exists there. There is almost no activity on the site and the belief that there are
19 vehicles and personnel constantly in and out of the driveway is simply false.
20 Even now, especially seeing all the people here tonight opposing this, I
21 encourage people to visit these sites and see how important these houses are for
22 those who live there and their loved ones. The first one that was approved was
23 in Los Angeles for 12 beds. The Planning Department there did not force the
24 issue on parking. Because of this, we were not forced to show an expanded
25 parking lot like we were asked to do here. So, yes, I designed the parking lot like
26 that. But I definitely did not want to design the parking lot like that. I wanted to
27 keep the circular driveway, and I was hoping the Planning Department would
28 accept the fact that we only need three spaces. We don't need seven. Never
29 ever would we fill up a parking lot like that and certainly not on the street. I agree
30 with the public here tonight. I wouldn't want to live next to a parking lot, but this
31 is the first time this has been asked of us. If we could've done it the way we
32 wanted to in the beginning, there would be much less visual impact than what
33 was imposed on this site. Once again, this is not adult care. This is not senior
34 living. This is not sober living. There is no signage, and it is actually prohibited
35 doing signage according to State Regulations. The inhabitants are not as
36 fortunate as us here. We can walk. We can still interact with fellow humans, and
37 we can still enjoy our world. The most important aspect of a CLHF is to give
38 these very challenged people and opportunity to live out their lives in a place that
39 feels like home. I have been at many public hearings, five of them for CLHF's
40 like this. I understand Planning's recommendations of denial. There are a lot of
41 people here tonight opposing this. So it looks like we'll probably get denied
42 tonight. I'm ready to accept that, but on behalf of the unfortunate few that would
43 probably like to live in a place like this we will continue this process to the City
44 Council if it is denied tonight. We still want an opportunity to show these Moreno
45 Valley citizens what is proposed is not being misconstrued. We are open once
46 again to invite anyone at our cost to these facilities to see for themselves. And,

1 again, we extend this invitation to Planning. Reality cannot be accurately
2 described in plans and written narrative. Once someone actually sees firsthand
3 what a congregate living health facility is then they can see not just how quiet
4 and unobtrusive it is, but even more important how special these sites are for
5 those who get to live in them. And before I would like to thank the Council and
6 the Planning for me out, I would like address one particular issue which was the
7 traffic generation which states that we will have 33 visits are our site every day.
8 And LSA was the one who did our Traffic Study. There was no use in LSA's
9 book called congregate living health facility so they were told to choose the
10 closest one, which is adult assisted living which is not our facility. They are not
11 being assisted. They are in bed. They are on gurneys. And the only reason
12 they are there is because their families do not want to put them in a hospital.
13 They want them to live out the rest of their lives in a quiet place that feels like
14 home. And if anyone would like to have any questions for LSA, they are here as
15 well. Thank you.

16
17 **CHAIR LOWELL** – Thank you very much. Do we have any questions for the
18 Applicant?

19
20 **COMMISSIONER VAN NATTA** – Yeah, I do.

21
22 **CHAIR LOWELL** – Go for it.

23
24 **COMMISSIONER VAN NATTA** – Okay so just to understand what you're talking
25 about on the people who are living here, are they people who are like terminally
26 ill?

27
28 **APPLICANT RAMON BAGUIO** – No. No there are special guidelines for who
29 is vetted to come here. For example, let's say an 18-year-old quadriplegic, they
30 can live here. Okay? So it's someone who is going to need prolonged care, like
31 a doctor is not necessary to be on site at all times.

32
33 **COMMISSIONER VAN NATTA** – Okay because you characterized it as people
34 who are in bed and on feeding tubes.

35
36 **APPLICANT RAMON BAGUIO** – No I didn't say they were on feeding tubes. I
37 said that they were.....

38
39 **COMMISSIONER VAN NATTA** – Well you did. You said that groceries aren't
40 going to be delivered.

41
42 **APPLICANT RAMON BAGUIO** – No, they are on IV's.

43
44 **COMMISSIONER VAN NATTA** – They are on IV's?

45
46 **APPLICANT RAMON BAGUIO** – Yes.

1
2 **COMMISSIONER VAN NATTA** – Okay, IV’s but not feeding tubes. So they are
3 not eating?
4
5 **APPLICANT RAMON BAGUIO** – Some of them aren’t, yes.
6
7 **COMMISSIONER VAN NATTA** – Some of them are? Can you guys keep your
8 comments to yourself while I ask questions? You’ll have your opportunity to talk.
9 I just want to get a clear picture of what this is. So it could be somebody who is
10 eating but is quadriplegic?
11
12 **APPLICANT RAMON BAGUIO** – Yes.
13
14 **COMMISSIONER VAN NATTA** – Or it could be somebody who is on IV’s and
15 nonmobile?
16
17 **APPLICANT RAMON BAGUIO** – Yes.
18
19 **COMMISSIONER VAN NATTA** – And you said they are not going to be going
20 outside. So the quadriplegic young man who is 18 years old isn’t going to be
21 taken outside and given some fresh air from time to time?
22
23 **APPLICANT RAMON BAGUIO** – No.
24
25 **COMMISSIONER VAN NATTA** – No?
26
27 **APPLICANT RAMON BAGUIO** – No. There is no activity proposed outside at
28 all.
29
30 **COMMISSIONER VAN NATTA** – No activity outside at all. That sounds almost
31 cruel. Okay then if these people cannot move from their beds and they are
32 confined to their beds, which is what you said, then why are there exterior doors
33 to every room?
34
35 **APPLICANT RAMON BAGUIO** – If there is a fire, they can be moved out.
36
37 **COMMISSIONER VAN NATTA** – So it’s to remove them in case of a fire or an
38 emergency?
39
40 **APPLICANT RAMON BAGUIO** – Yes.
41
42 **COMMISSIONER VAN NATTA** – So they wouldn’t be going in and out of these
43 doors on a regular basis?
44

1 **APPLICANT RAMON BAGUIO** – No this strictly, this is a State Requirement for
2 CLHF's that they can do that. So it's not for the patients to go in and out of their
3 rooms. No, it is strictly for fire reasons.

4
5 **COMMISSIONER VAN NATTA** – Okay now you mentioned that there would
6 only be one visitor at a time by appointment per the regulations.

7
8 **APPLICANT RAMON BAGUIO** – Yes.

9
10 **COMMISSIONER VAN NATTA** – Now is this your Regulations, State
11 Regulations? What regulates the number of visitors? Let's say on Sunday
12 afternoon, you know four of your residents have family members that want to
13 come visit.

14
15 **APPLICANT RAMON BAGUIO** – Then we tell them only one at a time and we
16 give them a schedule.

17
18 **COMMISSIONER VAN NATTA** – One per patient or one per the entire facility?

19
20 **APPLICANT RAMON BAGUIO** – One per the entire facility. There are never
21 going to be two families visiting at the same time or multiple families visiting at
22 the same time.

23
24 **COMMISSIONER VAN NATTA** – Okay I don't have any other questions at this
25 time.

26
27 **COMMISSIONER BAKER** – I have one question here. Is there one of these
28 facilities somewhere in the vicinity of Riverside County?

29
30 **APPLICANT RAMON BAGUIO** – No. The nearest one is going to be Desert
31 Hot Springs and then the nearest one after that would be in LA and Simi Valley.

32
33 **COMMISSIONER BAKER** – I'm going to be there tomorrow. Can you give me
34 the address in Desert Hot Springs?

35
36 **APPLICANT RAMON BAGUIO** – Yes, Sir.

37
38 **COMMISSIONER BAKER** – Because I'd like that.

39
40 **COMMISSIONER VAN NATTA** – You said it's going to be. There is one there
41 now?

42
43 **APPLICANT RAMON BAGUIO** – Desert Hot Springs just got approved, so it's
44 getting built right now.

45
46 **COMMISSIONER BAKER** – Oh, it's not built?

1
2 **APPLICANT RAMON BAGUIO** – No.

3
4 **COMMISSIONER VAN NATTA** – Where is the nearest one that is actually built
5 and operating?
6

7 **APPLICANT RAMON BAGUIO** – Los Angeles and in Simi Valley.

8
9 **COMMISSIONER VAN NATTA** – Los Angeles and Simi Valley?

10
11 **APPLICANT RAMON BAGUIO** – Yes.

12
13 **COMMISSIONER VAN NATTA** – Did you bring any pictures or anything to show
14 us what those look like?
15

16 **APPLICANT RAMON BAGUIO** – Well we actually gave them to Planning
17 Department as well, yes.
18

19 **PLANNING OFFICIAL RICK SANDZIMIER** – We have one picture of one of the
20 facilities. And, by the way with regard to the facility in Los Angeles if this is the
21 same one the gentleman referred to, it was approved as a 12 bed. We did
22 contact the City of Los Angeles to discuss that. It was originally operating as a
23 six bed facility, which is allowed without a Conditional Use Permit. And so it had
24 been operating as a six bed for quite some time before it was approved as a 12
25 bed. That was a key consideration of the Staff here. And one of the things we
26 had talked to the Applicant about was, instead of going to a full 12 bed, there was
27 the option of possibly starting out as a smaller facility of six beds. The original
28 application that came in on this particular one was 18 beds and so they've
29 actually ratcheted it down from 18 beds down to 12, which is the current
30 proposal, but we did look through and try to vet all those issues. And we did
31 contact the City of LA and used the Google Maps tool, which helped us produce
32 that picture. Even though we did not make a trip out to Los Angeles, we did try
33 and do as much investigation as we could on that property.
34

35 **COMMISSIONER VAN NATTA** – Okay. Then a followup question to that is, I
36 know you mentioned that their families want them in a home-like environment.
37

38 **APPLICANT RAMON BAGUIO** – Um-hum.
39

40 **COMMISSIONER VAN NATTA** – Can you achieve a home-like environment in a
41 house that is not so close to other houses since they are not going to be going
42 outside anyway like say a little bit more rural area that doesn't have neighbors so
43 close.
44

45 **APPLICANT RAMON BAGUIO** – Our house in LA is actually even more dense
46 than the other that we're in now. And, yes, we are looking for sites. A lot of

1 CLHF's are looking for sites like that, yes. But there is also a requirement to be
2 within a certain distance of certain facilities.

3
4 **COMMISSIONER VAN NATTA** – Okay I could just see it being easier to
5 approve something if it wasn't so close to other neighbors if it was on maybe a
6 little bit larger parcel of land where there was more spacing and maybe a more
7 direct road that isn't so narrow and just going up into the one.

8
9 **APPLICANT RAMON BAGUIO** – I would agree with you on that, Ma'am.

10
11 **COMMISSIONER VAN NATTA** – Okay.

12
13 **COMMISSIONER GONZALEZ** – I have a question. Hi. How did this project
14 come about? Can you give me a background, the origin how this home/how this
15 site was selected? How is the relationship? I know you're the representative
16 and the owner and then the applicant, so how is that all related?

17
18 **APPLICANT RAMON BAGUIO** – Okay, so the Applicant (Rudy) was searching
19 out houses within the area, not just here but in Riverside and Palm Springs
20 (multiple sites) and I'm not familiar enough with the whole real estate angle of
21 this and the purchasing and everything. But they saw this house and it was for
22 sale and they looked at the size of it and the way it was built. It is a very nice
23 home, and they thought it would be appropriate for something like this. And they
24 saw how quiet the neighborhood was because that is important for them too that
25 it is quiet.

26
27 **COMMISSIONER GONZALEZ** – Thank you.

28
29 **CHAIR LOWELL** – Vice Chair Sims.

30
31 **VICE CHAIR SIMS** – Good evening. So I noticed in the paperwork it says this
32 property....well I have two questions. So there are 12 beds and what is the total
33 occupancy with Staff?

34
35 **APPLICANT RAMON BAGUIO** – There are two nurses on Staff 24 hours, so
36 there are two shifts.

37
38 **VICE CHAIR SIMS** – So there would be a total of 14 people at all times?

39
40 **APPLICANT RAMON BAGUIO** – Yes.

41
42 **VICE CHAIR SIMS** – Okay, so my next question then is I noticed it's a septic
43 system. So typically, if this was a residential home, how is the sewer going to be
44 handled with this?

45

1 **APPLICANT RAMON BAGUIO** – There would be a new septic system put in
2 place. There would be a new tank.

3
4 **VICE CHAIR SIMS** – Have you done the geotechnical work so that will work>

5
6 **APPLICANT RAMON BAGUIO** – No we haven't. No.

7
8 **CHAIR LOWELL** – Commissioner Gonzalez, you're up next.

9
10 **COMMISSIONER GONZALEZ** – Oh, I'm good.

11
12 **CHAIR LOWELL** – Perfect, we had Commissioner Sims, so Commissioner
13 Barnes you're next.

14
15 **COMMISSIONER BARNES** – I'm up?

16
17 **CHAIR LOWELL** – Yes.

18
19 **COMMISSIONER BARNES** – Alright I'm not sure whether this is best suited for
20 you or for Staff but you mentioned that this facility is based on a new state
21 category of facilities?

22
23 **APPLICANT RAMON BAGUIO** – Yes.

24
25 **COMMISSIONER BARNES** – Can somebody expand on what was the purpose
26 of this new category? What drove this and?

27
28 **APPLICANT RAMON BAGUIO** – I can't answer as to what the State or Health
29 Services.....

30
31 **COMMISSIONER BARNES** – That's what I'm getting at. Is this something that
32 is somewhat new and doesn't fit into the squares that we have for categorizing
33 this thing. The way it's explained, it sounds a little bit unique.

34
35 **APPLICANT RAMON BAGUIO** – I'd like to point out one thing. When you
36 first....I did the first approval for LA. There was a lot of confusion in the
37 beginning because no one knew where to put it. So, when we first came in, they
38 said it's a Conditional Use Permit Elder Care. Then when we showed them our
39 operations, they were like oh this is not elder care. This is assisted living. Wait,
40 no. So it took us three months to figure out whether or not this was a CUP or a
41 Zoning Variance. At the end, it became a Zoning Variance and got approved as
42 a Zoning Variance. Now that it is in the books, now the City of LA recognizes
43 that we need a Conditional Use Permit for it and not a Zoning Variance. But, in
44 the beginning, it took 10 trips to Planning to figure out what category to put it in
45 and they realized there is no category to put it in. So we have to call it a Zoning

1 Variance because it is none of those things. It is not assisted living. It is not
2 elder care.

3
4 **COMMISSIONER BARNES** – I guess that’s what I’m getting at.

5
6 **APPLICANT RAMON BAGUIO** – It doesn’t fit. It doesn’t fit when we say this is
7 assisted living and then we’re thrown with a Traffic Generation Study that says
8 we need seven parking spaces when we have never done seven parking spaces
9 at one of these sites. Our intention was to not touch the front yard at all.

10
11 **COMMISSIONER BARNES** – Can we get LSA to speak to the issue of the
12 traffic and confirm that what was done was?

13
14 **LSA ASSOCIATES, JOE URZUA** – Good evening. My name is Joe Urzua. I’m
15 a Transportation Planner at LSA Associates.

16
17 **COMMISSIONER BARNES** – I guess my question is, based on what he had
18 said earlier that the criteria that you applied to this particular use isn’t necessarily
19 reflective of how he thinks that it’s going to be used, and can you speak to that
20 comment?

21
22 **LSA ASSOCIATES, JOE URZUA** – Based on my understanding of the project,
23 our trip generation is a little conservative. What we did is we used rates for an
24 assisted living facility. Based on the definition of assisted living facility as
25 comparing in our trip generation manuals, it is a facility that provides oversight or
26 assistance with activities necessary for independent living to the mentally or
27 physically limited persons, so independent living. These activities include
28 transportation, medication administration, social and physical activities. Based
29 on the project description, most of the patients at the proposed facility will be
30 nonambulatory, unable to move, unable to do any physical activity. Additionally,
31 the client has said that visits to the site will be limited and only available by
32 appointment. Therefore, our trip generation that we provided may be a little
33 conservative and overestimate the amount of trips on a daily basis.

34
35 **COMMISSIONER BARNES** – Okay, thank you.

36
37 **CHAIR LOWELL** – How would the trip generation rate be compared to a large
38 house that had 12 bedrooms that wasn’t a medical facility?

39
40 **LSA ASSOCIATES, JOE URZUA** – A large house with 12 bedrooms. We
41 usually do a trip generation based on units, but if it is a large house with 12
42 bedrooms most likely it would be considered an apartment or a duplex. And, in
43 that case, it would be 0.5 (I don’t know off the bat) but I think 0.5 trips per unit.
44 So it would be roughly about six trips.

1 **CHAIR LOWELL** – So how would that compare to the 30 something? Would it
2 be more or less? You're saying it will be six trips a day?

3
4 **LSA ASSOCIATES, JOE URZUA** – I don't have the trip generation to apply
5 here.

6
7 **CHAIR LOWELL** – I'm just asking for a ballpark.

8
9 **LSA ASSOCIATES, JOE URZUA** – I'm sorry. What was your question?

10
11 **CHAIR LOWELL** – We are trying to deliberate whether or not this is an assisted
12 living facility. If it doesn't fit that category, how would it compare to a mansion-
13 type home with 12 bedrooms with 12 residents?

14
15 **LSA ASSOCIATES, JOE URZUA** – Oh, well if you compare it to a mansion with
16 12 rooms and 12 residents, 12 residents there would drive. I think, based on the
17 description as Ramon had said, the patients there would not drive.

18
19 **CHAIR LOWELL** – Correct, but I'm saying the assisted living was generating
20 maybe 33 (something around there) trips per day?

21
22 **LSA ASSOCIATES, JOE URZUA** – Thirty-three trips on a daily basis.

23
24 **CHAIR LOWELL** – If it was a mansion or big 12 bedroom house that had 12
25 residents, it would be 12 trips a day you say?

26
27 **LSA ASSOCIATES, JOE URZUA** – No, not 12 trips a day. If it was a mansion
28 or a big house, you'd probably have to analyze it based on more of an apartment
29 type use or a number of people.

30
31 **CHAIR LOWELL** – So it would go, you think it would be greater than or less
32 than the assisted living volume? I'm not holding you to any specific numbers, it's
33 just.....

34
35 **LSA ASSOCIATES, JOE URZUA** – Maybe the peak hour. Based on the peak
36 hour, it would be similar. But, on a daily basis as a sure thing, I don't have that
37 information in front of me right now.

38
39 **CHAIR LOWELL** – I appreciate it. Thank you. Any other questions for LSA?
40 Nope? Great. Okay, any other questions for the Applicant before I move on? I
41 don't see any hands going up. Okay, I appreciate it. Before we go to our
42 Commissioner Discussions, I would like to open up the Public Comments portion.
43 Public Comments is now officially open. Our next speaker is Glenn Pavlick. We
44 do have about 20 speakers, so we have Glenn coming up first. Then, we have
45 Kenneth McLemmon, and then we have Nora Navas. If you could kind of line up
46 in the que and just be ready to go. The floor is yours.

1
2 **SPEAKER GLENN PAVLICK** – Ready?

3
4 **CHAIR LOWELL** – Yes, Sir.

5
6 **SPEAKER GLENN PAVLICK** – Okay. As you know, my name is Glenn
7 Pavlick. I live on Steeplechase Drive. Of course, I'm opposed to the 12 bed
8 medical living facility. This project area will have a major impact on my
9 neighborhood and community I live in. Many of the neighbors and I have
10 concerns regarding decreased property values, street parking, and increased
11 traffic problems, noise and security problems, air pollution, and oxygen use will
12 increase the risk of fires and explosions. According to Permit Applications,
13 significant modifications will be made to the property that has already been
14 discussed. There will be 10 doors. There will be 12 bedrooms with a 12 bed
15 facility. The guest parking, they are saying one spot by appointment only. That
16 means, if I have somebody living in that facility that I have to make an
17 appointment to go see them, and they will be ailing and you don't know when
18 they will meet paths. I could have a mother there that is ailing and one guest
19 facility I could call in and I could say well you could have an appointment in two
20 weeks. She may not be on this earth in two weeks. Another exterior
21 modifications of tan exterior doors and a proposed parking lot in the front instead
22 of the nice looking circular driveway makes it look like more of a commercial
23 building than a residential facility. I also have concerns with fumes from
24 proposed emergency diesel generator that, if all the power goes off, it's going to
25 be running and producing many fumes in close proximity to the neighbors that
26 are nearby and breathing problems. We checked the internet and there were
27 problems resulting from medical living facilities such as this and residential
28 community complaints are noise and employees arriving and leaving at all hours
29 of the day and night. Parking for one guest is one of the biggest issues. There is
30 a need for this type of business in our world, but a business should be in a
31 commercial area not in a residential area. It can reduce the quality of living for
32 the residents of our neighborhood. I ask for a vote against allowing this business
33 in our residential community. Thank you.

34
35 **CHAIR LOWELL** – Thank you very much. The next speaker is Kenneth
36 McLemnon.

37
38 **SPEAKER KENNETH MCLEMNON** – Good evening.

39
40 **CHAIR LOWELL** – Good evening.

41
42 **SPEAKER KENNETH MCLEMNON** – Listening to the gentleman speak, I don't
43 know what assisted living is if you have a quadriplegic that depends on
44 somebody to take care of them at that house. Obviously, they are going to have
45 two nurses on call or on board and that's probably going to mean three shifts of
46 people going in and out. It just sounds like an assisted living facility. One of my

1 other concerns is where is he getting his patient's from? Are they coming from
2 private sector? Are they coming from the State? Are they coming from Federal?
3 Where are these people coming from and what's their, you know, what's really
4 going on there and how are they getting paid for it? Steeplechase has a island
5 system that runs up the middle of the street. It is...any cars going up to that
6 house on Steeplechase would have to go two or three houses past that pull a u-
7 turn around the island and then go back down. That's really going to be a lot
8 more traffic visibly just right in front of those houses right there all the extra traffic
9 on the u-turns and whatever danger that might cause. Like I said, the assisted
10 living thing, property values, increased traffic. It sounds like it also might be
11 some type of a Hospice. We'd be explaining to our children, you know, why is
12 the mortician always coming to this place? They obviously come around quite a
13 bit. We have new families on the block now. The block is starting to go younger
14 again. You know, it's gone through phases (younger/older). We have a lot of
15 new kids on the block. And that's basically about it. I know a lot of people are
16 going to touch a lot of other points on this too, so I will let them have the time.
17 thank you.

18
19 **CHAIR LOWELL** – Thank you, Sir. Our next speaker is Nora Navas followed by
20 Hector Navas and Lonnie Fitzgerald.

21
22 **SPEAKER DIANA WEHBE** – Hi, good evening. I'm actually Diana Wehbe. I
23 am not Nora but Nora asked if I could go in her place and I'm scheduled to speak
24 I just don't know when.

25
26 **CHAIR LOWELL** – Perfect. So is Nora not here?

27
28 **SPEAKER DIANA WEHBE** – She is. She just said she is not ready. I think she
29 got a little nervous. You guys are kind of intimidating so.

30
31 **CHAIR LOWELL** – Okay, well okay then.

32
33 **SPEAKER DIANA WEHBE** – I'm the honest one, so if you didn't pick that up.

34
35 **CHAIR LOWELL** – What was your name again? What was your name again?

36
37 **SPEAKER DIANA WEHBE** – Diana. Last name Wehbe. I love you, Nora.

38
39 **CHAIR LOWELL** – There you go. I will bring you up to the top. Nora, would it
40 be okay if I moved you to last? You're not quite ready yet?

41
42 **SPEAKER DIANA WEHBE** – Oh no, she won't.

43
44 **CHAIR LOWELL** – Can I move you to last?

45
46 **SPEAKER DIANA WEHBE** – I'm not ready period. That's a period.

1
2 **CHAIR LOWELL** – I'll move you down a couple. How about that? Could we
3 cancel Nora Navas and move her down a little bit? Go ahead Diana Wehbe.
4 We'll reset the timer too.

5
6 **SPEAKER DIANA WEHBE** – Thank you. Good evening and thank you for
7 having us here. I want to thank you first and foremost, Meli. Is that correct?
8 Okay. Thank you for your important questions. I was sitting there, and I was
9 getting really excited because you literally did all the work for us and that's why
10 we're all mumbling because we came so over prepared for this. It has been
11 months that we have been preparing just for this one day. I missed school today.
12 I missed church today to come here, and by the amount of people that have
13 showed up you can see that this is not just a neighborhood. Thank you. This is
14 not just a neighborhood, this is an extended family. And I'm just, I'm not here to
15 give you facts. There's so many others that are going to come do that, but I just
16 want to give you a little bit of a background on this neighborhood. I'm 29 years
17 old. I've lived right next door to this house that is being sold or could be sold to
18 be a proposed business for 23 years of my life. I went to high school. I went to
19 college in Moreno Valley. I grew up watching my friends who didn't live in such
20 fortunate neighborhoods struggle in their neighborhoods. They struggled
21 because the people who lived in their neighborhoods made it a living hell for
22 them. Our neighborhood is the type of neighborhood where, if my mom who gets
23 in a car accident and is t-boned at the bottom of the street, the neighbors literally
24 rush from top to bottom who are sitting in this room today to come help her
25 before the ambulance gets there. My neighborhood is the type of neighborhood
26 where, if a car does get in a car wreck by a drunk driver in front of our house, all
27 of the neighbors in the middle of the night before we could even get outside of
28 our house to see who hit our car, our neighbor is already there taking care of it,
29 taking pictures, finding out if people are okay. That's the type of neighborhood
30 we live in. And so the people you see here are all a part of that neighborhood, a
31 safe neighborhood, a comfortable neighborhood, and a neighborhood that is not
32 like other neighborhoods in Moreno Valley and I'm sure you know that. Police
33 get called constantly in Moreno Valley. They've actually nicknamed it, in my
34 generation, Murder Valley. I don't know if you've heard that nickname. That's
35 not a great nickname for us as a City because they are so many shootings and
36 deaths and I grew up around that. That's what I grew up around. But I also grew
37 up seeing my street and my neighborhood and my family and the extended
38 members of that family on that street thrive because we cared for each other.
39 And so, Ramon, I would like to extend an invite back to you if you're even still in
40 this room or if you're watching outside, I would love to go see who you're helping.
41 I run a nonprofit and I help people every single day. That's what I do. I quit my
42 9-5 job at a radio station to help the homeless, to help those who are struggling
43 with disabilities and I do it in and outside of residential areas. And it is possible
44 to do outside of residential areas. It's done every single day. But this specific
45 residential area is different than the other neighborhoods in Moreno Valley. You
46 can take a walk and a drive and you'll see that. The people here genuinely care

1 about their neighbors. They care about what goes on in the neighborhood and
2 they love each other and that's very important for a neighborhood. And it's not
3 that we're opposed to caring for others, it's just that this neighborhood raises
4 children and takes care of their own and their grandchildren. And so, on this
5 neighborhood, we would like to plead and ask that we keep it that way as one of
6 the safest neighborhoods in Moreno Valley. And I'd like to ask that you take all
7 of that into consideration. This is not just a business, this is not just a gathering
8 but all of these people here they care. They didn't show up to yell. They didn't
9 show up to scream. They showed up because they care just as much about my
10 mom getting t-boned at the bottom of the street as they do about every single
11 person that lives on our block. Thank you.

12

13 **CHAIR LOWELL** – Thank you very much. Hector Navas followed by Lonnie
14 Fitzgerald and a Chuck Bontjes. I'm assuming you're not Hector?

15

16 **SPEAKER LONNIE FITZGERALD** – My name is Lonnie Fitzgerald. I reside at
17 11645 Steeplechase Drive, Moreno Valley. I've resided there for the past 18
18 years. I'd like to talk about a different type of issue. I'd like to talk about, if PA15-
19 0019 is approved by Moreno Valley, as to the liabilities to Moreno Valley.
20 Specifically, it was spoken here that a mitigation of the noise, proposed noise
21 objection, was to ask to go in a quiet mode. Now to get to Steeplechase Drive,
22 you have to be on Ironwood. There are two schools, one elementary, one
23 middle school a couple of blocks from. In 2015, Palm Middle School had an
24 enrollment of 1293 children, a block or so away. Cloverdale Elementary School
25 had an enrollment of 795 students. Now those schools operate on basically the
26 same schedule, so two times a day or maybe three times a day we have traffic
27 backed up all the way from Perris to somewhere most times beyond
28 Steeplechase. So you're going to ask someone, you're going to make a call for
29 an emergency and ask the responder not to do the job that he's paid to do by the
30 City of Moreno Valley. And by asking the responder not to do that, also you're
31 creating a problem with the person that you're calling on behalf. So what does
32 this mean? It means that Moreno Valley has to have really deep pockets at
33 some point in time. Plus, in time maybe not tomorrow or maybe not the next day,
34 there is going to be a problem. Additionally, you're asking the person....let me
35 back up a second. Let me strike that. Additionally, the proposal is that in order
36 to mitigate again that applicant in good faith make the call. Now it comes to
37 another thing. Whose lying and whose telling the truth? Did you make this call,
38 did you not make this call?

39

40 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman. We are having a
41 problem with our timer. I just wanted to let you know. I'm timing him as well.

42

43 **CHAIR LOWELL** – Go ahead, Sir.

44

45 **SPEAKER LONNIE FITZGERALD** – How much time do I have?

46

1 **CHAIR LOWELL** – You’ve got a little bit more time. Go for it.

2
3 **SPEAKER LONNIE FITZGERALD** – Okay, yeah because there’s more.
4 There’s the issue of traffic on Steeplechase Drive. Now even though there has
5 been a report as to the number, but it doesn’t mean anything. Nothing means
6 anything actually that has been said here by the Applicant because the Staff for
7 the City or for the Planning Department has asked for information in order to
8 make an intelligent decision. They, by their own words, have not been given that
9 information to make an intelligent decision. So any decision made here for the
10 Applicant would be against an intelligent decision because you don’t have the
11 information.

12
13 **CHAIR LOWELL** – Thank you very much. The next speaker is Chuck Bontjes.

14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – Would you like me to do the
16 timing or do you want to time it up there?

17
18 **CHAIR LOWELL** – Whatever. I’ll do it too just to be on the safe side.

19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.

21
22 **SPEAKER BARBARA BONTJES** – Hi. I’m Barbara Bontjes. This is my
23 husband, Chuck. And I’d like to introduce myself to the community. My husband
24 and I have just purchased a house on Steeplechase.

25
26 **SPEAKER CHUCK BONTJES** – You’re not nervous are you?

27
28 **SPEAKER BARBARA BONTJES** – Steeplechase two blocks from where the
29 proposed nursing facility will be. Two houses, I’m sorry but it is. It’s a nursing
30 facility. It’s a nursing home, and it’s also a business that is being planted in the
31 middle of a community. I’m spending one-half million dollars on this house that
32 we’re buying. We put the bid in probably a week before we even knew that this
33 business was going in. Had we’d known beforehand, we may not have. But
34 after tonight, after meeting the people, I want to be a part of this community. I’m
35 going to turn this over to my husband to see if he has any comments. I didn’t
36 come prepared tonight. I’m sorry.

37
38 **SPEAKER CHUCK BONTJES** – Well we’ve been looking for houses for
39 months. One of our main requirements was neighbors, neighborhood. We
40 scoured the neighborhood. Tony will be our next door neighbor, which he’ll be
41 speaking soon and the neighbors are great. We fell in love with the
42 neighborhood, the house, and all the people around it. I understand the need for
43 their proposal. My father was afflicted with Alzheimer’s and I had him in an
44 assisted living. It was a good facility and I understand the need for it. I just don’t
45 feel that the placement of that in this type of a residential neighborhood is
46 appropriate. I’m getting almost as bad as you are now. So, if that’s the case and

1 perhaps if it does get approved, we may decide to look further elsewhere
2 because we love the neighbors that we've met. They are great people. The
3 houses are beautifully maintained. It's a great neighborhood. We fell in love with
4 it and the neighbors the houses that we saw, and we want to be part of that
5 neighborhood and become part of the Moreno Valley Community. So that is all
6 we have to say tonight, and I thank you for your attention.

7
8 **CHAIR LOWELL** – Thank you very much. Harry Wilson. We have a Kathleen
9 Ballard and a Danny Schwier. Harry Wilson? Okay, so you're okay? How about
10 a Kathleen Ballard?

11
12 **SPEAKER KATHLEEN BALLARD** – Hi. My name is Kathleen Ballard. I live on
13 Kalmia Court, which is the first street up on Steeplechase. I'm a registered nurse
14 and what he is describing to you is a nursing facility. It's a nursing home. If
15 you're giving IV's and you have a licensed nurse in there to do that. If these
16 people cannot move, cannot take care of themselves and he says they are bed-
17 bound, you need more than two people to be turning these people. They have to
18 be turned every two hours. You have State Guidelines that you have to follow as
19 a nursing facility. It's an assisted nursing facility. It's not a nursing home. I don't
20 know what he's.....I've never seen this kind of facility in a residential
21 neighborhood. You can go to Canyon Crest. They have assisted living facilities.
22 They look just like home. So I don't understand what he's saying as far as you
23 want to give them the home structured life. I understand that. I appreciated Ms.
24 Van Natta's questions too because she was right on where I was going at. If
25 you're not going outside and you're limiting these people's visitations I would be
26 questioning number one, if I called there and said I want to come see my son and
27 I was told I have to make an appointment, he's not going there. Why am I being
28 told that I can't come and see my son unless I make an appointment. I'm paying
29 for him to live there. This is a business. This is not a residential....this is not
30 something that should be put in a residential neighborhood. There are plenty of
31 areas. Like we said, there is a KinderCare that was on Ironwood. That's a
32 business. That has not been run for years. That could be turned into a facility.
33 It's already a business in an area. You can't bring a business like this into a
34 residential home. We all bought there. I've lived there for 21 years. I'm not
35 going to be happy if it's there. I bought into this neighborhood because I wanted
36 to be in a residential neighborhood. If I wanted to be in an industrial
37 neighborhood, I would've bought into an industrial area. I just don't understand
38 how you can say 10 exit doors outside is not going to look like a residential
39 building. When I built my garage on my lower property, I had to build that with
40 the City Guidelines of that it was going to look residential. We had to put
41 windows into the sides. We had to make it look like every other building in the
42 house in that area to conform to that area's standards. What they are asking to
43 do is taking that standard completely out of residential. You're making it into an
44 industrial building. Parking spots, 10 exterior doors, an emergency generator
45 backup. There's also things, I don't know what the guidelines are for them, on
46 emergency situations. At the hospital, we have to conduct so many fire drills. I

1 don't know what their guidelines are for that, but if it's a facility that's a nursing
2 facility they have to have emergency response things of conducting emergency
3 procedures that they'd have to do on a monthly basis. And it's not just daytime
4 hours, it's in the middle of the night. So a fire alarm could be going off. They
5 have to do everything like they would do as a regular fire. We don't know what
6 their standards are going to be, so we're just asking you to please look at all that
7 stuff before you grant any of this because that is not what we live in this
8 neighborhood for.

9
10 **CHAIR LOWELL** – Thank you very much. We have a Danny Schwier. Danny
11 Schwier? Nope? Going once, going twice, Schwier. Sorry, I SATWIER is what I
12 have.

13
14 **SPEAKER DANNY SCHWIER** – Good evening. My name is Danny Schwier. A
15 couple of things first. We all live on half acre to three-quarter acre parcels. So, if
16 the City sent out notices within 300 feet, half of us didn't get a notice. So I think
17 there would be some consistency that common sense would have to apply here
18 that if we're living on half to three-quarter acres and our lots are 200 feet in width
19 you've got to have some different guidance as to sending out notice that is more
20 appropriate. This project reminds me of a visit that I made in Tennessee a
21 couple of months ago. One of our relatives are very ill and I visited this facility,
22 and it's a pretty large facility. It's not a 12 bed, probably more like 40 to 50 beds.
23 While we were visiting there, I noticed various stages of patients. Some of them
24 did walk around. Some of them were on crutches. Some of them were in
25 wheelchairs and some of them were totally bedridden. Within an hour of being
26 there, I noticed an alarm went off in the building. We thought that there was a
27 fire, so we were thinking we had to evacuate. It's a fire, so we're thinking we had
28 to evacuate. The nurse came in and closed our door while we were visiting and I
29 asked her what was going on. And she said one of the patient's died and we
30 close all the doors and this is the procedure we go through when the ambulance
31 comes to pick up the body. Now this is a residential community and the last thing
32 we need there is having ambulances coming all hours of the night taking them to
33 the hospital or perhaps even taking them to the morgue. That is not the type of
34 neighborhood that we want to live in. In our area, we have a very hard dirt. It's a
35 decomposed granite. Half of our residents, our septic tanks have failed and it
36 does not percolate well and half of our residents don't have septic tanks. They
37 have cesspools. So if you take a four bedroom house and convert it into a 12
38 bedroom house, that's 240% extra load on the existing septic tank system or
39 even the new septic that they may design. That's real problem in our area, so I
40 would strongly argue against any type of septic tank that will support a 12
41 bedroom residence regardless what size septic tank they are going t be installing
42 there. Lastly, we have a Residential Code for a reason and the last thing we
43 need is a proliferation of assisted living in an upscale neighborhood that's on
44 Steeplechase. Thank you.

45

1 **CHAIR LOWELL** – Thank you very much. Next we have Tony Wehbe. Last
2 time I butchered a name.

3
4 **SPEAKER TONY WEHBE** – Hi. I'm Tony Wehbe. I live adjacent to the
5 property, subject property. I'm a Senior Engineer, County Sanitation District for
6 25 years. He talked about septic tank and you asked about septic tank, and I'm
7 going to answer that. The ground that these homes are sitting on is hard clay
8 that is not porous or sandy. These houses are designed to have only four or five
9 people living in them and most of the water that discharges from the septic tanks
10 don't go on leaching lines anymore. They have septic holes like they are
11 leaching holes for like 15 feet in the ground. Most of these leaching holes work
12 at nighttime when everybody is rested but only with four or five people living in it.
13 With 12 patient's, and I don't buy the idea that two nurses are going to take care
14 of everybody. According to the State, there should be one nurse for every three
15 patients, so they should have at least four nurses per shift; having four nurses
16 coming every day to the building, shifting the cars from the parking lot and taking
17 off and on and switching all this parking during the day and parking on the street
18 having 12 nurses coming to the facility every day besides the doctors and all the
19 other paramedics and all the equipment. They will have an average of 25 people
20 putting soiled water in it from washing the clothes that he says they going to do
21 all the washing. Maybe they don't eat much, but they are going to be using the
22 kitchen and some of them are going to be taking showers. These septic tanks
23 are going to be loaded. They will saturate the leaking tanks and the water will
24 have no other way but going upward, seeping on the street, and going down to
25 the property next door to Mr. Robinson's house as they are sitting here. They
26 are sitting right below that subject property. This septic tank, no matter what the
27 size they put in, the land does not percolate the water that goes into them as fast
28 as the way they are going to put them in. There are going to be 20 people living
29 in that house at anytime during the day. Putting that into the septic tank is going
30 to flood the septic tank and then create foul odor from the septic tank. On the
31 other hand, they discussed other issues but I have a specific issue here. My wife
32 is very, she has a very strong case of asthma and allergies to smoke and to any
33 smells. She cannot smell anybody smoking or the smell of the generator that
34 they are going to be turning on. The generator, the standby generator, will be on
35 when electricity is off on the whole neighborhood. That means there is no air
36 conditioner in the house to go inside and turn it, which means that we are going
37 to go outside to breathe if it is hot weather and then we are going to have a
38 standby generator sitting right below me. I have pictures of our property. I sit
39 right above the subject property. There is only four feet between us. I breathe
40 on top of that subject property. We see everything that goes down below us and
41 then having to put the standby generator in the backyard that means all the
42 smoke is going to come to us. And then she just cannot, I mean most nurses
43 and then doctors smoke. They are going to go outside and smoke their
44 cigarettes. She cannot smell that. And then she has a report from the doctor
45 that she is very sensitive.

46

1 **CHAIR LOWELL** – Thank you.

2

3 **SPEAKER TONY WEHBE** – To smoke. That means, if they get approved, we
4 must leave the neighborhood.

5

6 **CHAIR LOWELL** – Thank you very much, Sir.

7

8 **SPEAKER TONY WEHBE** – And we don't want to leave the neighborhood.
9 We've lived there for 25 years.

10

11 **CHAIR LOWELL** – Thank you very much.

12

13 **SPEAKER TONY WEHBE** – Alright, thank you.

14

15 **CHAIR LOWELL** – Enrique Marin followed Fernando Guzman and Tom Torres.

16

17 **SPEAKER ENRIQUE MARIN** – My name is Enrique Marin. I live on Kalmia up
18 the street there and of course we're all in the neighborhood. You know, we've
19 seen everybody grow up and everything too. As we were talking earlier about
20 our neighborhood like how she was stating about the neighborhood kids. And we
21 were talking about her kids, our neighborhood, which she lives down (actually
22 she is the next-door neighborhood to these people here) about her boys and all
23 that stuff. And now we're talking they were all kids and now they are growing up.
24 You know, four of them are cops and then two of them are teachers and stuff like
25 that. Like I said, it's a great neighborhood where we have a lot of people moving
26 on from Moreno Valley. But we would like to see our town keep on growing.
27 And, like I said, our homes in the hillside I have an amazing view of the whole
28 City. I mean people come up to our neighborhood, they see it and say (my gosh,
29 this is Moreno Valley)? This does not exist here but it does. But, anyway, there
30 are a lot of questions here and another thing that he had brought up, with today's
31 technology he should have a website where everybody can go to. Hey, this is a
32 facility here. He doesn't have that. Wow. And another thing, he lives in
33 Woodland Hills. Why doesn't he have one of these things in Woodland Hills? I
34 don't think they'll approve it. He'll have triple the amount of people right away.
35 And then also, I'm sure that any of you would not love to have one of his houses
36 by your homes either. We're a neighborhood and we'd like to keep it that way.
37 And the septic tanks I remember my wife told me the same thing. She say, golly
38 that's going to be a 12 bedroom home or facility. And the first thing that came to
39 my head, wow, they better redo the septic tank because there is two of us here
40 and we try to conserve our water as much as possible because talking about you
41 never want to see that water come up and that's it. That's one thing you do want
42 to see because let me tell you, boom, that's \$300.00 right away. You need to
43 come and drain our tank. Like you said, our ground is, it's not crazy. Our
44 neighbor would have to go about 300 feet before he found some soft ground so
45 he could get into dig. So before they find the ground perfectly where they can dig
46 into. And appeal to the City. Somebody had mentioned appeal to the City. You

1 want to get stuff. I mean some of that stuff does not appeal to the City. I mean
2 we're like a nice neighborhood and all that stuff. He says, oh yeah, can you tell a
3 realtor to come look at this new home that we're trying to sell now. Plus, oh
4 yeah, we have a 12 or 13 bedroom. It was a 12, but you know what, they added
5 more rooms and now it's 23 bedrooms or whatever. You know, I think once they
6 are in there I think they are going to add onto it. Also, traffic. There is a lot of
7 traffic. They took a study in Kalmia. Cars were hitting 70 miles an hour up our
8 street and that is recorded by Traffic. You can check with Traffic and that study
9 was done about less than a month ago. We had the most traffic going up Kalmia
10 for being a residential and the amount of houses that we have. And added on
11 with 33 more people and stuff like that, that is going to be a lot.

12

13 **CHAIR LOWELL** – Thank you very much.

14

15 **SPEAKER ENRIQUE MARIN** – And handicapped parking, that's going to have
16 to be parking so thank you.

17

18 **CHAIR LOWELL** – Thank you very much. Next we have Fernando Guzman,
19 Tom Torres, and David Bachtel.

20

21 **SPEAKER FERNANDO GUZMAN** – I'm Fernando Guzman and most of my
22 neighbors covered whatever I was going to say, so I'm good.

23

24 **CHAIR LOWELL** – Thanks. I like those comments. Those are the best. Next
25 we have Tom Torres. We have a David Bachtel and Nancy Lucido.

26

27 **SPEAKER TOM TORRES** – Thank you. With respect to your Agenda, first of all
28 I'd like to ask you, is there any reason why with as many people as we have here
29 interested in this project that we couldn't go before the other one?

30

31 **CHAIR LOWELL** – It was an oversight. I apologize. I agree. I didn't realize the
32 Hillside Residential thing would be so long.

33

34 **SPEAKER TOM TORRES** – Yeah because it has been an hour-and-a-half
35 before it got to us.

36

37 **CHAIR LOWELL** – I know. I apologize. It was my mistake. Look at me. It was
38 my mistake. I apologize.

39

40 **SPEAKER TOM TORRES** – Secondly, I've lived on Steeplechase for nearly 40
41 years. It's been a good while. I've seen a lot of people come. I've seen a lot of
42 people go. Now with what that man came about to his proposed plan for this 12
43 bed facility, I oppose it and I'll tell you why. We have a house as you well know,
44 totally different. It's a halfway home. I'm the corner house on Steeplechase and
45 Ironwood. I have seen our neighborhood completely change since that house
46 came into effect. Now I know that it is totally different. It's kind of a halfway

1 home. It's supposed to be for young ladies 17 years of age and under, but
2 they've violated that several times. We see the police there probably four times a
3 month. Okay now knowing that this is a different kind of facility, I still the way I
4 see it is that it's all about money. These guys ain't got enough money to go to
5 commercial zone and do this kind of thing, why do they come to our
6 neighborhood? That's what it boils down to. It's about money. Let them go find
7 a commercial zone and be done with it because I don't think....we're not in a
8 position anymore to tolerate anymore of this. Like I was telling you, once they
9 get their foot in the door it's a whole different thing. That gentleman that came in
10 here and spoke about people being handicapped and disabled, I'm a 100%
11 disabled war veteran. I can raise hell with the best of them, so we never know
12 what's going to happen. You know what I mean? Things change. Just like they
13 did with this halfway home. So I think, with what I've seen now, there's a great
14 opposition. I don't think this is going to happen. But let me take that a step
15 further. I just found out today that, if they want to make it a six bed facility, they
16 don't even have to inform us. Am I right?

17
18 **AUDIENCE MEMBER** – You're right.

19
20 **SPEAKER TOM TORRES** – Okay. So now they have a secondary option to do
21 this, and I think it is probably your obligation to let us know if this is going to take
22 place. Don't you think they have an obligation to let us know? That's the way I
23 feel about it. If not, we can take this to another echelon with our legislation or
24 congressional matter. But I think it really is your obligation to let us know if they
25 take this secondary option to make it a six bed facility. Thank you.

26
27 **CHAIR LOWELL** – Thank you very much. David Bachtel. We have Nancy
28 Lucido and Joe Lucido.

29
30 **SPEAKER DAVID BACHTEL** – Hi. My name is David Bachtel. I'm at 26042
31 Mirage Court. I'm on the backside of the proposed facility. I've lived in Moreno
32 Valley for 17 years. I'm a board-certified environmental engineer. I was Division
33 Engineer for LA County Sanitation District for 30 years. I'm now a consultant. I
34 think what we have here is a perfect nexus of hillsides, lack of economic diversity
35 in Moreno Valley because we're paving the place with warehouses, and no
36 demand for higher-end properties. I've known Gene since I've moved here for 17
37 years and the Wehbe's and what's happening is Gene can't find somebody to
38 buy an absolutely stunning home because people who have the ware of all to do
39 that won't live in Moreno Valley because of the quality of the general community.
40 What they don't know, of course, is what it's like for us who live there. In any
41 case, I wanted to point out that Steeplechase has been around for about 40
42 years and it doesn't meet the current standards for development. As a matter of
43 fact as a person who lives initial he community and walks around, there's a big
44 hill circle that a lot of take, there are no sidewalks on Steeplechase and those
45 individual lanes are fairly narrow. And, when people park on that street, it
46 becomes very dangerous, especially because those houses are built right up to

1 the edge of the....the walls go almost to the edge of the pavement. There is
2 nowhere to walk except in the street. And, when you bring more traffic in there
3 especially people backing in and out, it's going to create a lot more dangerous
4 situations. And trust me, when people get tired of doing the u-turn on
5 Steeplechase, they will come up Lasselle and go in that direction and people
6 speed on that all the time. So, other than that, I think that the other issue is that
7 the pavement on Steeplechase is very bad. We have all those pine trees in the
8 center that grow roots out into the street, so additional traffic is just going to make
9 the street deteriorate faster. So thank you very much for the opportunity.

10
11 **CHAIR LOWELL** – Thank you, Sir. Next we have Nancy Lucido, Joe Lucido,
12 and Abdon Orozco. Nancy Lucido? Anybody? Joe Lucido? Going once, going
13 twice. I see somebody pointing. Okay. I'll give them a chance at the very end if
14 they come back. We have Abdon Orozco. Okay, we have Shelly Lindekugel and
15 then the last speaker is Alicia Schimpff. Perfect.

16
17 **SPEAKER SHELLY LINDEKUGEL** – Hello. My name is Shelly Lindekugel. I've
18 got to tell you, Hey Meli, I've got to tell you I wasn't fired up when I got here but I
19 am fired up now. I've got to say we've lived in Moreno Valley since 1982 and
20 we've lived at 26180 Northshore Drive since 1989. There's been a lot of
21 information out here today. I think it's awesome that so many of our community
22 and so many people in our neighborhood have shown up. We've lived in that
23 community for a long time. I want to say that Mr. Baguio said that there was a lot
24 of confusion about this type of business that is proposed to go in on
25 Steeplechase and I want to say I don't think we're confused. I think we know
26 what we want and we live there and we pay taxes for that area and we support
27 that area. He also said that the citizens of the proposed site would be fortunate
28 to live in a residential setting like this. Well you know what, that's how we feel.
29 Isn't it? Yeah. I'm just going to speak quickly to what I know. I've been a real
30 estate salesperson in Moreno Valley since 1989. Meli and I have worked
31 together. Danny Schwier and I have worked together. I've sold five houses on
32 Northshore and there is only 10 houses on that street. I know that neighborhood
33 really well. I walk it on holidays and put flags in the front yard and it's a very
34 tight-knit community. Kitty Ballard, her son David and my son Danny went to
35 high school together. Mark Basham, congratulations on your marriage. Hello.
36 They live on Steeplechase. I know them. I know your house. I don't know you,
37 but I know your house. I know exactly where you live. With Danny, okay, there
38 you go. Danny Schwier and owns a real estate office here in Moreno Valley and
39 has been doing business here in Moreno Valley for a very long time. Jenny
40 walks the neighborhood every single morning, so what I'm just trying to say is we
41 are a tight-knit community. Someone mentioned about the house at the bottom
42 of Steeplechase, and he said that the police are there every (four times a month).
43 I drive up and down Steeplechase two, three, four times a day and I see police
44 cars there all the time. I just want to say the precedent that this sets. There's
45 already been a precedent set with the house set at the bottom of the hill. Now
46 here we're talking about another one and then pretty soon another one and I just

1 want to end up with the fact that this house has been targeted for this kind of a
2 business because it's a 4500 square foot one-story home. That's why. It doesn't
3 have anything to do with the neighborhood, it just fits their needs well. that
4 neighborhood over through Dalehurst is one of the highest priced neighborhoods
5 in Moreno Valley, and we don't want it there and that's just a simple as it can be.
6 thank you.

7
8 **CHAIR LOWELL** – Thank you very much. With that said, that was the last
9 speaker. I know there were a few people that filled out Speaker Slips that have
10 not spoken yet. Would you like to speak? If not, then I will be closing the Public
11 Comments portion. Last chance, going once, going twice....Public Comments
12 are now closed. Now we are moving onto our Commission Discussion.
13 Speakers finished. Close that one. Give me a second to clear this out for a
14 second. I can't clear that out. Erica, could you move Alicia Schimpff from the
15 speaker que? Commissioner Van Natta, you have questions/comments.

16
17 **COMMISSIONER VAN NATTA** – I have comments. I can appreciate the fact
18 that this is a type of a home that is very much needed. I think I agree with most
19 of the people in the room saying that this is not the right place for it. There were
20 a few inconsistencies I felt in the presentation. There was talking about that they
21 didn't feel that that number of parking spaces were needed and they didn't see
22 why they were required to put additional parking spaces in there that they wanted
23 to leave that circular drive. That certainly would like nice with just the circular
24 drive but that's not....I do believe that the additional parking spaces would be
25 needed even if we're talking. Was there something you wanted?

26
27 **PLANNING OFFICIAL RICK SANDZIMIER** – I just wanted to, as a matter of
28 protocol before you get into too much Commissioner dialogue, we do usually
29 offer the Applicant an opportunity to come back and rebut any of the comments
30 that have been said. So it would be appropriate maybe just to invite them back
31 for a couple comments before you go any further.

32
33 **CHAIR LOWELL** – I'm a little off kilter today. I apologize.

34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – That's okay. Sorry to interrupt.

36
37 **CHAIR LOWELL** – I will let Meli finish and then I will call the Applicant back up,
38 so.

39
40 **COMMISSIONER VAN NATTA** – It's going to take me a while to finish. Go
41 ahead.

42
43 **CHAIR LOWELL** – Okay. I apologize for being out of order, but if the Applicant
44 would like to come up and rebut anything he's heard so far.

45

1 **APPLICANT RAMON BAGUIO** – Sorry you had a really nice TV out there, so I
2 thought I'd look at it from out there. Go ahead, I'm sorry, I didn't.....

3
4 **CHAIR LOWELL** – No, we were giving you an opportunity to rebut anything
5 you've heard so far.

6
7 **APPLICANT RAMON BAGUIO** – You guys have a great neighborhood. I can
8 appreciate that. I think that it's unfortunate that some of you can't see one of our
9 sites. I understand that they are very far away. We didn't.....you can't actually
10 build a CLHF in a commercial neighborhood. It's a requirement that it be built in
11 an R Zone or it be done in an R zone, so the comment that this is somehow
12 going to evolve into some kind of halfway house is also a little misleading
13 because it's not. They simply can't just do that. And, you're right, I'm not a nurse
14 so I don't understand all the activities that are involved with that. I too am
15 involved in a lot of volunteer activities like you are ma'am, and I served my nation
16 too as a veteran. So I understand service and I understand these things, but I
17 can see that there is a lot of uproar about this use here. I am going to take that
18 into huge consideration when I talk to the owner after this, and I wanted to say to
19 the neighborhood I appreciate the things that you've said. And I don't want the
20 neighborhood to feel like this is the kind of project where I'm just going to shove it
21 down your throat. That's simply not the case. And I will learn from what I've
22 heard here tonight for my future projects, so that's....if you want to call that a
23 rebuttal, that's my rebuttal.

24
25 **CHAIR LOWELL** – Thank you very much. Okay, Commissioner Van Natta you
26 were speaking.

27
28 **COMMISSIONER VAN NATTA** – Okay, I'm going to shorten my comments a
29 bit. But I'd have to say that no matter how beautiful the facility might be, and no
30 matter what it looks like, there is no denying the fact that it's going to create
31 some problems within the community. You're going to have to take into
32 consideration the changing of the nursing shifts. If you have only one visitor at a
33 time, which I don't think is realistic; you still need two parking places because
34 they are not going to wait for somebody to leave before they come. Same thing
35 with the change on the shifts on the nurses and doctor comes to visit. You don't
36 know what time or when they are going to be there. There might be emergencies
37 that come up. There's just too much going on for it to be in that particular
38 neighborhood. I agree with that was said about the narrowness of the streets,
39 the fact that there aren't sidewalks there, and there is no way to widen that street
40 or improve it. The problem with the u-turns in order to get to that property. And,
41 just like Ms. Lindekugel, I've been in a lot of the houses out there. Unfortunately,
42 even though I've tried, I've never sold a house on Steeplechase. But I think
43 several people who live in the area pretty much have that area wrapped up. But
44 that's not the neighborhood where this is going to fit. It doesn't mean that it can't
45 be in another residential neighborhood, and there definitely are residential
46 neighborhoods where maybe there is more spacing between the houses. There

1 are wider streets where it would be more suitable. It doesn't have to go in a
2 commercial area. It can still go in a residential area but just not this one.

3
4 **CHAIR LOWELL** – Thank you. Commissioner Ramirez.

5
6 **COMMISSIONER RAMIREZ** – Well having worked with the disabled community,
7 I too echo Commissioner Van Natta's comments. I think that traffic can be an
8 issue, especially for emergency medical response. We know that the first one to
9 arrive on scene is always the big fire truck and for them to be able to turn around
10 they have to go all the way up find a spot to turn around. Once they come down
11 and park right in front of the facility, it's going to block the whole street. In
12 addition to that, I think this project is better suited for a different location. And,
13 because of that, I can't approve this project.

14
15 **CHAIR LOWELL** – Thank you. Commissioner Sims. Vice Chair Sims please.

16
17 **VICE CHAIR SIMS** – I'd like to ask a question. I want to understand about the
18 comment that was made about the lack of having to get approvals for six beds for
19 a six-bed facility. Is there any fact or myth on that?

20
21 **PLANNING OFFICIAL RICK SANDZIMIER** – Our city attorney has been doing
22 a little bit of research on that and we will answer that.

23
24 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Yes, there is some truth to that.
25 With respect to State Licensed Care Facilities, certain enumerated ones and this
26 I had to look it up because it was the first time I'd seen this particular title before,
27 but it does fall under the same category as the others and there are a number of
28 limits that the State has placed on local agencies on how they can regulate them
29 when they are six beds or less. One of those is that we cannot require a
30 Conditional Use Permit where one is not otherwise required for the residential
31 use.

32
33 **VICE CHAIR SIMS** – So just to get this straight. So somebody could go do a
34 five bed or a six bed in any neighborhood? There is no entitlement process or
35 any oversight pervious?

36
37 **ASSISTANT CITY ATTORNEY PAUL EARLY** – There is no requirement for a
38 Conditional Use Permit. There may be other related aspects to the project or the
39 development that may require building permits or other types of entitlements.
40 But the CUP process, which is what is in effect in this particular case, is not one
41 that we'd be able to impose.

42
43 **VICE CHAIR SIMS** – Well Meli said a lot and I tend to agree that this doesn't
44 seem as an appropriate use within a neighborhood for a variety of reasons. But
45 mainly, you know, I'm an engineer so I kind of focused in on the septic system. I
46 could see this become a nightmare where you'd have to have it pumped more

1 often than not. It essentially might become a holding tank where you'd have a
2 Vactor truck there often and the whole issue I thought it was very compelling
3 about to avoid the noise consideration to think that there would be a quiet mode
4 on an emergency thing. Next to the school it just seems a conflictive purposes
5 that you just can't overcome, so I would just for those reasons in of itself....I'm
6 not opposed to this type of a situation because there is a need for this but for the
7 uniqueness of this neighborhood I don't think this is an appropriate use.

8
9 **CHAIR LOWELL** – Commissioner Barnes.

10
11 **COMMISSIONER BARNES** – Yeah, it's always interesting to hear the different
12 perspectives. Obviously, the Applicant is trying to get something done and the
13 residents are trying to preserve their neighborhood. Taking everyone at their
14 word, it appears that maybe the State has put everyone in a bind because taking
15 him at his word this type of facility has to go in a residential zone. So, given that,
16 it's not going to be your neighborhood tonight it appears but somebody's
17 neighborhood is going to be affected by this, so it appears that the reality is a lot
18 of community outreach and a lot of pre-selling by the next Applicant in the next
19 location is required. It seems like the facility does have the potential to work but
20 given the fact that this neighborhood already has a facility, to me, that's a
21 circumstance that has to be considered because I think you'd want to distribute
22 these somewhat evenly about the City for the sake of fairness. So, although I'm
23 in favor of it in general, I think this is (as the other Commissioners have said) not
24 the right place. I think it's unfortunate that the Applicant didn't provide the
25 information that the City wanted. I think that worked against him, and I am going
26 to have to vote no also.

27
28 **CHAIR LOWELL** – Commissioner Baker.

29
30 **COMMISSIONER BAKER** – Is Gene Cole, the owner, is he in the house tonight
31 or not? He is? He is outside? Okay. I just don't know exactly what he is
32 thinking here. I guess he is trying to make some money right quick but.....

33
34 **AUDIENCE MEMBER** – That's what he said himself.

35
36 **COMMISSIONER BAKER** – Okay, from what you're telling me, are properties
37 hard to sell down there? Because, when I drove up there, there are about three
38 or four up for sale? Wow. Okay. The other thing I've got on this septic deal, I
39 assume those septic tanks are in the rear portion of the house, right?

40
41 **AUDIENCE MEMBER** – They are in the front.

42
43 **COMMISSIONER BAKER** – Oh, in the front?

44
45 **CHAIR LOWELL** – They are generally in the front.

46

1 **COMMISSIONER BAKER** – Wow. Okay. So then when they come out to pump
2 those once a month there sits a honey wagon, right? And it's going to happen.
3 Trust me.
4
5 **PLANNING OFFICIAL RICK SANDZIMIER** – We should be careful of the public
6 testimony.
7
8 **COMMISSIONER BAKER** – I kind of, I think this guy needs to get a new buyer
9 to be honest with you. I can't vote for this.
10
11 **CHAIR LOWELL** – Commissioner Baker, we really shouldn't be having a back
12 and forth with the citizens.
13
14 **COMMISSIONER BAKER** – Oh, I'm sorry.
15
16 **CHAIR LOWELL** – Because we're not going back to public testimony.
17
18 **ASSISTANT CITY ATTORNEY PAUL EARLY** – We've already closed public
19 testimony so we want to make sure that deliberations are based only on the
20 testimony that was in the hearing.
21
22 **COMMISSIONER BAKER** – Oh, I'm sorry.
23
24 **CHAIR LOWELL** – So continue please but just don't be asking the audience
25 questions.
26
27 **COMMISSIONER BAKER** – I just had a question on how the sewer was going
28 to get pumped. I didn't know that. Did you know that? That it was in the front
29 yard?
30
31 **COMMISSIONER VAN NATTA** – They generally are.
32
33 **COMMISSIONER BAKER** – Really?
34
35 **COMMISSIONER VAN NATTA** – Yeah.
36
37 **COMMISSIONER BAKER** – Not in my house.
38
39 **COMMISSIONER VAN NATTA** – Well you can't get into the, you can't get to the
40 backyard for.....
41
42 **COMMISSIONER BAKER** – Okay and there's no way we can put the parking
43 down the side. I don't like this location at all anyhow but.
44
45 **COMMISSIONER VAN NATTA** – They are too close to....it's too close on the
46 sides.

1
2 **COMMISSIONER BAKER** – And I understand this totally. Sorry about that. I
3 didn't mean to get involved with the crowd.

4
5 **CHAIR LOWELL** – No worries. Commissioner Gonzalez, do you have any
6 questions/comments? Vice Chair?

7
8 **VICE CHAIR SIMS** – Just as a side note. With the proposed parking over the
9 septic, the septics are not supposed to be covered. The infiltration...

10
11 **CHAIR LOWELL** – You can't cover it.

12
13 **VICE CHAIR SIMS** – Because then they can't evaporate or anything like that so
14 it's.....

15
16 **CHAIR LOWELL** – Plus the parking concern.

17
18 **VICE CHAIR SIMS** – Yeah, it's just not a doable deal.

19
20 **AUDIENCE MEMBER** – Can I say something?

21
22 **CHAIR LOWELL** – No, not no. It has already been closed. No, we're good.
23 We can talk afterwards. It is very rare when an item comes before the Planning
24 Commission that the Staff so adamantly suggests that we deny a project. In my
25 tenure on the Planning Commission this is the second project. And it's not for a
26 lack of homework or a bias against the project, it is the fact that the project
27 doesn't meet specific requirements. For instance it says, as designed the
28 proposed project will not comply with all applicable Municipal Code Provisions
29 including findings governing the Conditional Use Permit. It says that the project
30 is incompatible with the existing planned use in the vicinity. It says, after careful
31 review and analysis based on the information provided and requested during the
32 review process, the required findings for the CUP cannot be made as identified.
33 Furthermore, it says the identified proposed purpose and intent of this section is
34 to ensure that that residential care facilities caring for more than six residents do
35 not result in an adverse impact on adjacent residences. The list just keeps going
36 on. It says that the project is incompatible. It's the wrong place. This is not
37 something that can be taken lightly when the City, after careful review and back
38 and forth and plan checks, suggest that we deny an application. It's a pretty big
39 to do. Like I said, it's only happened twice. I am an engineer. I design projects
40 for a living. I design residential developments, commercial, whatnot. And if the
41 project doesn't meet the sniff test, if it doesn't on the face look like a good fit, it
42 shouldn't go through. If it's the right project in the right location, I have no
43 problem voting yes. If it's the right project, which this is the type of facility that is
44 needed (there is a need for it). But, if it's in the wrong location, it shouldn't be
45 approved and on that note on the City's guidance, I cannot in good faith approve

1 this project either. As a matter of clarification, there is a little unique situation to
2 this. A yes vote to approve the Resolution is to deny the project. Is that correct?

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes

5
6 **CHAIR LOWELL** – We'd move to vote a yes vote, an affirmative vote is denying
7 the project. With that said, would anybody like to make a motion on this project?

8
9 **COMMISSIONER VAN NATTA** – I would like to.

10
11 **CHAIR LOWELL** – I will move to the vote.

12
13 **COMMISSIONER VAN NATTA** – You'll let me do that, huh-uh?

14
15 **CHAIR LOWELL** – I will let you do that if you want to click to move button.
16 Make the motion.

17
18 **COMMISSIONER VAN NATTA** – Okay I move that we **APPROVE** Resolution
19 No. 2016-06 and thereby **DENY** Conditional Use Permit PA15-0019 based on the
20 findings contained in Planning Commission Resolution 2016-06.

21
22 **CHAIR LOWELL** – We have a little technical glitch over here. One of our
23 Planning Commissioner's computers just turned off, so we will have to do a
24 rollcall vote. So we have a motion by Commissioner Van Natta. Who would like
25 to second?

26
27 **COMMISSIONER BAKER** – I'll second it.

28
29 **CHAIR LOWELL** – We have a second by Commissioner Baker. Can we have a
30 rollcall vote please?

31
32 **COMMISSIONER RAMIREZ** – Yes

33
34 **COMMISSIONER GONZALEZ** – Yes

35
36 **COMMISSIONER VAN NATTA** – Yes

37
38 **COMMISSIONER BARNES** – Yes

39
40 **VICE CHAIR SIMS** – Yes

41
42 **CHAIR LOWELL** – Yes

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – You forgot Commissioner Baker.

45
46 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – I apologize.

1
2 **COMMISSIONER BAKER** – Yes

3
4 **CHAIR LOWELL** – With that, the motion carries 7-0.

5
6
7 Opposed – 0

8
9
10 **Motion carries 7 – 0**

11
12
13 **CHAIR LOWELL** – Do we have a Staff wrap-up on this item?

14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – This is a Conditional Use Permit,
16 which is an appealable action by the Planning Commission. If any interested
17 party is interested in making an appeal, the appeal would be directed to the City
18 Council through the Director of Community Development and that has to be
19 made within 15 days of this action. And, if an appeal is received, we would
20 agendize it for a Council Hearing within 30 days.

21
22 **CHAIR LOWELL** – Thank you very much. Can we take a five minute bathroom
23 break? I'd like to reconvene at 10:00 please. Thank you.

24
25
26 **PLANNING COMMISSION MEETING BREAK**

27
28
29 **CHAIR LOWELL** – There we go. Welcome back. Thank you for allowing us to
30 take a break. The time is 10:06 and we'd like to continue our Public Hearing
31 Items. We're moving onto Item No. 3, which is Tentative Tract Map and
32 Conditional Use Permit for a Residential Planned Unit Development. Tentative
33 Tract Map No. is PR. The application is P15-066. The Conditional Use Permit is
34 P15-067. The Applicant is Beazer Homes, and the Case Planner is Mr. Mark
35 Gross.

- 36
37
38
39 3. Case: Tentative Tract Map No. 36933 (P15-066) and an
40 amended Conditional Use Permit (P15-067) on a 29
41 acre parcel of land in the R15 (Residential 15) and
42 OS (Open Space) land use districts. The project
43 proposes a maximum 274 small lot residential
44 detached Planned Unit Development (PUD), one
45 additional lot for a designated recreation area and 45
46 lettered lots for common open space purposes.

1 Portions of the subject property were previously
2 graded.
3
4 Applicant: Beazer Home
5
6 Owner: Beazer Homes Holding Corp.
7
8 Representative: Pacific Development Solutions Group
9
10 Location: Southeast corner of Eucalyptus Avenue and Fir Street
11
12 Case Planner: Mark Gross
13
14 Council District: 3
15
16 Proposal: Tentative Tract Map and Conditional Use Permit for a
17 Residential Planned Unit Development
18
19

20 **STAFF RECOMMENDATION:**

21
22 Staff recommends that the Planning Commission **APPROVE** Resolution No.
23 2016-03 and Resolution 2016-04, and thereby:
24

- 25 1. **CERTIFY** that the proposed project qualifies for an Addendum to the
26 previously certified Mitigated Negative Declaration pursuant to Section
27 15164 of the California Environmental Quality Act (CEQA) as none of
28 the conditions contained in Section 15162 calling for preparation of a
29 subsequent negative declaration have occurred, and the project with
30 mitigation will not have a significant impact on the environment.
31
- 32 2. **APPROVE** P15-066 for Tentative Tract Map No. 36933 to include the
33 subdivision of a 29 acre parcel of land into a maximum of 274
34 residential lots, one lot for a designated recreational area and 45
35 lettered lots for common open space purposes within the R15
36 (Residential 15) and OS (Open Space) land use districts, subject to the
37 attached conditions of approval included as Exhibit A to the resolution.
38
- 39 3. **APPROVE** P15-067 for an amended Conditional Use Permit and
40 Planned Unit Development (PUD) for a maximum of 274 residential
41 lots, one (1) lot for a designated recreation area and approximately 45
42 lettered lots for common open space areas within the R15 (Residential
43 15) and OS (Open Space) land use districts, subject to the attached
44 conditions of approval and Planned Unit Development Guide included
45 as Exhibits A and B to the resolution.
46

1
2 **CASE PLANNER MARK GROSS** – Thank you very much. Chair Lowell, good
3 evening and Members of the Planning Commission. The Applicant, Beazer
4 Homes, is requesting the approval of Tentative Tract Map No. 36933 and an
5 Amended Conditional Use Permit and Planned Unit Development of a maximum
6 of 274 small lot detached residential homes on 29 acres to include individual
7 home sites, a separate lettered lot for community recreation area with pool, spa,
8 and a restroom building and other common open space areas such as a paseo,
9 walking paths, and tot lots and that's all within the R15 or Residential 15 Land
10 Use District. And when you're looking at the map, we have a slide up there right
11 there that kind of shows....you can see the project site just south of Eucalyptus
12 and basically bookends. You have a couple of areas in this project that are
13 zoned as R15. That is the developable portion. And then you have a portion
14 right in the center of the project that is actually zoned as Open Space. And, in
15 the open space areas, the project is actually going to be protecting existing rock
16 outcroppings within a nature park and include a drainage basin for drainage and
17 water quality purposes. Now our next slide just kind of gives a little bit of a
18 perspective of the area of what we're looking at. The project itself is on the
19 corner of Eucalyptus Avenue and Fir Avenue. It's essentially revised from two
20 previous project approvals that Beazer Homes received approval on, which was
21 a 276 unit attached condominium project and that was approved in 2005 and a
22 275 unit residential small lot detached project that was approved back in 2011.
23 The proposed project is consistent with surrounding land uses, including a mix of
24 single family and multiple family developments in the vicinity. I wish I had a little
25 bit of a light that I could shine over there and show you but you can pretty much
26 see the project site, which is the orange area there. And then below it you can
27 see a couple of established residential neighborhoods. In fact, two areas. One
28 is actually a PUD. It's actually a smaller lot development. The other is just a
29 standard type of residential development. Then, to the east and to the south you
30 have multiple family apartments that are included there. And so, with that, it is
31 definitely a project that is compatible. There are other commercial and retail type
32 areas around that particular site, and we'll kind of get into that as we kind of go
33 through the presentation here. Now the design and the location of the project is
34 really going to allow for a very, very walkable community with access to first of all
35 a multiuse trail, which is located just to the south of the project. And this
36 particular project will have access to it. And they also have access to two
37 adjacent commercial centers. Again, we have the Stoneridge Center, which is
38 located north of Eucalyptus (north of the project area) and we also have the
39 Walmart site and that shopping center, which is directly due east of the project.
40 So from a walkability standpoint, this project really has a good walkable situation.
41 Now briefly summarizing the two components of the project, we have a Tentative
42 Tract Map and we have a Conditional Use Permit and Planned Unit
43 Development. And I want to start off with the Tentative Tract Map, which will
44 come up right here. That map is going to delineate and subdivide components of
45 the project into four acres of open space land to include a nature park and
46 drainage basins within the (OS) Open Space Land Use District. And then there

1 will be the 25 acres that will be designated for the home sites themselves and
2 also the common open space amenities that are included in the site and that is
3 within the R15 Land Use District. Now I do want to mention that there are
4 actually two different scenarios involved. The map here that you see and all of
5 the different maps that you have in your packet include 272 residential lots. Now
6 there is the opportunity and you can see on a lot of these different lots or a lot of
7 these different projects you're going to see Appendix A and what is included in
8 Appendix A is this potential land exchange. Now that scenario too is going to
9 include two additional lots that could go up to 274 residential lots and the reason
10 for that is that the Applicant is in the process currently of completing a land
11 exchange with the Eastern Municipal Water District, which owns the lot
12 immediately to the north and to the east of the project adjacent to lot Z and also
13 to Eucalyptus Avenue. Now negotiations are currently under way to provide
14 additional land to Eastern Municipal for improvement of a pump station there.
15 And, once an agreement is reached between the two properties, it would allow
16 for two additional lots up to the maximum 274 residential lots. The second
17 component of the approval on the project before you this evening is we'll go to
18 the next one and this is the Plot Plan coming up, which is associated with the
19 Conditional Use Permit and the Planned Unit Development. The project is
20 meeting allowable Planned Unit Development requirements included in Section
21 9.03.060 of the Municipal Code. The developer in this case is asking for
22 allowable deviations from the Municipal Code and a lot of these things are
23 highlighted in the Planned Unit Development Guide, which we have just a copy of
24 the sheet but you did have the Guide both in your packet and it's on electronic
25 format. Now some of these deviations are going to include lot area, lot
26 dimensions, lot coverage, and setbacks for the project. I do want to give you a
27 little bit of information on the project itself. Lot sizes here are ranging from 1960
28 square feet to 3989 square feet, so they are fairly small. The proposed unit size
29 is actually 1542 square feet to 1982 square feet. The project is not going to be
30 exceeding density requirements in the 15 units per acre requirements or within
31 that R15 Land Use District. It does provide for many community amenities that
32 are found in condominium or apartment type developments and some of those
33 things, and I did highlight them and we can highlight them again, because these
34 are very much walkable situations for the community and that would be walking
35 trails, tot lots, again recreation type aspects; a community recreation area that
36 includes a pool and a spa and a restroom building, as well as some pocket parks
37 that are associated and included. The small lot residential project, in this case, is
38 going to provide for a greater innovation in housing and also in choice of
39 ownership because it's not only going to be for the first-time homebuyer or the
40 senior that may be looking for a home, it's also going to be for the homeowner
41 looking for limited yard maintenance because again these are going to be smaller
42 lots. I do want to talk a little bit about parking for the site. It's 20 x 20 two-car
43 garages. They will have automatic garage door openers as far as the access in,
44 which is not quite the access of your general project. An additional 142 guest
45 parking stalls are provided. That's 137, which would be under the land exchange
46 scenario. Either one is required or exceeding the requirement of the 2.5 guest

1 parking spaces per lot, which would be provided for additional parking
2 opportunities within the community. I want to now just turn your attention over to
3 some of the drawings that we do have for the project. This happens to be a
4 drawing of the community recreation restroom building that would be located in
5 the community recreation area that is located in pretty much the center of the
6 site. There are going to be individual homes. In the packet, there is a number of
7 different scenarios of the different home possibilities, the different square
8 footages, the different elevations. I'm just going to go through four here., kind of
9 the primary examples of some of the four architecture styles. We have Spanish,
10 Cottage, Italianate and Classical so we will just kind of go through some of these
11 here. And there is also, as far as the project goes, with the application we did
12 have a conceptual fence and wall plan as you can see here so it's delineating the
13 areas where the fences and walls will be provided and there is also a conceptual
14 landscape plan showing how the trees will be clustered in certain strategic
15 locations as you can see. And there will be trees throughout, smaller trees in the
16 individual lots and clustered type trees in the paseo's and some of the walking
17 areas and some of the recreational areas of the site. I just want to turn your
18 attention briefly on the environmental determination for the project. The project
19 includes an addendum to the previous Mitigated Negative Declaration in
20 accordance with the California Environmental Quality Act. And, in this case,
21 there are no substantial changes that have occurred from the original project. It's
22 pretty much the same type of a project other than changes to side openings to
23 the homes and individual private yards. But, other than that, this is pretty much
24 the same project that this Commission did see back in 2011 because it does
25 include the paseo's. It includes all the walking and the open space areas
26 throughout. And basically, as I mentioned, there are no changes that have
27 occurred that would require major revisions of the environmental document and
28 there are no new significant environmental effects that have been indemnified
29 with the project versus the two projects that we talked about earlier. The one that
30 was approved back in 2005 and then the other one that was approved in 2011,
31 which are just about one or two units difference. Public Notice was sent to all
32 property owners of record within 300 feet of the site, published in the newspaper
33 and posted on two separate areas on site. Staff did not receive any public
34 inquiries on the project. Staff does recommend at this point that the Planning
35 Commission **APPROVE** Resolution Nos. 2016-03, 2016-04 and I'll try to read
36 these pretty quickly because they are quite condensed. The first one is to
37 **CERTIFY** that the proposed project qualifies for an addendum to the previously
38 certified Mitigated Negative Declaration pursuant to Section 15164 of the
39 California Environmental Quality Act as none of the conditions contained in
40 Section 15162 calling for preparation of a subsequent Negative Declaration have
41 occurred and the project with mitigation it will not have significant impact on the
42 environment. The second recommendation, Staff's recommendation, is to
43 **APPROVE** P15-066 for Tentative Tract Map No. 36933 to include the subdivision
44 of a 29 acre parcel of land into a maximum 274 residential lots with one lot for a
45 designated recreational area and 45 lettered lots for common open space
46 purposes within the R15, Residential 15 and OS (Open Space) Land Use

1 Districts and that is subject to the attached conditions of approval included in
2 Exhibit A of the Resolution. And, finally, to **APPROVE** P15-067 for an Amended
3 Conditional Use Permit and Planned Unit Development for a maximum of 274
4 residential lots, one lot for a designated recreation area and 45 lettered lots for
5 common open space areas within the R15 and OS Land Use Districts subject to
6 the attached conditions of approval, as well as the Planned Unit Development
7 Guide that is included as Exhibits A and B to the Resolution. That does conclude
8 Staff's Report. We are here to answer any questions that you may have. I do
9 want to mention that the project Applicant, Lenny Dunn of Beazer Homes, as well
10 as Wes Alston who is the project representative they are both here in the
11 audience this evening and are available to answer your questions as well during
12 the Applicant testimony portion of the hearing. Thank you.

13
14 **CHAIR LOWELL** – Thank you very much. Does anybody have any questions
15 for Staff before we invite the Applicant up? I don't see any hands going up, so if
16 the Applicant would like to come up.

17
18 **APPLICANT LENNY DUNN** – Thank you. Good evening Chairman Lowell, Vice
19 Chair Sims, Planning Commissioners. When you walk into a Chamber for a
20 public hearing and you see a full house you get a little nervous, so I'm quite
21 relieved right now that it wasn't for our project. My name is Lenny Dunn. I'm with
22 Beazer Homes. I'm the Vice President and Regional Manager for Southern
23 California. First off, I'd like to thank Staff for working with us throughout this
24 project, particularly Rick, Mark. They've been our partner over the past several
25 months as we work to really design this project to make it appropriate for the
26 location. I don't know if you're aware but Beazer constructed two projects to
27 the south and the west of the subject property that we're talking about tonight.
28 It's been a long time, over 10 years, but we are truly excited to reactivate the
29 project and bring it to completion. One thing I would like to clarify, which Mark
30 mentioned, is the EMWD issue, the land swap. I did receive confirmation this
31 afternoon from EMWD that their Board has approved that swap. So we have a
32 memorandum of understanding with them and we will continue to get that
33 contract worked out. And it looks like that swap will happen, so the lot will be 274
34 lots. That being said, our team is still here to answer any questions you have
35 and I appreciate once again Staff working with us for the past several months.
36 thank you.

37
38 **CHAIR LOWELL** – Thank you. Do we have any questions for the Applicant
39 before we invite public comments? Nope? Okay. Thank you very much. I'd like
40 to open the Public Comments portion. You can still turn in your slip if you'd like.
41 So our first speaker tonight is Mr. Lenny Dunn. Speaker Lenny Dunn. I was just
42 wondering if you'd like to comment on your own project. The next speaker is
43 Rafael Brugueras.

44
45 **SPEAKER RAFAEL BRUGUERAS** – Good evening Commissioners, Staff,
46 Moreno Valley residents and our guests. They all went home and that's a good

1 thing. You get to see what's really good. I approve and support this project. I
2 live on Bay in Moreno Beach and I downloaded this Agenda on Monday because
3 I wanted to be here today. Not for this, but just to be here to learn how our City is
4 moving ahead because it begins here. I'm sad to see what happened with the
5 project to help the handicapped, but it was a project in the wrong place. This
6 project is in the right place. I'll tell you why. If you're standing at the gate where
7 the public hearing sign is at, to my left is Walmart. But on that corner is Moreno
8 Beach where you have a freeway entrance and exit. If you go to my right, you
9 have Nissen with another freeway entrance and exit, so people have two ways to
10 come into the street and that's a good thing now. What I like about the 274
11 homes that will be built maybe one day, I hope with your approval because it
12 takes your approval to do this, across the street who have been waiting for a long
13 time for more residents to move in will finally have jobs. Those vacant studios
14 will be full one day with businesses. Walmart will increase their sales. Target
15 will increase their sales. Chevron gas station on the corner will increase their
16 sales. Taco Bell and all these little places and you know what happens when
17 they increase their sales, our revenues go up in taxes to help us with things in
18 the City. But the nice thing I learned when I was listening to the gentleman and
19 the Staff, everything is in walking distance. What young family or senior wouldn't
20 love that to go across the street and buy something and come back home? What
21 a convenience for this developer to put their dream in our City, and I wanted to
22 start off to thank them because they could have left eight years ago when our
23 market went down in 2008. They stuck it out and they are back with confidence
24 to know that we're going to do better this time because we have the right Staff.
25 We have the right Commissioners that are listening to the public and dreaming
26 along side of us for our City to grow. So, once again, I'm glad they didn't give up
27 on us. So we should not give up on them. Thank you.

28

29 **CHAIR LOWELL** – Thank you very much. Mr. Tom Jerele, Sr.

30

31 **SPEAKER TOM JERELE, SR.** – Tom Jerele, Sr. again speaking on behalf of
32 myself. Chair Lowell, Vice Chair Sims, Commissioners, Members of the Staff
33 and public, the Applicant both here in the chambers and watching at home first of
34 all let me compliment you on that last hearing. And I really want to commend
35 Chair Lowell. It's an exception rather than a rule that the community
36 leader/politician (if you will) has the graciousness to apologize to the public and
37 that was a good call and I just want to commend you for that, although this
38 Planning Commission has been really good on a lot of issues. I've been
39 following you guys probably four or five years and I brag on you guys all the time.
40 I think you're very well balanced and you give a lot of good direction on a lot of
41 things, so I thank you all for your service. It's kind of a thankless job but it's an
42 important one. I support the project. Number 1, it is zone compliant so there is
43 no issue there. I think it is very, very nicely laid out. I love the open space and
44 paseo element. It's a good example of what you can do in tradeoff by working
45 with the density and allowing the builder to get what they need for a yield in the
46 project and at the same time provide some natural beauty. I like that. I noticed

1 there is quite a bit of parking tucked away for visitors and things like that and that
2 is a really good call. A little bit of constructive criticism for it. I was looking at the
3 elevations and I think we could do a little bit more on the front and back elevation
4 maybe with some candle leavers. You know, a few years ago, there was an
5 architect on the Planning Commission. I forget his name, a very, very nice guy.
6 He is with the Boy Scouts and I run into him at the bank and these are the types
7 of things he might pick up on. I think it would just give a little bit more interest to
8 the houses because they are a little roll looking and they are going to be pretty
9 tightly collected. And I think they can do something, and I know it will add cost
10 but it will also add footage. I think it will add market appealability and maybe they
11 can do corner lots and things like that. And, keep in mind, I understand building
12 from the ground up from the footing, through the framing, through the design,
13 structural engineering so I kind of know what I speak so it's not just a hair-brain
14 idea. And then everything I'd like to see and again, based on personal
15 experience particularly on the sales I was looking for the Staff Report but I
16 couldn't find it, but whether or not there is any lighting in those areas. Where I
17 live in Sunnymead Ranch, they have a real nice trail way. It's not behind my
18 house. It behind houses north and west of me, but in the summer the kids like to
19 congregate there and they smoke their funny cigarettes and party and they do
20 their exchanges back there. And occasionally you've got to call the cops. You
21 know, it gets a little rambunctious. So a little bit of lighting I think would be really
22 good and especially nowadays with LED solar powered and then maybe
23 transferring them over to electric later on. I don't know if there's going to be an
24 HOA. I'm assuming there would be so that's something the HOA could pick up,
25 but I would strongly encourage some lighting pattern for the paseo's and the
26 open space element just to keep it a good safe environment for the future. But I
27 do support the project. I commend Beazer. They are not beginners. They have
28 been around the community for a long time so I thank them for their long-term
29 commitment. Thank you.

30

31 **CHAIR LOWELL** – Next is Chris Baca.

32

33 **SPEAKER CHRIS BACA** – Good evening Council, Planning Commissioners
34 rather. The gentleman developer was concerned with a lack of participation from
35 the community, so I thought I'd come up here and share my two cents. But I am
36 extremely in favor of this project. I'm extremely concerned with the Stoneridge
37 Shopping Center that I believe this project should be put on fast-track and get
38 these houses built and get the people in there because that shopping center from
39 what I've heard Kohls and Super Target may be shutting down. I don't know if
40 that's true but anyhow that shopping center is....we don't want that boarded up or
41 seeing bankruptcy so you need to fast-track this development to feed into that
42 shopping center. I agree with Mr. Jerele that the development is a beautiful
43 development. I like the little open space they've got there and especially the
44 storm retention basin is great. I would probably add a few more swimming pools
45 and maybe not so densely tight with the development but otherwise it needs to

1 be fast-tracked and we need to do something about that shopping center. Thank
2 you very much.

3
4 **CHAIR LOWELL** – Thank you very much. Would the Applicant like to respond
5 to any of the comments that they’ve heard so far?

6
7 **APPLICANT LENNY DUNN** – First I just want to thank the speakers for being
8 supportive of our project and I do want to clarify to answer your question, yes, in
9 our PUD on Page 5-2 there will be lighting in the paseo’s. And, yes, there will be
10 a homeowners association to maintain all the common elements of the
11 community, so thank you.

12
13 **CHAIR LOWELL** – Perfect. Do we have any questions, comments or
14 concerns? Commissioner Barnes.

15
16 **COMMISSIONER BARNES** – I have a question of fire. One of the conditions
17 requires that there be noncombustible fences along the fire modification zone.
18 The fencing plan shows vinyl on lots one through five. I’m assuming vinyl is
19 combustible.

20
21 **APPLICANT BEAZER HOMES** – When we go into plan check on the project,
22 we will require a fuel modification plan to meet those conditions.

23
24 **COMMISSIONER BARNES** – You’re so patient and quite on that, I thought I’d
25 ask. Thank you.

26
27 **CHAIR LOWELL** – Alright, Commissioner Van Natta.

28
29 **COMMISSIONER VAN NATTA** – I just wanted to say I’m glad to see the
30 building industry kind of reinventing itself and bringing the types of houses that
31 are in demand now. I know back in 2004 to 2006 the trend was towards these
32 humungous homes and the big back yards and all that, and what is called for
33 now and what you’re supplying is midsize homes with lower maintenance
34 requirements and I think they are going to be very much in demand.

35
36 **CHAIR LOWELL** – Commissioner Gonzalez.

37
38 **COMMISSIONER GONZALEZ** – This is more for the Applicant and kind of
39 echoing Commissioner Van Natta, what was the change in the market that you
40 saw from the original plan of condominiums/townhomes to these smaller lot
41 developments? What did you see that made that shift?

42
43 **APPLICANT LENNY DUNN** – To clarify, the 2011 approval was also a small lot
44 detached project. The difference between the 2011 product and the 2016 project
45 that we have today is in 2011 the homes were facing the paseo system without
46 private yards. This project has a combination of private rear years, as well as a

1 paseo system. The entry of the units will be from the front or the side of the units
2 as opposed to the rear of the units. It's not drastically different from what it was
3 five years ago, but we feel it is more livable. It allows the buyer to be able to
4 have a barbeque in their backyard or their own private area while still maintaining
5 the open space areas and the paseo's.

6
7 **COMMISSIONER GONZALEZ** – Thank you.

8
9 **CHAIR LOWELL** – Vice Chair Sims.

10
11 **VICE CHAIR SIMS** – Mine might also be to the Applicant. I just, out of curiosity
12 on these lots that are stacked and racked real tightly with the three-and-a-half
13 foot minimum setbacks, how do you get the drainage from the backyard to the
14 front? Are there sidewalks that run along between the houses or?

15
16 **APPLICANT LENNY DUNN** – I'm going to allow my civil engineer who is the
17 technical expert on that to answer that question. This is Stan Morris with MDS
18 Consulting.

19
20 **STAN MORRIS** – In each lot, we have a series of yard drains that intersect both
21 the rain from the roofs. They go into the yard drains and we pipe it in
22 underground pipes to a storm drain system in the drives and the alleys.

23
24 **VICE CHAIR SIMS** – Are these cross-lot drainages where they'll have
25 covenants or each individual lot has it's own?

26
27 **STAN MORRIS** – We have reciprocal easements, land use easement, so one
28 homeowner has the use of the yard in between the two houses. But in terms of
29 the area drains, we're keeping those independent of the lot lines.

30
31 **COMMISSIONER BARNES** – So every lot attaches to the storm drain in the
32 street in front of the?

33
34 **STAN MORRIS** – Yes.

35
36 **CHAIR LOWELL** – That goes exactly against the WQMP Standards of
37 impervious disconnect. How do you address that?

38
39 **STAN MORRIS** – You have to give up some things somewhere, and we haven't
40 connected the downspouts to the storm drains (to our yard drains) so they do
41 have a limited area run on impervious soils. So we're not connecting the gutters
42 through the storm drain. They do run on the service to our yard drains.

43
44 **CHAIR LOWELL** – That three foot setback to the fence line, is that concreted or
45 is that dirt?

1 **STAN MORRIS** – What it is, we have at least six feet between the houses. That
2 six feet is used by one homeowner and so there is a combination of dirt and a
3 walkway patio stoop. We also have, next to the adjacent house, we have a two
4 foot strip where there can't be any pervious area or any structures.

5
6 **VICE CHAIR SIMS** – So there will be some kind of an Architectural Review
7 Board or the HOA will monitor.

8
9 **STAN MORRIS** – In the HOA in the draft CCNR's, they are limited to certain
10 kinds of structures they put in the side yards, certain amount of concrete surfaces
11 they can put there, and there will be no attachments to the adjacent homeowners
12 building lot.

13
14 **VICE CHAIR SIMS** – I wasn't trying to stir up a hornets nest here. That was just
15 out of curiosity because how do you get the surface drainage out. Thank you for
16 the explanation. I think it's a great project.

17
18 **CHAIR LOWELL** – I had another couple of questions. I was looking over the
19 documents and it says there are easements for the roadways so I'm assuming
20 they are private roadways?

21
22 **APPLICANT LENNY DUNN** – Yes.

23
24 **CHAIR LOWELL** – And they are privately maintained by the HOA. The City has
25 no expense on that?

26
27 **APPLICANT LENNY DUNN** – That's correct.

28
29 **CHAIR LOWELL** – Perfect and I noticed that you kind of hit upon my next
30 question. I was looking for the potential of having a zero foot side yard setback
31 but I think we accomplished that by having offset fences with the fences are the
32 offset so we have like a three foot easement for each lot on the neighbors
33 property?

34
35 **APPLICANT LENNY DUNN** – Yes.

36
37 **CHAIR LOWELL** – And that I didn't notice that until just now, so I didn't look for
38 it but how is that recorded? Is that recorded on the Tract Map? Is it recorded on
39 the Tentative Map? Is it an after the fact?

40
41 **APPLICANT LENNY DUNN** – It could be either way. In the past, we've done it
42 with a separate recorded easement. We have to record it concurrently with the
43 Final Map. There's two ways to do that.

44
45 **CHAIR LOWELL** – Alright. I just, like I said, I just saw this on the fence plan. I
46 didn't pick up on that. The line is typed so wide for the fence but it is really

1 narrow for the lot property line, so I didn't quite pick up that it was an offset
2 property line.

3
4 **COMMISSIONER BARNES** – I had no idea it was zero setback either until just
5 now.

6
7 **CHAIR LOWELL** – It's a three foot setback with the property line but yeah.

8
9 **COMMISSIONER BARNES** – Yeah.

10
11 **APPLICANT LENNY DUNN** – We have several details on the Plot Plan and the
12 Tentative Tract Map that explains that.

13
14 **CHAIR LOWELL** – There's just a lot of paperwork to pick up a little tiny line.

15
16 **APPLICANT LENNY DUNN** – I understand.

17
18 **COMMISSIONER BARNES** – We missed it. Well I like the project way better
19 now. Thank you.

20
21 **CHAIR LOWELL** – Yeah that actually takes a lot of my concerns away.

22
23 **VICE CHAIR SIMS** – Me too. It makes a lot more sense.

24
25 **CHAIR LOWELL** – I was concerned that it was going to be a three foot from the
26 side yard to a fence to a three foot to the building and you'd have this little
27 unusable lot and that's why you guys get paid the big bucks.

28
29 **COMMISSIONER BARNES** – Yep.

30
31 **CHAIR LOWELL** – I actually really like the 2011 approval more than this one
32 with the no fence option and could you explain a little bit or elaborate why you
33 went with a fenced option for a backyard versus a no fence because the no fence
34 option is more open, is more airy, you see a little more green space as your
35 driving down the alleyways or the private roadways. You actually see some
36 landscaping where now you have a five or six or seven foot front yard setback
37 with like enough room for a bush, and you're going to sense for a sense bro-
38 houses and no greenery.

39
40 **VICE CHAIR SIMS** – We're in a drought.

41
42 **CHAIR LOWELL** – You'll make drought tolerant beautiful.

43
44 **VICE CHAIR SIMS** – Yeah, okay.

45

1 **APPLICANT LENNY DUNN** – Is the question why we went from the paseo
2 system to rear yards?
3

4 **CHAIR LOWELL** – My question was what was the driving force from the 2011
5 approval to today by adding the fenced backyards as opposed to removing the
6 reverse fronting houses with the paseo?
7

8 **APPLICANT LENNY DUNN** – What we found is that the purchaser at this
9 location is likely going to be a first-time homebuyer who wants the private yard.
10 You know, part of the private ownership is to have their house and have their
11 yard where they can set up their barbeque, set up their table, and go from the
12 kitchen to the outside and have the barbeque and have people over. Frankly, we
13 started off without having a paseo at all, having larger rear yards and several
14 meetings with Staff we agreed that a combination of a paseo and a rear yard
15 would satisfy everybody's concerns, so after several deliberations this is where
16 we landed kind of having the best of both worlds.
17

18 **CHAIR LOWELL** – Okay.
19

20 **APPLICANT LENNY DUNN** – And to address the drought, I don't know who
21 asked that question about the drought and the lush landscaping but the paseo
22 system will be landscaped with drought tolerant material.
23

24 **CHAIR LOWELL** – There won't be any grass? It will be rocks and cactuses?
25

26 **APPLICANT LENNY DUNN** – There will be a meandering sidewalk. It will be
27 drought tolerant landscaping. There will be benches. There will be....
28

29 **CHAIR LOWELL** – It will be hard to play catch amongst the gravel and cactus.
30 Sorry.
31

32 **APPLICANT LENNY DUNN** – It will not be a football field.
33

34 **CHAIR LOWELL** – Darn it.
35

36 **APPLICANT LENNY DUNN** – But there will be opportunities for recreation.
37 We'll have a par course and stations where people can walk their dogs
38 responsibly so on and so forth.
39

40 **CHAIR LOWELL** – The original approval in 2011 had the front doors off the
41 paseo. Now that we're fencing in the access to the paseo, is there opportunity to
42 put a gate from the backyard to the paseo?
43

44 **APPLICANT LENNY DUNN** – Absolutely.
45

46 **CHAIR LOWELL** – Is that included? I wasn't able to pick up on that.

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APPLICANT LENNY DUNN – We have not included a gate. We certainly can.

CHAIR LOWELL – That is something that Staff could look at.

APPLICANT LENNY DUNN – We’re going to have to think about how to do that to protect the privacy of the homeowners so that you just can’t open the gate from the paseo.

CHAIR LOWELL – You can have a lock on it.

APPLICANT LENNY DUNN – I don’t know. I love the idea. We just need to figure out how we can do that.

CHAIR LOWELL – If I had a home there and I had my little six square foot backyard and I had this really awesome open space behind my yard with meandering sidewalks, I’d like to be able to walk from my backyard without having to go to the street and walk around where there are no sidewalks all the way to the paseo when I could just go six feet out my backyard in this nice open space and walk my dog.

APPLICANT LENNY DUNN – So would I.

CHAIR LOWELL – I think it would be an awesome addition.

APPLICANT LENNY DUNN – Agreed.

CHAIR LOWELL – What would be the price point on these properties?

APPLICANT LENNY DUNN – \$200,000’s.

CHAIR LOWELL – Low, mid, high? Somewhere in \$200,000?

APPLICANT LENNY DUNN – You know, from 1500 square feet up to 1900 square feet I’m guessing from the from the low to the high \$200,000’s. I know that sounds like a big range. You know, maybe mid \$200,000 to low \$300,000. We’re going up to almost 2000 square feet, so I don’t think that’s beyond the realm of possibility.

CHAIR LOWELL – Awesome. That answered most all of my questions. I originally was coming into this having really bad feelings about the project, and you’ve kind of quelled some of my concerns so I appreciate it.

APPLICANT LENNY DUNN – Thank you.

CHAIR LOWELL – Questions or comments?

1
2 **COMMISSIONER GONZALEZ** – I have one more just for Staff. Will this
3 approval complete the residential component of the SP? Is this pretty much deal
4 with or there is still more vacant land?

5
6 **CASE PLANNER MARK GROSS** – It is actually within that Specific Plan for
7 residential.

8
9 **COMMISSIONER GONZALEZ** – That's great. Thank you.

10
11 **CHAIR LOWELL** – Any other questions or comments?

12
13 **VICE CHAIR SIMS** – The only other comment is I want to echo we need every
14 shopper for that shopping center. This is a very important project.

15
16 **CHAIR LOWELL** – Can we put it in the conditions of approval that every
17 homeowner shops at Target or Kohls at least once a week.

18
19 **VICE CHAIR SIMS** – I don't think so but we need shoppers for that shopping
20 center.

21
22 **COMMISSIONER VAN NATTA** – Rooftops.

23
24 **CHAIR LOWELL** – Rooftops. That's what everybody is calling for. I have a
25 bunch more Speaker Slips. We have Commissioner Sims. Commissioner
26 Gonzalez and Commissioner Barnes, anymore questions?

27
28 **COMMISSIONER GONZALEZ** – No.

29
30 **COMMISSIONER BARNES** – I have a question. The one concern I have goes
31 back to a project that was built quite some time ago here in Moreno Valley, very
32 small lots and the parking in that unnamed project is an absolute mess. And it
33 has driveways and the parking is still a mess. So that's the only thing that
34 concerns me, and it's not a deal breaker. But is there a mechanism in the HOA
35 that will allow them to enforce some parking regulations in here so that it doesn't
36 become like that other unnamed project in Moreno Valley? And, if there is not, I
37 think there should be.

38
39 **CHAIR LOWELL** – Is there additional off-street parking provided on here? I
40 don't see it.

41
42 **COMMISSIONER BARNES** – 142 guest spaces.

43
44 **APPLICANT LENNY DUNN** – 137 with the additional two lots.

45
46 **CHAIR LOWELL** – I just don't see it definitive.

1
2 **APPLICANT LENNY DUNN** – So to answer your question, the CCNR's have
3 not been drafted yet, but I will make sure that they do address the associations
4 ability to control parking. Yeah, I agree that is a very important point.

5
6 **COMMISSIONER BARNES** – And it's for the benefit of the owners. I mean, I
7 won't care unless I'm going to visit somebody but that other project is.....

8
9 **APPLICANT LENNY DUNN** – Well I also, you know, correct me if I'm wrong
10 Wes. But, from a fire standpoint with the streets, they may even have to be
11 painted red for fire truck access. Yeah, so parking will probably be prohibited
12 based on the width of the streets.

13
14 **COMMISSIONER BARNES** – Okay, very good. Thank you.

15
16 **CHAIR LOWELL** – Perfect. Any other questions? Commissioner Baker.

17
18 **COMMISSIONER BAKER** – No. I had one other question for the developer
19 there. Is there any chance we can get 360 Architecture on these buildings? I
20 know the one's facing the public and Dee Young was the one on the Planning
21 Commission with me earlier, and I know that's always a stickler for the
22 developers. Is that a deal breaker putting the shutters all the way around? I just
23 think it would make a much better looking product.

24
25 **APPLICANT LENNY DUNN** – We've talked about this with Staff on numerous
26 occasions and let me explain to you. With the three foot setbacks and the six
27 feet between units, from the street you're really not even going to see the
28 enhancements you're talking about on the sides that match up to one another on
29 that six foot difference. So we have shown on the drawings the enhancements
30 that we are going to do when we're facing a public right-of-way (public street).
31 But, like I said with six feet separation between the buildings, you're really not
32 even going to see it.

33
34 **COMMISSIONER BAKER** – How about on the back side? I mean you'll see
35 that, right?

36
37 **APPLICANT LENNY DUNN** – Um-hum.

38
39 **COMMISSIONER BAKER** – Somewhere on the second story?

40
41 **APPLICANT LENNY DUNN** – Where they are visible, yes. So along
42 Eucalyptus, any side of the house facing Eucalyptus will have the enhanced
43 architecture.

44
45 **COMMISSIONER BAKER** – I like the project. I will say that.

46

1 **APPLICANT LENNY DUNN** – Thank you.

2
3 **CHAIR LOWELL** – Yeah, we can make a motion. Let's do it. Okay, would
4 anybody like to make a motion tonight?

5
6
7 **VICE CHAIR SIMS** – Well can I make a motion but not have to read the whole
8 thing?

9
10 **CHAIR LOWELL** – If you click the button.

11
12 **VICE CHAIR SIMS** – Can I just say I move that we **ADOPT** Staff's
13 recommendations to certify the.....

14
15 **ASSISTANT CITY ATTORNEY PAUL EARLY** – If you just read the first
16 sentence without the thereby.

17
18 **VICE CHAIR SIMS** – Okay, got it. Thank you. It's late. I'm old.

19
20 **CHAIR LOWELL** – You're good.

21
22 **VICE CHAIR SIMS** – I recommend that the Planning Commission **APPROVE**
23 Resolution No. 2016-03 and Resolution 2016-04.

24
25 **CHAIR LOWELL** – Is that sufficient?

26
27 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Absolutely.

28
29 **CHAIR LOWELL** – Perfect. We have a motion. Do we have a second?
30 Seconded by Commissioner Baker. Please cast your votes. All votes have been
31 cast. The motion passes 7-0. Do we have a Staff wrap-up on this item?

32
33
34 Opposed – 0

35
36
37 **Motion carries 7 – 0**

38
39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – We do. There are two
41 applications that you just approved. We just have two different appeal periods.
42 Both are appealable. The Tentative Tract Map per our Municipal Code has a 10
43 day appeal period. If any interested party is interested in appealing that
44 application, they can file an appeal to the City Council through the Director of
45 Community Development within those 10 days, and it would be agendized for a
46 Council hearing within 30 days. The Conditional Use Permit has the same

1 appeal process, except you have 15 days for that appeal. You also would submit
2 the appeal through the Director of Community Development to the City Council,
3 and we will agendize that for a hearing within 30 days.

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7 **OTHER COMMISSION BUSINESS**

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9 **CHAIR LOWELL** – Perfect. With that, we move onto Other Commission
10 Business, which I don't think we have any.

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13 **STAFF COMMENTS**

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15 **CHAIR LOWELL** – We have Staff Comments. Do we have anymore Staff
16 Comments or was that it?

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18 **PLANNING OFFICIAL RICK SANDZIMIER** – That was it.

19
20 **CHAIR LOWELL** – Perfect. I had one comment I was hoping to maybe put on
21 the next Agenda item or the next meeting of revisiting or visiting for the first time
22 the landscape requirements for the low water drought tolerant planting. Some of
23 the projects that I'm working on lately they have zeroscaped where they just take
24 crushed rock and just dump it on the front yard and within a month or two we
25 have weeds that are taller than the native plants that were planted. And I was
26 hoping to talk about possibly putting some sort of a weed barrier underneath the
27 rock between the rock and the dirt, but we need to agendize it and get with Staff
28 on that.

29
30 **PLANNING OFFICIAL RICK SANDZIMIER** – We'd be happy to bring that back
31 as a Non-Public Hearing Item at the next meeting. I have some details and some
32 explanation on what our landscaping requirements are and what are current
33 provisions are for weed barriers or requirements for the barriers.

34
35 **CHAIR LOWELL** – Perfect. I don't know if I can get this to zoom in. I'm trying
36 to see what the date of the next meeting is.

37
38 **PLANNING OFFICIAL RICK SANDZIMIER** – April 28th.

39
40 **COMMISSIONER BAKER** – Is it not zooming in?

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43 **PLANNING COMMISSIONER COMMENTS**

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45 **CHAIR LOWELL** – Okay, with that, I'd like to adjourn tonight's meeting to April
46 28th.

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COMMISSIONER VAN NATTA – You’re supposed to go to Planning Commissioner Comments.

CHAIR LOWELL – I asked for comments. Would anybody else like comments?

COMMISSIONER VAN NATTA – I would.

CHAIR LOWELL – Okay.

COMMISSIONER VAN NATTA – I just wanted to say that Sizzler is open again on Sunnymead and Perris, and we went there for lunch today and it is fabulous. So, if you haven’t been there, go try it out.

ADJOURNMENT

Next Meeting: Planning Commission Regular Meeting, April 28th, 2016 at 7:00 PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

CHAIR LOWELL – With that, I would like to adjourn until April 28th, 2016, the next Regular Meeting of the Planning Commission. Thank you very much.

Richard J. Sandzimier
Planning Official
Approved

Date

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Brian R. Lowell
Chair

Date