

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

5   **Thursday, April 27, 2017 at 7:00 PM**

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7  
8                                   **CALL TO ORDER**  
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11                                   **CHAIR BARNES** – Good evening ladies and gentlemen. I would like to call this  
12 regularly-scheduled meeting of Planning Commission to order. Today is  
13 Thursday, April 27, 2017, and the time is 7:05 PM. Could we have a roll call  
14 please?  
15

16  
17                                   **ROLL CALL**  
18

19                                   Commissioners Present:

20 Alternate Commissioner Gonzalez  
21 Commissioner Korzec  
22 Alternate Commissioner Nickel  
23 Commissioner Baker  
24 Commissioner Sims  
25 Commissioner Lowell  
26 Chair Barnes  
27

28  
29                                   Staff Present:

30 Martin D. Koczanowicz, City Attorney  
31 Allen Brock, Community Development Director  
32 Rick Sandzimier, Planning Official  
33 Erica Tadeo, Administrative Assistant  
34 Jeff Bradshaw, Case Planner  
35 Sergio Gutierrez, Assistant Planner  
36 Fire Marshal, Adria Reinertson  
37 Chris Ormsby, Senior Planner  
38 Eric Lewis, Traffic Engineer  
39

40  
41                                   Speakers:

42 Kathleen Dale  
43 Susan Zeitz  
44 David Zeitz

1 George Hague  
2 Rafael Brugueras

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4  
5 **PLEDGE OF ALLEGIANCE**

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7  
8 **CHAIR BARNES** – Commissioner Sims, could you lead us in the Pledge of  
9 Allegiance, please?

10  
11  
12 **APPROVAL OF THE AGENDA**

13  
14 Approval of Agenda

15  
16  
17 **CHAIR BARNES** – Thank you. The next item on the Agenda is the approval of  
18 the Agenda.

19  
20 **COMMISSIONER BAKER** – I'll so move.

21  
22 **COMMISSIONER SIMS** – I'll second.

23  
24 **CHAIR BARNES** – Moved by Commissioner Baker and second by  
25 Commissioner Sims. I guess we need a roll call vote.

26  
27 **COMMISSIONER LOWELL** – A motion to vote.

28  
29 **CHAIR BARNES** – Ah, there we are. Commissioner Baker, could you hit the  
30 mover button?

31  
32 **COMMISSIONER BAKER** – Got it

33  
34 **CHAIR BARNES** – Please vote. The motion passes 7-0. I think I need some IT  
35 training.

36  
37 **COMMISSIONER LOWELL** – I got you.

38  
39 **CHAIR BARNES** – Thank you, so the Agenda is approved.

40  
41  
42  
43 Opposed – 0

1 **Motion carries 7 – 0**

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3  
4 **CONSENT CALENDAR**

5  
6 *All matters listed under Consent Calendar are considered to be routine and all*  
7 *will be enacted by one rollcall vote. There will be no discussion of these items*  
8 *unless Members of the Planning Commission request specific items be removed*  
9 *from the Consent Calendar for separate action.*

10  
11  
12 **APPROVAL OF MINUTES**

13  
14 **Planning Commission - Regular Meeting - March 23, 2017 at 7:00 PM**

15  
16 **Approve as submitted.**

17  
18  
19 **CHAIR BAKER** – Moving onto the Consent Calender. We have no Consent  
20 Calendar items.

21  
22 **PLANNING OFFICIAL RICK SANDZIMIER** – Actually, you do. The approval of  
23 the Minutes.

24  
25 **CHAIR BARNES** – Ah, excuse me. My inexperience is showing. Thank you.  
26 Alright, approval of the Minutes from the meeting of March 23, 2017.

27  
28 **COMMISSIONER LOWELL** – I motion to approve.

29  
30 **CHAIR BARNES** – What do I need to do up here, boss?

31  
32 **COMMISSIONER NICKEL** – Second.

33  
34 **CHAIR BARNES** – Okay, we have a motion by Commissioner Lowell and a  
35 second by Commissioner Nickel. All in favor....

36  
37 **COMMISSIONER GONZALEZ** – Aye.

38  
39 **COMMISSIONER KORZEC** – Aye.

40  
41 **COMMISSIONER NICKEL** – Aye.

42  
43 **COMMISSIONER BAKER** – Aye.

44  
45 **COMMISSIONER SIMS** – Aye.

46

1 **COMMISSIONER LOWELL** – Aye.

2  
3 **CHAIR BARNES** – Aye.

4  
5 **CHAIR BARNES** – Opposed? No. Passes unanimously. The Minutes are  
6 approved.

7  
8  
9 Opposed – 0

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11  
12 **Motion carries 7 – 0**

13  
14  
15 **PUBLIC COMMENTS PROCEDURE**

16  
17 *Any person wishing to address the Commission on any matter, either under*  
18 *Public Comments section of the Agenda or scheduled items or public hearings,*  
19 *must fill out a “Request to Speak” form available at the door. The completed*  
20 *form must be submitted to the Secretary prior to the Agenda item being called by*  
21 *the Chairperson. In speaking to the Commission, member of the public may be*  
22 *limited to three minutes per person, except for the applicant for entitlement. The*  
23 *Commission may establish an overall time limit for comments on a particular*  
24 *Agenda item. Members of the public must direct their questions to the*  
25 *Chairperson of the Commission and not to other members of the Commission,*  
26 *the applicant, the Staff, or the audience.*

27  
28 *Upon request, this Agenda will be made available in appropriate alternative*  
29 *formats to persons with disabilities in compliance with the Americans with*  
30 *Disabilities Act of 1990. Any person with a disability who requires a modification*  
31 *or accommodation in order to participate in a meeting should direct their request*  
32 *to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 72 hours prior to*  
33 *the meeting. The 72-hour notification will enable the City to make reasonable*  
34 *arrangements to ensure accessibility to this meeting.*

35  
36  
37 **CHAIR BARNES** – Next on the Agenda is the Public Comments section of the  
38 meeting. Do we have any Comment Slips?

39  
40 **ADMINISTRATIVE ASSISTANT ERICA TADEO**– We do.

41  
42  
43 **CHAIR BARNES** – We do? Alright, thank you. Alright, there is no one showing  
44 on the list. Could you call the first speaker?

45  
46 **ADMINISTRATIVE ASSISTANT ERICA TADEO**– Kathleen Dale.

1 **SPEAKER KATHLEEN DALE** – Good evening, Kathleen Dale. I wanted to just  
2 address you on three non-Agenda items. Two, are an update regarding the  
3 Ironwood Village project and the other is regarding the Planning Commission  
4 terms. On the Ironwood Village update that was scheduled for City Council  
5 Hearing on April 4, 2017, and it was pulled before the item was heard because  
6 the residents objected to that hearing on the basis that the Planning Commission  
7 denial was final, and no appeal was filed. The City decided to grant that  
8 Applicant the right to file a late appeal, more than a month after the appeal period  
9 ended, so there is currently an appeal application lodged with the City. We have  
10 been told that the reporter was told that is scheduled for June 20, 2017, at City  
11 Council, but the residents have not been informed. One of the items that I  
12 shared with you is the Staff Report that was prepared for the April 4, 2017, City  
13 Council Hearing. That report is pretty much unprecedented. I talked to four or  
14 five of my colleagues that I worked with in the past. Between us, we have over  
15 150 years of planning experience, and we had never seen a Staff Report where  
16 the Staff put forward their recommendation for approval over the Commission’s  
17 recommendation for denial. So I think you need to be aware of that and read that  
18 report and see what transpired. Your recommendation should have been sent  
19 forward. The Planning Commission Report is attached to the Council Report to  
20 show what the Staff had recommended. On the Planning Commission terms, I  
21 want you to be aware there is a City Board and Commission Policy that actually  
22 provides that Board and Commissioners terms don’t.....they state Board and  
23 Commissioners stay in their seat until their replacement is appointed, and so this  
24 whole polava about the Planning Commission not having a quorum has been  
25 exactly that, a polava. The City has had a solution in place. Anyone who was  
26 there could stay until their successor was appointed. My understanding is there  
27 has been some crafty interpretation that provision doesn’t apply to the Planning  
28 Commission, but the provision was there. It was able to be applied. It could still  
29 be applied if the City chooses to. Thank you.

30  
31 **CHAIR BARNES** – Thank you. Next speaker.

32  
33 **ADMINISTRATIVE ASSISTANT ERICA TADEO**– Susan Zeitz.

34  
35 **SPEAKER SUSAN ZEITZ** – Hi, Susan Zeitz, 33 year resident of Moreno Valley.  
36 This is regarding the Tentative Tract Map 37001, the Ironwood Village proposal.  
37 February 9, 2017, the Planning Commission voted yes, that they were against  
38 the Ironwood Village project 6-0. February 16, 2017, the Recreational Trails  
39 Board met and voted 6-0 against changing the Master Trails Plan to  
40 accommodate the Ironwood Village project. February 24, 2017, the last day for  
41 the Ironwood Village project to appeal, no appeal was filed by the owner’s or their  
42 attorney’s. On March 30, 2017, Planning emailed that the Ironwood Village  
43 project was being pulled from the City Council April 4, 2017, Public Hearing  
44 Agenda. It was after this happened that we heard an appeal had been accepted  
45 after the deadline. We want an explanation. Why was this done? What games  
46 are being played? I can see how an individual like myself might make a mistake

1 and not file an appeal in time. I also know I'd had to live with the consequences  
2 because I am pretty sure that I would never be granted an extension due to my  
3 mistake or ignorance. I am just as sure the Ironwood Village attorney's aren't  
4 ignorant and knew what the dates were to file an appeal. They didn't make a  
5 mistake. Do these owners feel so superior that they can drag this out as long as  
6 they can hoping the citizens of Moreno Valley will give up the fight? It is  
7 infuriating to see them play games with our City and its citizens. In the Staff  
8 Report forwarded to the Mayor and the City Council dated April 4, 2017, the Staff  
9 presented their own recommendations. As superior to the Planning  
10 Commissioners, the Staff recommended that the City Council approve the  
11 Ironwood Village proposal, despite the fact that the Planning Commissioners had  
12 already done their job and voted unanimously 6-0 not to recommend approval for  
13 the proposed Ironwood Village project. If the Staff get to give their own  
14 recommendations to the City Council, then why are the City Commissioners  
15 working so hard to do their job? I find it hard to believe that this is standard  
16 practice, as it is exceptionally disrespectful to the Planning Commissioners. We  
17 appreciate all of your work that you do. Thank you.

18  
19 **CHAIR BARNES** – Thank you.

20  
21 **ADMINISTRATIVE ASSISTANT ERICA TADEO**– David Zeitz.

22  
23 **SPEAKER DAVID ZEITZ** – Hi, David Zeitz, 30-year-plus resident of Moreno  
24 Valley. First question I would just like to ask, we heard that there was a topic to  
25 be removed from the Agenda, and we were wondering if that has happened? I  
26 talked to one of the Commissioners about it, and we just need to know if that is  
27 happening so people that are coming here to voice their opinion on it don't waste  
28 their time tonight, so if we could get that answered soon that would be nice. At  
29 the March 30, 2017, meeting there were still Planning Commission positions to  
30 be filled. I just wanted to tell you that we appreciate your time and effort and the  
31 knowledge and the dedication to your job. I think the mayor is behaving  
32 unprofessionally, ill-responsible, if he does not look first to those who are  
33 currently serving as Commissioners. I feel not doing so is disrespectful to those  
34 who have demonstrated by your service and that you are deserving the  
35 appointments because you have worked hard and you deserve the appointments  
36 that are there, especially the alternates coming up. I hope sanity prevails and the  
37 alternate seats are appointed first looking at those who are with the qualified  
38 positions. As for the Ironwood Village proposal, I don't want to just keep hashing  
39 on it, but we would like to have an explanation from the City or whoever it comes  
40 from that why they accepted an appeal after the deadline. I think it has been  
41 very disrespectful to your Board and your Commission that they did so. Rules  
42 are rules, and we all should be following them. Thank you.

43  
44 **ADMINISTRATIVE ASSISTANT ERICA TADEO**– George Hague.

45

1 **CHAIR BARNES** – While George makes his way forward, Item 4, PEN16-0042  
2 has been continued to the meeting of May 25, 2017, so thank you.  
3

4 **SPEAKER GEORGE HAGUE** – Good evening, George Hague. I understand  
5 that this may be the last meeting for some of you, and I really want to thank you  
6 for your service and what you have gone through in order to have the knowledge  
7 to be on the Commission. I also have concerns about what the mayor is in the  
8 process and has been doing for the last month in the appointment process.  
9 Ironwood Village you've heard now a couple of times. I wanted to thank you  
10 again for your vote on that project. The fact that there is no justification for doing  
11 what they want to on those lands, the fact that the City has accepted the  
12 developer's, or appears to have accepted, or is in the process of processing his  
13 appeal, we haven't quite figured that out, but I also was shocked that the Staff  
14 went over your vote and said that Staff's recommendation is basically not to pay  
15 attention to the Planning Commission's recommendation and that will simply do  
16 what they want to do and move forward as if your vote didn't mean anything, or  
17 the vote of the Trails Committee did not mean anything. Privately, you should  
18 have a conversation with them and perhaps display your displeasure with them.  
19 A couple of other items, one of the things that has concerned me for many years,  
20 a lot of you know I'm a retired school teacher. We continue to have Heacock as  
21 a truck route going from the southwest of our city to say Route 60 down there.  
22 That passes three schools. I've mentioned this to several Councilmembers over  
23 the years. I've mentioned it once or twice here. It shouldn't be. It shouldn't  
24 happen. It should be done and a little of the litigations that I've been involved  
25 with warehousing is trying to force the trucks from the warehouses that we have  
26 been involved in litigation. In fact, one of the main reasons is to force them to  
27 have to go south and not be able to use Heacock, and that was one of the main  
28 purposes of the litigation we were involved in. We shouldn't have to do that. The  
29 City should not have that as a truck route for all these warehouses and toxic  
30 diesel emissions to take place. Another thing I see on the weekends continually  
31 along Nason, mainly along Moreno Beach and so forth, are signs from housing  
32 tracts. I mean some of the signs are as big as the screen here. They go up  
33 Friday night in the dark, and they disappear Sunday night in the dark. They are  
34 all up and down Moreno Beach, various places along Nason, some of the streets  
35 in between. They know what they are doing. They are trying to avoid certain  
36 things that should be required of them in this City. We need those signs not to  
37 be there, and they know they are not supposed to be there just by the fact when  
38 they place them and when they take them down. Once again, I want to thank  
39 those of you who are leaving after this evening and also to thank the others. You  
40 have a good evening.  
41

42 **CHAIR BARNES** – Thank you, George. I see no additional public speakers on  
43 the list, so we will now move to Non-Public Hearing Items. There is only one,  
44 and that is the selection of a Chairperson and Vice Chairperson. Do we have a  
45 report?  
46

1  
2  
3 **NON-PUBLIC HEARING ITEMS**

- 4 1. Selection of Chairperson and Vice-Chairperson (Report of: Community  
5 Development)  
6  
7

8 **RECOMMEND THAT THE COMMISSION:**

- 9 1. Accept nominations for and elect a new Chairperson.  
10 2. Accept nominations for and elect a new Vice-Chairperson.  
11  
12  
13

14 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, I will give you a quick report.  
15 Rick Sandzimier, Planning Official. In your packet under Agenda Item 1, we  
16 have included a short written Staff Report. Essentially what that Staff Report  
17 says, you have Rules and Procedures that were adopted, and the Rules and  
18 Procedures for the Commission indicate that at the first meeting of April of every  
19 year the Commission has the duty to select a new Chairman for the forthcoming  
20 year and a Vice Chairman. The report simply states that process would be for  
21 you, as the sitting Vice Chairman this evening, to do because in the absence of a  
22 Chairman, because Mr. Lowell who was the Chairman has been reappointed as  
23 basically a Commissioner, you'll take the nominations for a Chairperson. Then,  
24 you'll act on that. Then, the new Chairperson will step in and take the  
25 nominations for the Vice Chair, and then we move on from there. With regard to  
26 the written Staff Report, I did want to highlight a couple of limitations that are in  
27 your Rules and Procedures, and they simply state that the Chairman can only  
28 serve two consecutive terms, so in this particular case Commissioner Lowell has  
29 served as Chairman the past 2 years, so he would not be eligible because of  
30 your rules to be selected as the new Chairperson. He has no restrictions about  
31 being selected as the Vice Chairperson. Any of the other members up there  
32 could be selected as the Chairperson or Vice Chairperson, except for the two  
33 alternates. The alternates cannot be appointed in either of those positions.  
34 Then, you as the sitting Vice Chairperson, have no restrictions with regard to  
35 being voted in as the Chairperson but, if you were selected as the Vice  
36 Chairperson, you could only serve one additional term. That is what is  
37 articulated in the Staff Report, and that is really for the benefit of the public to  
38 know what you're doing this evening. That concludes my Staff Report. I will turn  
39 it over to you.  
40

41 **CHAIR BARNES** – I got it. Thank you. Thank you very much. So, at this time, I  
42 guess I would entertain nominations for Chairman.  
43

44 **COMMISSIONER LOWELL** – I would like to make a motion to nominate Vice  
45 Chair Barnes to be Chairman Barnes.  
46



1 **COMMISSIONER SIMS** – I second that motion.  
2  
3 **CHAIR BARNES** – Thank you. Any other motions?  
4  
5 **COMMISSIONER GONZALEZ** – I agree with that motion.  
6  
7 **COMMISSIONER NICKEL** – Ditto.  
8  
9 **CHAIR BARNES** – I didn't ask for a vote. Well, seeing no additional motions....  
10  
11 **CITY ATTORNEY MARTIN D. KOCZANOWICZ** – Honorable Vice Chair, before  
12 the vote is taken, the nominee needs to accept the nomination.  
13  
14 **CHAIR BARNES** – Ah, I accept the nomination. Thank you very much. Humbly,  
15 most humbly, yes, but thank you. Now, can we have a vote? A roll call or? Let's  
16 just do a group?  
17  
18 **COMMISSIONER SIMS** – This is so exciting.  
19  
20 **CHAIR BARNES** – All in favor.  
21  
22 **COMMISSIONER GONZALEZ** – Aye.  
23  
24 **COMMISSIONER KORZEC** – Aye.  
25  
26 **COMMISSIONER NICKEL** – Aye.  
27  
28 **COMMISSIONER BAKER** – Aye.  
29  
30 **COMMISSIONER SIMS** – Aye.  
31  
32 **COMMISSIONER LOWELL** – Aye.  
33  
34 **CHAIR BARNES** – Aye.  
35  
36 **CHAIR BARNES** – Opposed? The motion passes. Thank you very much for  
37 your support. I appreciate it, but I would hold off on that until I prove myself.  
38  
39  
40 Opposed – 0  
41  
42  
43 **Motion carries 7 – 0**  
44  
45  
46 **COMMISSIONER NICKEL** – Well you better take it now then.

1 **CHAIR BARNES** – Yeah, so at this point, thank you all for your patience while I  
2 learn what I am doing up here, so I appreciate it very much. Now, I will entertain  
3 motions for a Vice Chair.  
4  
5 **COMMISSIONER SIMS** – I would like to make a motion.  
6  
7 **CHAIR BARNES** – Commissioner Sims.  
8  
9 **COMMISSIONER SIMS** – I would like to nominate Commissioner Korzec for Vice  
10 Chairperson.  
11  
12 **COMMISSIONER LOWELL** – I would like to second that.  
13  
14 **CHAIR BARNES** – We have motion from Commissioner Sims and a second  
15 from Commissioner Lowell. Humbly accept again with your microphone on.  
16  
17 **COMMISSIONER KORZEC** – Oh, I humbly accept the nomination.  
18  
19 **CHAIR BARNES** – I’m just kidding.  
20  
21 **COMMISSIONER NICKEL** – We have more fun, don’t we, than any other  
22 Commissions.  
23  
24 **CHAIR BARNES** – Any other motions? Seeing no other motions, I call for a  
25 vote. All in favor....  
26  
27 **COMMISSIONER GONZALEZ** – Aye.  
28  
29 **COMMISSIONER KORZEC** – Aye.  
30  
31 **COMMISSIONER NICKEL** – Aye.  
32  
33 **COMMISSIONER BAKER** – Aye.  
34  
35 **COMMISSIONER SIMS** – Aye.  
36  
37 **COMMISSIONER LOWELL** – Aye.  
38  
39 **CHAIR BARNES** – Aye.  
40  
41 **CHAIR BARNES** – Opposed? No. Vice Chair Korzec, you have spoken.  
42  
43  
44 Opposed – 0  
45  
46

1 **Motion carries 7 – 0**

2  
3  
4 **COMMISSIONER KORZEC** – Should I give a speech?

5  
6 **COMMISSIONER NICKEL** – Sure.

7  
8 **CHAIR BARNES** – No, just....does she have to change chairs now?

9  
10 **PLANNING OFFICIAL RICK SANDZIMIER** – That is at the pleasure of you, the  
11 Chairman.

12  
13 **CHAIR BARNES** – I'll let her choose.

14  
15 **VICE CHAIR KORZEC** – How about next time?

16  
17 **CHAIR BARNES** – Okay, next time. Alright, well congratulations. Alright, having  
18 gotten those formalities out of the way, we move onto the real work of the  
19 evening.

20  
21 **PLANNING OFFICIAL RICK SANDZIMIER** – One thing, as we get onto the real  
22 work of the evening, you'll notice in the Staff Report that the resolutions that  
23 we're recommending this evening did still show the previous Chairman as Brian  
24 Lowell, and that is because we didn't know who was going to be Chairman,  
25 but all the resolutions will be modified in recognition of the new appointed Chair  
26 and Vice-Chair after the meeting. Thank you.

27  
28 **CHAIR BARNES** – Thank you. I'm not sure that we would've even caught that.  
29 Alright, Item 2 on the Agenda.....

30  
31 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chair, can I ask one more  
32 thing?

33  
34 **CHAIR BARNES** – Yes.

35  
36 **PLANNING OFFICIAL RICK SANDZIMIER** – I know into the Public Comment  
37 period you did make mention that Item 4 on the Agenda, but there was one  
38 request from the Public Speakers. I do want to let the public know that the Item 4  
39 on the Agenda had a request from the Applicant for continuing, so if there is  
40 anybody in the audience that did hear your comment at the beginning, we should  
41 have made that clearer at the beginning at the meeting. We apologize but, in  
42 case there is anybody here, we wanted to let them know that.

43  
44 **CHAIR BARNES** – Thank you very much. Now, Item 2, Plot Plan for an exterior  
45 and interior remodel and addition of 791 square feet to an existing building at  
46 14920 Perris Boulevard for a total of 24,902 square feet to accommodate 15 new

1 tenant spaces within an existing shopping center. The Case No. is PEN16-0161.  
2 Do we have a Staff Report?

3  
4  
5  
6  
7 **PUBLIC HEARING ITEMS**

- 8  
9 2. Case: PEN16-0161  
10  
11 Applicant: Yaolong Chen  
12  
13 Owner: Food Grill INV  
14  
15 Representative: Yaolong Chen  
16  
17 Location: 14920 Perris Blvd  
18  
19 Case Planner: Sergio Gutierrez  
20  
21 Council District: 3  
22  
23 Proposal: Plot Plan for an exterior and interior remodel  
24 and addition of 791 square feet to an existing  
25 building at 14920 Perris Boulevard for a total of  
26 24,702 square feet to accommodate 15 new  
27 tenant spaces within an existing shopping  
28 center.  
29

30  
31 **STAFF RECOMMENDATION**

32  
33 Staff recommends that the Planning Commission **APPROVE** Resolution No.  
34 2017-21, and thereby:

- 35  
36 1. **CERTIFY** that this item is exempt from the provisions of the California  
37 Environmental Quality Act (CEQA), as a Class I Categorical Exemption,  
38 CEQA Guidelines, Section 15301 for Existing Facilities; and  
39  
40 2. **APPROVE** PEN16-0161 Plot Plan subject to the attached Conditions of  
41 Approval included as Exhibit A.  
42

43  
44  
45 **PLANNING OFFICIAL RICK SANDZIMIER** – Yeah and I'd like to take the liberty  
46 here to introduce this new planner, Sergio Gutierrez, who hasn't been here

1 before. He is one of our up and coming really good qualified planners. I think  
2 you'll like his presentation this evening. We hope you do. Thank you.

3  
4 **CHAIR BARNES** – Welcome. Thank you very much.

5  
6 **ASSISTANT PLANNER SERGIO GUTIERREZ** – Thank you Chairman, and  
7 thank you Planning Commission. As mentioned, hello, and good evening  
8 everyone. My name is Sergio Gutierrez, and I am the contract assistant planner  
9 working on project PEN16-161, Plot Plan for an exterior and interior model and  
10 791 square foot addition to an existing under-utilized single-tenant commercial  
11 building to accommodate 15 new tenant spaces within an existing shopping  
12 center located at 14920 Perris Boulevard. The Applicant on the project is  
13 Yaolong Chen. He is representing property owner Food Grill Investments. I  
14 believe the property owner and the Applicant are both here to answer any  
15 questions upon conclusion of this presentation. Based on the scope of the  
16 project, it was determined that the project was a major development review  
17 requiring review from the Planning Commission. The project site is located on  
18 the northeast corner of Perris Boulevard and John F. Kennedy Drive, as  
19 mentioned, within an existing shopping center. It is located at the northeast  
20 corner of the shopping center adjacent to Cardenas Market on the south of the  
21 property and a small ice cream parlor on the west corner of the property. The  
22 zoning for the site is Neighborhood Commercial. The surrounding environment:  
23 Properties to the north include a mobile home park, and properties to the east  
24 include Single-Family Residential. Here are some photos of the existing  
25 conditions of the exteriors. To the left-hand corner, you have the main entrance,  
26 which is located on the west. Also, on the right-hand top corner is where the 791  
27 square foot addition is proposed. To the left bottom corner, you see the existing  
28 conditions for the....behind the building, the rear of the building, which is the east  
29 side, and just to mention that there is an existing recycling facility located on the  
30 loading dock. This facility is not a part of the project. However, if this project is  
31 approved, then we would require the facility to relocate within the shopping  
32 center with appropriate application review and approval from the Planning  
33 Division. So here is the Site Plan for the proposed project. As mentioned, the  
34 modifications include a 791 square foot addition. To the northwest corner of the  
35 building, an interior remodel of the building to accommodate 15 tenant spaces,  
36 exterior façade improvements or relocation of the existing trash enclosure, in  
37 which the trash enclosure is located on the northeast corner of the building and is  
38 proposed to be relocated on the southeast corner of the parking lot. Also, it  
39 includes the replacement of an existing loading dock to accommodate parking  
40 spaces for tenants located on the rear of the building. Also, the property owner  
41 has identified specific uses of the 15 tenant spaces. Four would be specifically  
42 restaurant uses, three would be retail, and the remaining eight will be office/retail  
43 uses. I just also wanted to make a note that this project does introduce from  
44 facing storefronts to the north and east of the building. The project site can be  
45 accessed from five different driveways, two driveways on Perris Boulevard and  
46 three driveways on John F. Kennedy Drive. This site will also be accessible from

1 the main parking area on the west side of the building. There is an existing gate  
2 located in between where the addition is going to take place on the northwest  
3 corner of the building and adjacent to the ice cream parlor on the northwest as  
4 well. A Condition of Approval has been placed to remove that gate to allow  
5 pedestrian access to the north and east tenants. A Parking Analysis was also  
6 completed as part of the review process. Based on the square footage, the uses  
7 include restaurant, office, and retail uses. The City Parking Requirements, 103  
8 parking spaces are required, in which 114 parking spaces are provided. As  
9 designed, there are adequate parking spaces provided in both the front and rear  
10 parking lots and also to mention that there is a Reciprocal Access Agreement  
11 and Parking Agreement in place for the entire shopping center. In addition, the  
12 Landscape Finger Plan is also being incorporated into the East side of the  
13 property, in which will comply with the Municipal Code requirements and will also  
14 be providing enhanced landscaping as required per the Conditions of Approval.  
15 Here are just a few photo examples of a few site visits that took place within the  
16 past few months. While onsite, there have been signs of dumping activity on the  
17 two trash enclosures, one located north of the property, which belongs to the  
18 adjacent property owner, and one on the northeast corner, which belongs to the  
19 current property owner of this project. There is a photo example of the gate I  
20 was referencing to be removed to allow pedestrian access to the north and the  
21 east of the proposed tenant spaces. In addition, there is limited lighting in the  
22 east and north of the building. The introduction of the front-facing tenant spaces  
23 to the east and north, does raise some questions with regard to public safety due  
24 to visibility is limited to the shopping center. However, Conditions of Approval  
25 have been implemented to ensure public safety by adding security cameras and  
26 lighting to exterior walls, providing a significant amount of windows to the  
27 storefronts to increase pedestrian visibility to tenant spaces on the east and  
28 north, and share an existing gate as removed as mentioned per the Condition of  
29 Approval, limiting the hours of operation of the businesses for no later than 10:00  
30 p.m. to minimize potential concerns with proximity to residential, ensuring the  
31 lighting meets the current City Standards, and ensuring the gate located between  
32 the shopping center and mobile home park remains locked at all times. Here is  
33 elevation one of two. This is the west elevation, which is the main entrance, as  
34 mentioned, and the north elevation. The architectural design of the proposed  
35 multi-tenant building includes parapets, towers, vertical detailing and decorative  
36 finishes to improve the esthetics of the shopping center and to break up the  
37 massing of the building. The building height will be increased from 28 feet 2  
38 inches to 33 feet 9 inches, as mentioned, to incorporate the parapets and towers  
39 to improve the appearance of the building and also to screen rooftop equipment  
40 as required by the Municipal Code. The building materials remain the same of  
41 stucco, and there is a new proposed color scheme, which includes earth-tone  
42 colors, such as cream, deep red, grey, off white, and tan. Overall, the increased  
43 commercial activity on the north and east sides of the building may help activate  
44 areas to reduce the amount of dumping activity and provide better surveillance  
45 for the areas. A successful remodel of the building would be an asset to help  
46 revitalize the shopping center. The project qualifies as a Class I Categorical

1 Exemption under California Environmental Quality Act Guidelines, Section  
2 15301, for Existing Facilities. In conclusion, Staff recommends the Planning  
3 Commission approve Resolution No. 2017-21 and certify that this item is exempt  
4 from the provisions of the California Environmental Quality Act as a Class I  
5 Categorical Exemption, CEQA Guidelines Section 15301, for Existing Facilities;  
6 approve PEN16-0161, Plot Plan, subject to the attached Conditions of Approval  
7 as Exhibit A. Since posting of the noticing, I have received four forms of contact,  
8 three phone calls and one email. One call was from a property owner that was  
9 requesting more information, as well as the email requesting more information on  
10 the property as far as Conditions of Approval for the original Plot Plan approval. I  
11 received also two calls from two representatives from the adjacent property  
12 owner at Cardenas Market in regard to the parking and the overall esthetics of  
13 the building. This concludes my presentation. Thank you.

14  
15 **CHAIR BARNES** – Thank you very much, Mr. Gutierrez. At this point, I would  
16 like to invite the Applicant to come forward and make a presentation if you would  
17 like.

18  
19 **CITY ATTORNEY MARTIN D. KOCZANOWICZ** – Any questions for Staff before  
20 that?

21  
22 **CHAIR BARNES** – Oh, prior to that? Okay. I think I've taken something out of  
23 order.

24  
25 **PLANNING OFFICIAL RICK SANDZIMIER** – Only if any of the Commissioners  
26 have questions. If there are no questions, you can go ahead as you've  
27 proposed.

28  
29 **CHAIR BARNES** – Anybody have a question that they would like to introduce  
30 now?

31  
32 **COMMISSIONER NICKEL** – Can we hear the presentation first and then do our  
33 questions?

34  
35 **CHAIR BARNES** – Okay, alright, continue. My apologies.

36  
37 **APPLICANT YAOLONG CHEN** – So, in this case, we are going to have 16  
38 retail, 15.....

39  
40 **CHAIR BARNES** – Pull the microphone a little closer to you.

41  
42 **APPLICANT YAOLONG CHEN** – In this case, we have 15 retail and office in the  
43 remodel. So it used to have one big retail store, and the back now is just going  
44 to be parking spaces. Right now, we have eight office units on the back, and it  
45 will increase the people who travel in the back. So, in this case, it won't be  
46 hidden points or the hidden risk for the people who are the homeless to stay on

1 the back, so that is the reason I have eight retail office on the back. Also, the  
2 building is kind of like 160 footsteps, so it is hard to divide it by a small.... a small  
3 tenant who has 25, like 25 foot width and then 160 footsteps, it is hard to find  
4 tenants who can fit like this. So we just create some more tenants, some more  
5 office for people to use.

6  
7 **CHAIR BARNES** – Thank you.

8  
9 **SPEAKER RICHARD SENG** – I’m Richard Seng. I’m the property manager for  
10 the owner. Since last week, we went to a Public Hearing Review about this  
11 project since January, and we did go over a few reviews that we proposed on this  
12 property. Since last week, I did receive phone call and email from five people.  
13 That is including our plaza manager, Marty, and also some of our neighbor’s from  
14 Cardenas, and also our neighbor on the east. Her name is Juana Galan. They  
15 both are a little concerned about parking and elevation of the tower in front. As  
16 for the back, she has some concerns about trees because the wall on our side is  
17 8 feet tall, but it is only 6 feet tall on her side. There was past experience of  
18 people climbing over from our side to her backyard, so she was thinking  
19 something we can do by helping with our project that we’re doing. The idea was  
20 explained to them what we are trying to and, hopefully by bringing better tenants  
21 in the back and more surveillance camera and lighting, it will help to keep out  
22 those unwanted people in the back there like right now. So the whole idea is to  
23 try to bring better tenants to the plaza, and hopefully you will benefit from it.

24  
25 **CHAIR BARNES** – Alright, thank you very much. Commissioners, any  
26 questions? Commissioner Gonzalez.

27  
28 **COMMISSIONER GONZALEZ** – Hi. This question is for the Applicant. If you  
29 could just describe what made you decide on kind of doing this multi-tenant  
30 project and also the backend offices, and how are you going to attract some  
31 tenants when it is kind of hidden and tucked away in the back? What type  
32 of.....how will you be addressing those challenges with moving forward and if you  
33 get an approval today?

34  
35 **SPEAKER RICHARD SENG** – We took over the property from the previous  
36 owner in early 2016, so before this, we had a 99 cent plus center. That took up  
37 about 90% of the units. There was another restaurant at the corner there, but  
38 they moved out at the end of last year already, so we did look into a few proposal  
39 ideas, including a mini-mall that includes having a center court with a food court  
40 idea in that area, but after going through the review because there is some  
41 security problem on public area inside the mini-mall, including toilet and opening  
42 hour problem, so we decided to come back to units in our current design that we  
43 have, which every unit has its own independent access from front and back, but  
44 because the building itself is 156 feet deep and we have about 20 to 25 feet  
45 frontage, so it is not very possible for us to go with 150 feet deep buildings. That  
46 is why we have the proposal of having one majority of the building is facing the



1 front but having some buildings in the back. During our review session, the same  
2 question that was asked by the official too. In fact, they asked us to present  
3 some success, other examples that it has happened in other areas. We actually  
4 presented four or five different scenarios, which the uses were for after-school  
5 learning center, for office, and professional office that doesn't require people to  
6 walk by like retail shopping but could be for a designing company, showroom.  
7 Right now, we have one tenant that we are working with negotiating on an  
8 agreement right now that is an online company that is selling products through  
9 Amazon Fulfillment Center, so that would take up about 3 spaces that we have  
10 and those do not require a lot of retail pedestrians passing by. So those are the  
11 type of customer and tenant that we are looking for those spaces in the back. By  
12 doing so, I think we can bring good tenants and also help revitalize that part of  
13 the mall, which right now it is dark and we have big items, furniture discarded,  
14 and nobody watching that area right now.

15

16 **COMMISSIONER GONZALEZ** – Okay. Thank you.

17

18 **CHAIR BARNES** – Any other Commissioner questions?

19

20 **VICE CHAIR KORZEC** – I have one.

21

22 **CHAIR BARNES** – I do too so go ahead.

23

24 **VICE CHAIR KORZEC** – You have some space for four restaurant, well not  
25 restaurant but food service. Do you have any idea of what types you're going to  
26 be looking for?

27

28 **SPEAKER RICHARD SENG** – Right now, we are talking to two tenants because  
29 we don't have our official plan approved yet, so we are just....we're not on the  
30 listing yet, so right now we're talking to one drink place with popcorn, chicken  
31 snacks and fries. The other one we are talking to right now is Teriyaki Chicken  
32 Bowl, a rice bowl. There is also a fast-food chain that we are looking at. They  
33 like the demographic that we have in Moreno Valley right now.

34

35 **CHAIR BARNES** – Any other questions? I have a question of Staff. There was  
36 mention in the conditions, I think, of the gate between the mobile home park and  
37 the center, and that is required to remain locked at all times. Who owns that wall,  
38 and could we just require the condition, if they control it, can we condition them to  
39 just close off the gate if it is never supposed to function?

40

41 **SENIOR PLANNER CHRIS ORMSBY** – Staff did some research into that. We  
42 went back to the Original Conditions of Approval from 1988, I believe it is for the  
43 shopping center. There is really no indication of why the gate was even put in  
44 the first place, so it might.....

45

1 **COMMISSIONER NICKEL** – If you permit me, I know exactly why on that. That  
2 gate was put there by the previous developer Jerry Kittrell. The residents of the  
3 mobile home park requested that, so that was part of this project. The reason I  
4 know it very well is because that is where at Hughes Market everybody had all  
5 their tenants and everything lined up, and that developer made the mistake of  
6 going to the mayor and saying I didn't have a problem with their site to which I  
7 told the Planning Commission, yeah, I did not say that. It got denied, so they had  
8 to file an appeal, and I became very good friends with Sternstein owner. So  
9 there is not going to be any touching or taking out of the olive trees in the rear of  
10 the property? Do you know?

11  
12 **SENIOR PLANNER CHRIS ORMSBY** – The intent isn't to modify the trees at all.  
13 It really is to enhance the landscape.

14  
15 **COMMISSIONER NICKEL** – Okay because those all came from Perris  
16 Boulevard.

17  
18 **CHAIR BARNES** – Alright, back to my question, the possibility of sealing/closing  
19 off the gate? Is that an option?

20  
21 **SENIOR PLANNER CHRIS ORMSBY** – Well it is an option that could be  
22 discussed. I believe it is technically not on the Applicant's property, so there  
23 would have to be some agreement with the property owner that faces that north  
24 side where the property kind of splits towards the back of the property in terms of  
25 ownership, so the Applicant might want to address that as well.

26  
27 **SPEAKER RICHARD SENG** – I did have a chance talking to Marty, the property  
28 manager of the company. She told me that the reason they lock up that gate is  
29 because they don't want people to access in and out from that area. There is no  
30 reason for them to go in and out, but that is why right now all the access going to  
31 the back in through the driveway, service driveway on two ends. He did tell me  
32 that, right now, it is actually.....the decision was made by the property  
33 management company right now because of security reasons to lock up that  
34 gate. He said if we asked him to do it because access for the tenants in the  
35 back, if they wanted access to the front main parking, they could do it if we asked  
36 them to.

37  
38 **CHAIR BARNES** – Okay. I think that answers my question. Any other  
39 questions? Oh, Commissioner Sims, sorry.

40  
41 **COMMISSIONER SIMS** – I didn't notice in the Conditions anything about  
42 processing or comments from Eastern Municipal Water District but, if this is this  
43 large one-cube type space that is going to be divided up into smaller with  
44 restaurants, how is that handled as part of the Plot Plan approval or the  
45 approvals here for this? How is that because there could be a significant  
46 adjustment and connection fees, both on water and sewer?

1  
2 **SENIOR PLANNER CHRIS ORMSBY** – We did circulate it to Eastern Municipal  
3 Water District but indication is we didn't receive a response to that.

4  
5 **COMMUNITY DEVELOPMENT DIRECTOR ALLEN BROCK** – If I could jump in  
6 Commissioner Sims. Before any permit would be issued, we would first look for  
7 a release letter from the Water District or any other utility purveyor before we  
8 issued those permits so.

9  
10 **COMMISSIONER LOWELL** – I have a question for the Applicant. I have been  
11 on the fence on this specific project. My parents used to own a restaurant in a  
12 strip mall just like this, and I know the area behind the shopping centers are not  
13 exactly the friendliest of places to be. The second the sun goes down, you want  
14 to get the heck out of dodge. I applaud you guys for wanting to do something  
15 that will remove the blight from behind the shopping center and to improve the  
16 functionality. In light of what you said, I am actually kind of impressed. Do you  
17 have any properties like this in your own management? What is the success  
18 ratio of this specific type of development?

19  
20 **SPEAKER RICHARD SENG** – I have another retail mini-mall that we're doing  
21 but not on this scale, but we did present a few success scenarios having smaller  
22 office, learning center, studio that is in the back of a supermarket and a major  
23 mall in the back.

24  
25 **COMMISSIONER LOWELL** – What kind of authority do you guys have to make  
26 the tenants toe the line? For instance, there are one, two, three, four, five, six,  
27 seven, it looks like almost two-thirds of the new facilities and new office space  
28 and new retail spaces don't face the public streets, so the whole out of sight out  
29 of mind mentality means that something nefarious could go on there. Some  
30 tenants could start doing shady things because nobody is driving by to visually  
31 check on it. Like the police officers driving down Perris Boulevard. They can see  
32 of 99 Cent Store, looks like they are up and on us but, if these guys here are  
33 facing away, nobody is going to be seeing it. So I like the idea of an online  
34 retailer coming in and filling the space or a private office but say somebody has  
35 like a little convenient store and starts doing things they shouldn't be doing.  
36 What kind of assurance, what kind of rules would you be putting in your lease  
37 that would allow you guys to make sure that the tenants toe the line?

38  
39 **SPEAKER RICHARD SENG** – Well basically I think the rule of economics will  
40 probably make that happen because the rent in the back is not the same as the  
41 one retail that we are charging. So, whoever is doing business, they know the  
42 visibility and accessibility is not the same as the business that they would want  
43 and, putting it there, it doesn't work. One idea we are thinking about is an office  
44 professional building. What I envisioned was similar to other office condos here  
45 in an industrial park, okay, but those are the professional companies that we  
46 want to attract to our back area, which is like an office. Okay, so we as the

1 property owner, we wanted to make this project work. We don't want to put  
2 anybody there, fill up the space I mean. It is to our benefit, so in our case, we  
3 would for sure....we are trying to make that happen. We did that by enhancing  
4 the elevations, by increasing the window area and door area, and the  
5 landscaping so that we could attract the type of tenants that we wanted back  
6 there.

7  
8 **COMMISSIONER LOWELL** – Will the tenants have the availability to or have the  
9 option to put a sign of advertisement on the front of the building saying, hey,  
10 check around behind here because Amazon Retailer or whatever is over here.

11  
12 **SPEAKER RICHARD SENG** – I assume that yeah we could arrange that but,  
13 again, this is the type of company we are not attracting people, the passerby.

14  
15 **COMMISSIONER LOWELL** – Oh, correct. My office does not attract people, but  
16 we do get foot traffic, and we still have a sign on the building. It would be nice to  
17 advertise on the front saying, hey look, this is where we are.

18  
19 **SPEAKER RICHARD SENG** – Yes.

20  
21 **COMMISSIONER LOWELL** – So say somebody does have to come by, or if they  
22 have a delivery, they can go, oh yeah, we're around back.

23  
24 **SPEAKER RICHARD SENG** – Yes, we could do that by having a directory with  
25 map, and the mailbox is probably going to be in front too. So we could have a  
26 directory and map showing that this other tenant and company is also in the back  
27 of there.

28  
29 **COMMISSIONER LOWELL** – But, at the Applicant's discretion, would they have  
30 the ability to put a sign on the front of the building?

31  
32 **PLANNING OFFICIAL RICK SANDZIMIER** – I just wanted to point out Mr.  
33 Chairman, Vice Chair, Commissioners that the signage, while it is showing on the  
34 elevations, is only showing it is representative of what could be. There are no  
35 approvals being granted this evening for any signage on the building or on a  
36 monument or on any kind of a directory. The Staff did question that because we  
37 were concerned about the directionality, the way finding to the back of the  
38 building. It would be a separate consideration. They would have to make a  
39 separate submittal for a sign application, and those are the things we would  
40 address then. We will take your input this evening. If these are strong concerns  
41 that you have, that would help us shape that sign program or sign permit in the  
42 future, but they are considerations we have had with preliminary discussions with  
43 the Applicant.

44  
45 **COMMISSIONER LOWELL** – Okay, thank you.

46

1 **CHAIR BARNES** – Any other questions. Go ahead.

2  
3 **COMMISSIONER NICKEL** – I have one concern with this back of the building  
4 because Armada Elementary School is directly across the street from you, and it  
5 concerns me a little bit. Kids are curious. It's a safety factor, so, and I haven't  
6 you heard you acknowledge that fact or even Staff for that matter. How do you  
7 make it....I wouldn't want my child to go to a learning center from the back of the  
8 building. Do you follow what I'm saying?

9  
10 **SPEAKER RICHARD SENG** – No, no, no. I said the learning center was other  
11 project that they had those in there. The way I see it, it is office buildings that  
12 would be attracted to it. As far as security, we did say that we are going to have  
13 lighting. We are going to have surveillance camera.

14  
15 **COMMISSIONER NICKEL** – Lighting doesn't deal from daytime to and from  
16 school. I appreciate what you're saying, but lighting doesn't deal with daytime.  
17 Okay, thank you.

18  
19 **CHAIR BARNES** – Commissioner Sims.

20  
21 **COMMISSIONER SIMS** – My question is towards Staff. On these Plot Plans,  
22 like this where you're proposing this type of use, there's restaurant, retail space,  
23 and office space. How does that work as far as let's say three years from now  
24 they find out that they want to swap an office and make it into a retail or vice  
25 versa or something like that? How does that process work? Is that....is what is  
26 shown on the Floor Plan, Site Plan, is that like etched in stone per these  
27 drawings, and then if somebody wants to come do something different for a  
28 tenant improvement and switch a use or maybe convert to restaurant or  
29 widen.....let's say the restaurant on the corner that's facing north does fantastic,  
30 and they want to go three spaces over into the retail space so they can get  
31 access off the front. Is that allowable?

32  
33 **PLANNING OFFICIAL RICK SANDZIMIER** – Thinking of the question, the  
34 application in front of you today is a concept. There are no identified tenants that  
35 were mentioned, so we don't know exactly which businesses might go in or will  
36 go in. The 15 tenant spaces are laid out as a concept in terms of the possible  
37 mix between restaurant, retail, and possible office, but the Applicant wanted  
38 some flexibility to be able to put people into the suite, so any of the uses are a  
39 permitted use on the site, so they could move around from suite to suite. When  
40 they come in for Building Permits, there will be certain things that will be  
41 evaluated during the Building Plan Check and Building Improvement Process for  
42 things that are more necessary for a restaurant. Once you put that sort of  
43 infrastructure in place, it starts to dictate what that space is likely to be used for,  
44 so we will know a little bit more certainty when they come in for the tenant  
45 improvements. This application and Mr. Gutierrez in the beginning of his  
46 presentation indicated that we brought this to you as a major development

1 review. The questions you're bringing up are important, and we thought that  
2 instead of having an administrative decision on this without a Public Hearing,  
3 which is an option in our Code for this, but we can use our discretion and bring it  
4 to you for this exact reason to vet these concerns with you. We identified these  
5 suites as being unique. It is a different use that is not common throughout the  
6 city or even in other cities, so they are looking for a way to repurpose the  
7 building. The advantages we do see are that they are going to be improving the  
8 frontage of the building, the architecture. They are going to freshen it up. They  
9 are going to bring additional attention, and hopefully we will get some good  
10 quality tenants in there and that serves as a catalyst possibly for the entire  
11 center. The downside is we still aren't sure exactly on the backside, if it is out of  
12 sight, how that acts as a catalyst and what kind of activity, so we wanted to hear  
13 from you. With regard to other positives, the Applicant has been working with us,  
14 and the Conditions of Approval have been put on the project with regard to  
15 lighting, landscaping, the improved pedestrian circulation, removal of the gates,  
16 addressing the locked gate between the mobile home and this development.  
17 They were all very careful considerations. We have edited it with what we call  
18 CPTED principles, Crime Prevention Through Environmental Design to try and  
19 make it the best safe place as possible, and that's the effort we've made to put  
20 those conditions in place, but it is important for you to let us know your concerns  
21 or considerations.

22

23 **CHAIR BARNES** – Any other questions of the Applicant?

24

25 **COMMISSIONER SIMS** – Just as a...we're not in discussions at this point?  
26 Okay.

27

28 **CHAIR BARNES** – At this point, I think we will curtail the questions and move to  
29 the Public Comment portion, so I would like to open the Public Hearing. The first  
30 speaker is Rafael Brugueras.

31

32 **SPEAKER RAFAEL BRUGUERAS** – Good evening Chair, Commissioners,  
33 Staff, Residents, and Guests: You heard a lot of important things tonight on this  
34 particular project, and I'm glad the gate came up because I went there. I went  
35 there Monday morning, and I went there Monday night, and I couldn't figure out  
36 the buildings. So, when I went around the 910, I realized I said 910, 920, 930; 30  
37 is Cardenas. 910 is the 15 businesses, then I realized 920 is the kitty-corner  
38 project, so I said okay. I saw the gates, and I saw everything, and I got out. I  
39 read what the Staff wrote about it, and I went around in the daytime, and I got  
40 nervous because there were people hanging out. I said, okay, I backed out. I  
41 said to myself, I wouldn't want to go in that corner by myself at night. So, anyway  
42 like I said, I went back at night, and it was empty. What was left there was 10  
43 shopping carts, a lot of wood, a lot of garbage, a lot of dirt. Then, I realized what  
44 the owner was trying to do for that community. He is willing to spend his own  
45 money to enhance that kitty corner with lights, retail. Okay, the gate needs to go  
46 because that is a problem between the mobile home and the center. They need

1 to put that masonry back up and let people come around. In 1998, it was a lot  
2 more peaceful than in 2017. We don't have the same kind of tenants that live in  
3 there like in 1988. It is different. We have maybe more rowdy people, but that's  
4 how it is. People need a place to live and change their lives. Sometimes they  
5 wind up in the mobile home parks where they pay the least amount of rent and  
6 have the smallest space because I've seen thousands of them, okay. What the  
7 owner is trying to do, and you heard it yourself tonight, he is willing to work with  
8 the Commissioners, and he is willing to work with the Staff to improve the safety  
9 of that plaza, not only for the tenants but for the residents that come to do  
10 business at that plaza. He is willing to go and bend backwards for everybody.  
11 You gave great recommendations how to improve it, okay, but that community  
12 needs an uplift tremendously. That was District IV. Now, it became District III.  
13 Now, I go back and it is District IV. It doesn't matter what district it is, it still  
14 needs help. He is willing to spend his own money and do the very best of what  
15 you ask and what they recommend. That's what we heard tonight. He is not  
16 willing to make anything short, so give him a chance to finish that project, so he  
17 can bring businesses. If the back business is only Amazon or training, things like  
18 that.....

19

20 **CHAIR BARNES** – Thank you very much Mr. Brugueras.

21

22 **SPEAKER RAFAEL BRUGUERAS** – Only draw very little traffic. That's great,  
23 and he can keep the front for the restaurants and the retail. He is doing a great  
24 thing for that community. Finally, somebody is stepping up for Moreno Valley.

25

26 **CHAIR BARNES** – Thank you Mr. Brugueras. Next speaker is Kathleen Dale.

27

28 **SPEAKER KATHLEEN DALE** – Okay, my name is Kathleen Dale. I have lived,  
29 this is my neighborhood center. I have lived around the corner since 1986, and I  
30 remember when Hughes and Save-On were here, and I used to walk my kids  
31 around in a wagon. I think everyone wants to see this center revitalized, and I  
32 honestly believe the Applicant's that that's their goal to do it. I think there are  
33 maybe a few issues that really need to be considered seriously and maybe there  
34 is some fine tuning that could be done to make it a better project. I talked to all  
35 the residents that back up to the site, to Mr. Estrada on Casa Loma to....I've got  
36 the names written down here, Juana Galan, who is here with her children. She is  
37 the one who backs right onto it on Vanessa. She is basically the whole common  
38 line between where the storefronts would be. Her two neighbors, the three  
39 neighbors on El Greco, and basically everybody had concerns about this. Ms.  
40 Galan, she is okay with the storefronts back there, but she has issues with the  
41 wall height and the landscaping, and she did discuss those with Richard, so  
42 hopefully some refinements could be made to address her concerns. For myself,  
43 I think one of the issues with this is the Municipal Code, and the sections I gave  
44 you. I didn't keep one for myself, so let me do this from memory. That rear  
45 setback is a required setback because of the adjacency to a Residential Zone.  
46 Your Code says that, in that required setback, you're only allowed to have

1 accessory activities, and you're putting primary commercial uses back there. I  
2 know the Applicant has said they are only going to put office-type uses or lower-  
3 intensity uses back there, but this Plot Plan doesn't restrict that. Any use that is  
4 allowed in the Neighborhood Commercial Zone could go in and, if somebody  
5 comes in and asks for a Conditional Use Permit, they could do any of the  
6 Conditional Use Permit uses. I think that the main issue with this is the  
7 comingling of the service access, the loading access, and customer traffic. Also,  
8 this project is going to direct people down to that driveway on the Perris frontage  
9 that is literally five feet from the exit from the mobile home park, so you're going  
10 to have a conflict with the traffic there. So there are compatibility issues, and I  
11 gave you the definition of compatibility and also the definition of accessory from  
12 your Code, so you can discuss that. I think something that could be done very  
13 easily to make this more acceptable is to put the storefronts on the east to the  
14 north, but don't put doors on them. Those could be office uses that still have  
15 eyes out onto that area to get that eyes-on safety issue, but they would access it  
16 from the interior. There is already a corridor down the middle of the building  
17 there where they could do that. I think also the noise, traffic, and hazard issues  
18 bring into question whether or not the Categorical Exemption is acceptable. I've  
19 got a few other things to talk about, but I see my time is up. I did just have  
20 several people who had concerns about the activity from Cardenas. Apparently,  
21 that loading dock starts very early in the morning, so I don't know if that is  
22 something that Staff could perhaps look into and work with the neighbors on.

23

24 **CHAIR BARNES** – Thank you Kathleen. Next speaker is Harland Polk.

25

26 **SPEAKER HARLAND POLK** – Good evening, Council. My name is Harland  
27 Polk. I'm the managing partner for KP Properties. We own the location that  
28 houses Cardenas Market. It is under lease to Kroger. Cardenas is a subtenant  
29 of the Kroger Company, and I have had a couple conversations with Mr. Chen.  
30 I'm here to support him because he is investing money into that piece of property  
31 that has been an eyesore in the shopping center, but I also have concerns, and I  
32 want to make my concerns known to you. I like what I've heard so far on both  
33 sides of the issue. I do have a concern with the elevation changes that he has  
34 proposed. If you look at it from the full scale, I think the towers are taking away  
35 from the importance of the anchor building. My other concerns are operational.  
36 We have a lot of truck traffic in that alley, and that alley is primarily serviced by  
37 bread trucks, dairy trucks, 18-wheelers, 45-footers, 50-footers. They back up to  
38 that dock, and there is a safety concern that has to be addressed and that would  
39 be the issue that the City should look at. My understanding is he wants to take  
40 out the dock on his building and make that into parking and entrances to his  
41 office space. I was not aware that this space northwest, I'm not sure which is  
42 which, could be retail or office. I understood that everything on the periphery  
43 would be office and only retail and restaurant would be facing the shopping  
44 center itself, the existing shopping center, but I do believe the lady mentioned  
45 people in the back alley. That is not an alley that you walk through, and that isn't  
46 an alley with all the truck traffic. So, if it's developed for office space, it needs to



1 have proper lighting. It needs to have ample space because there is going to be  
2 trucks going through there. They come in one way. They go out the other way,  
3 and it's an issue that has to be addressed. Thank you.

4  
5 **CHAIR BARNES** – Thank you very much Mr. Polk. Any other public speakers?  
6 I see none on the list, so I see no further speakers. I want to close the Public  
7 Hearing.

8  
9 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman, it would be  
10 customary to ask the Applicant to come back after the Public Comments if they  
11 want to rebut any of the comments.

12  
13 **CHAIR BARNES** – Thank you. Would the Applicant like to come forward and  
14 respond to any of the public comments? Thank you, Rick.

15  
16 **SPEAKER RICHARD SENG** – I talked to Mr. Harland Polk a couple of times on  
17 the phone and also just right before the meeting started. He did mention about  
18 two concerns that he had. One is the parking, and the other one is the elevation  
19 of the tower. Earlier, he didn't think that the anchor building, the height, should  
20 be the dominant building in the plaza, so he was wishing that we could change  
21 the height of the tallest tower by 2-3 feet to lower it so that way it doesn't  
22 dominate over other buildings in the plaza. So, to us, I mean we could do  
23 modifications on the height. Secondly, on the neighbor to the east, Juana Galan,  
24 she did mention about because she has the property that is right on the east  
25 property line that is facing the back-facing office. She did mention to us she  
26 hoped that we could do something; maybe do some change on landscaping  
27 giving her more safety, maybe raising by having vegetation so a landscaping to  
28 make the wall higher so people do not climb over to her side. That is one of the  
29 main concerns that she mentioned to me right before the meeting started. So I  
30 guess I think that is pretty much it.

31  
32 **CHAIR BARNES** – Thank you very much. Anything else you would like to  
33 respond to or? Okay, alright, thank you very much. At this point, I will now close  
34 the Public Hearing and we'll entertain discussion from the Commissioners.  
35 Anyone have some beginning comments, observations? Commissioner Lowell.

36  
37 **COMMISSIONER LOWELL** – I have gone behind that shopping center and  
38 turned in my soda cans and soda bottles and beer bottles and whatnot to get the  
39 CRV out of it, and that is a very scary part of the town. You don't ever want to go  
40 behind a shopping center at night, and this one is definitely a place that you don't  
41 want to go behind in the daytime. I applaud the developer for trying to fix the  
42 problem by putting in some unique uses and unique solutions to the problem. My  
43 concern still sits that there are other issues that need to be addressed as far as  
44 security of the tenants. In reviewing the Conditions of Approval, I don't know if  
45 this would be overstepping our bounds but our office, well my office, the one that  
46 I work in, has been burglarized about four or five times since I've been there. It is

1 about every three to four years. Somebody breaks a window, ransacks the  
2 place, and steals computers. My employer decided to spend a little extra money  
3 and get shatterproof windows installed. We have noise break sensors on the  
4 inside of the building so, if someone hits the window with a sledgehammer, they  
5 can't get thru. It triggers the alarm, and the police come. I don't know if that is  
6 something we could add to the conditions requiring it as a building material  
7 because it would add an extra level of security to the tenant saying, hey, we  
8 know you don't have frontage. So, at 2:00 in the morning when people are  
9 driving by, you can't be seen from the street. People are going to try to break-in  
10 all the time because it is an easy target; you have this extra layer of security.

11  
12 **PLANNING OFFICIAL RICK SANDZIMIER** – The answer to that is you have  
13 discretion as the Commission to add additional conditions if you see fit. The  
14 Applicant will make a decision on whether they want to move forward. You may  
15 want to give them an opportunity, if you're going to add some conditions that  
16 might add a lot of cost, but it shouldn't stop you from adding them. If you think  
17 they are important, you do have the discretion to add them.

18  
19 **COMMISSIONER LOWELL** – I know the cost in our building wasn't a lot more  
20 money. It was more money, but it was.....I think it was money well spent on our  
21 side of the world. Then, the other question that I had, which we'll get to that one,  
22 in reviewing the police conditions I didn't see anything in there for maybe a  
23 nighttime security guard. My parents owned a restaurant off of Ironwood and  
24 Perris, and the shopping center hired a security guard that showed up around  
25 5:00 p.m. and left right before sunrise. It gave you that extra level of security,  
26 gives you a little bit of a sigh of relief knowing that somebody is out there walking  
27 around making sure that nobody is staging to do anything stupid. It was just a  
28 nice thing, and I really have a hard time buying off that the back side of this  
29 building is going to be safe for the tenants without a few extra measures in place.  
30 So I would like to talk about maybe the enhanced glass, maybe a security guard,  
31 and, yep, those are the two items that I think would be a big help.

32  
33 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, Mr. Chairman, this part of  
34 the discussion is amongst the Commissioners so you should also be looking to  
35 your colleagues to see how they feel about those conditions, not the Staff  
36 necessarily. Thank you.

37  
38 **CHAIR BARNES** – Thanks Rick. Anybody else have any comments?  
39 Commissioner Gonzalez.

40  
41 **COMMISSIONER GONZALEZ** – Again, I want to applaud the Applicant for doing  
42 something very novel. I really enjoy what they are trying to do, and it's  
43 beautifying and it is especially revitalizing the shopping center. I've been to the  
44 shopping center. I know it, and as far as that curb appeal, I think that anything  
45 that adds to.....I know they don't want to take away from the main anchor, which  
46 is Cardenas, but I think it might incentivize them to also improve the other

1 components of this shopping center. I agree that there are some challenges that  
2 need to be addressed. I think that, if the Applicant is open to them, I think we  
3 can find a way to make it work. I also think....and it may not work. I mean, it's  
4 something I see that's very unique to this part of Moreno Valley. I don't know  
5 how many other more urbanized areas have this type of multi-tenant  
6 condominium look, so again I am looking to other Commissioners to bring some  
7 other ideas to the table. In the core and in the basics, I like the project. I just  
8 think that other measures can be added to enhance that. Those are my  
9 comments.

10  
11 **CHAIR BARNES** – Alright, I have some thoughts, but if somebody else wants to  
12 jump in. Commissioner Sims.

13  
14 **COMMISSIONER SIMS** – I kind of trying to....well first of all, I think this is.....I  
15 also applaud the order to try to clean this up that is trying to get some type of  
16 utility out of a building. I kind of like this somewhat. It isn't exactly as in apples to  
17 apples, but I think there is kind of like a retail office setup over on Alessandro and  
18 Heacock maybe. There is some, I don't know, it's getting closer  
19 towards.....maybe it's Heacock. Anyhow, I get mixed up sometimes, but there's  
20 a lot of buildings you don't see from the, or a lot of office space or retail space  
21 and stuff like this you'd never know it's there when you're zipping down  
22 Alessandro, so it's kind of like that. The only difference is there is more of it at  
23 that one than there is in this particular spot, and it is not next to an old mobile  
24 home park. I think it could work with some additional security measures. I do  
25 tend to agree. As far as the truck traffic that the other property owner, I think  
26 that's probably just a reciprocal access and that's just something that has to be  
27 maintained. As long as the parking is working and there's perfect turning lanes,  
28 adequate turning lanes and such for the size trucks that are supposed to be  
29 allowed around this thing, I think people will just have to figure it out. The future  
30 tenants in this would have to come to grips with the occasional trucks that are  
31 going to be going through there, but I tend to agree the security is something  
32 that's a little troubling. I think it's one of those, if they could populate it with retail  
33 or an office space....I think the more you use it, the less nefarious stuff happens  
34 hopefully. I mean, that's my naive everybody is going to be good when there is  
35 stuff going on.

36  
37 **CHAIR BARNES** – Thank you, Jeff. Any other comments?

38  
39 **COMMISSIONER LOWELL** – I had a question for Staff. The footprint proposed  
40 in the Plot Plan with the various suites, is this Plot Plan locked into exactly that  
41 number of suites or can they merge them? Say a tenant comes in and wants to  
42 have a larger footprint, could they tear down a wall and make it one bigger suite?

43  
44 **SENIOR PLANNER CHRIS ORMSBY** – Yes, I don't think there is anything that  
45 says they have to have 15 suites, so in fact I believe the Applicant even

1 mentioned that they might combine three of them for the one use that he  
2 referenced.

3  
4 **COMMISSIONER LOWELL** – Okay, thank you.

5  
6 **CHAIR BARNES** – Anyone else? Okay, as the other Commissioners have  
7 stated, I applaud their effort to invest in this property. That’s always a good thing.  
8 I’m a little concerned with security also, and I have to admit that I was swayed by  
9 a comment of one of the public speakers. Question of Staff, is the parking that’s  
10 being added in the back, is that required of the use or is there sufficient parking  
11 that that’s not really necessary?

12  
13 **ASSISTANT PLANNER SERGIO GUTIERREZ** – As mentioned, based on the  
14 uses that were proposed, 103 parking spaces were required. Upon submission  
15 of the Site Plan, there was more parking provided, but throughout three reviews  
16 that number has reduced to 114, as opposed to when it came in it was 120. In  
17 regard to the parking, as I mentioned, there is enough parking. They need 103  
18 parking spaces. They provide 114. Just as the property owner mentioned, the  
19 uses intended for the back would be more office or even, as you mentioned, uses  
20 that will require storage, such as Amazon, some Amazon facilities. I believe  
21 there is, as I mentioned, adequate parking on the rear side of the tenant.  
22 Overall, there are 94 parking spaces provided on the west end and 20 on the  
23 back end, so there is about 17% of the parking spaces towards the back.

24  
25 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay, if I may just add to that. In  
26 short, there are 11 extra spaces on the site.

27  
28 **CHAIR BARNES** – Okay.

29  
30 **PLANNING OFFICIAL RICK SANDZIMIER** – But because the uses are being  
31 divided with activity in the front of the shopping center and activity in the back, I  
32 wouldn’t be recommending that, if you wanted to see a reduction in the parking,  
33 that you would take them all out of the front or all out of the back. It has to be  
34 sized appropriately to make sure that there is adequate parking for those suites  
35 in the back and in front. One of the speakers talked about a lot of truck activity.  
36 One of the issues could be that some of the parking may conflict with some of the  
37 truck movements and somebody may be encouraged to all the parking out of the  
38 back, just so they can accommodate the trucks but that wouldn’t lend itself to  
39 create the activity, the eyes on the parking lot that we’re looking at from a  
40 security standpoint, and the parking lot configuration in terms of the landscape  
41 fingers and all that was assuming that there would be the parking as designed on  
42 your plan. I would be encouraging, even though it’s more parking than our Code  
43 requires, I would be encouraging us to maintain that parking higher because  
44 that’s what they’ve proposed and we’re trying to get again more activity and more  
45 refreshed look. We don’t want it to look abandoned in the back, because if it  
46 looks abandoned, you’re going to continue to get the activity you have out there.

1 That is one of our strong concerns, so it is important that we make sure it has the  
2 ability to be activated.

3  
4 **CHAIR BARNES** – Well, the reason I was asking was one of the public speakers  
5 had indicated that the Site Plan shows an aisle way, or excuse me, the Floor  
6 Plan shows an aisle down the center that gives access to both the front and rear  
7 tenant spaces. This site really was designed as a commercial site with pretty  
8 much trucks loading and unloading in the back, and the rear is not conducive to  
9 the general public being back there. So, if the Floor Plan is something that our  
10 review can address, I would like to suggest that right now.....if we could bring the  
11 Floor Plan up. Right now, there is a central corridor that goes from north to  
12 south, and then it goes easterly to the back of the building. I think it's the next  
13 page. The Floor Plan.

14  
15 **COMMISSIONER LOWELL** – Attachment I.

16  
17 **CHAIR BARNES** – I can't get there from here.

18  
19 **COMMISSIONER NICKEL** – Go Jeff.

20  
21 **COMMISSIONER LOWELL** – You broke the system Jeff.

22  
23 **CHAIR BARNES** – Alright, that works. So what I would suggest that we consider  
24 is taking that central aisleway that goes south to north and then exits to the east,  
25 if you mirror that and instead of it exiting to the east it exits to the west and you  
26 turn that to an entryway for the rear suites, which I'm assuming are going to be  
27 8:00 to 5:00 businesses, insurance companies, professional consultants,  
28 somebody who wants some 8:00 to 5:00 office space without a lot of walkup  
29 traffic. If you created a building entrance on the front that served those rear  
30 spaces, there would be no need for the public to exit from the back. You'd still  
31 have the same number of spaces. The front retail sites would still have the same  
32 street visibility, and you'd eliminate the security issues in the back.

33  
34 **PLANNING OFFICIAL RICK SANDZIMIER** – I was talking with the Community  
35 Development Director and Building Official. There would be some building  
36 considerations we'd have to take a look at with regard to exiting, like we want to  
37 make sure, like we want to look at fire evacuation and these sorts of things if  
38 you're going to be loading that hallway. If you're going to deactivate the  
39 opportunity for the people to get to the back of the building, I would say that's a  
40 pretty strong security concern for us. If you have windows and you can see  
41 what's going on outside, that's good, but if you can't actually get out there to do  
42 anything about it, the criminals will figure that out pretty quickly and well I would  
43 have some strong concerns, so maybe I didn't understand your recommendation  
44 but I.....

45

1 **CHAIR BARNES** – Well I’m not suggesting we take away the access to the back.  
2 It just becomes the secondary access, not the primary access. Because they are  
3 office space, the primary access is off the hallway. The secondary access is out  
4 the back.

5  
6 **PLANNING OFFICIAL RICK SANDZIMIER** – And then in reality what we see a  
7 lot on the backs of buildings where you have restaurants that might have a back  
8 door or a haircutters or some other suite that has.....a lot of times they leave that  
9 back door open, so they can get out to the back and get to the trashcans and get  
10 to their parking lot and stuff. They may do themselves a disservice because they  
11 made it less secure by leaving that door, which is not really a primary entrance,  
12 unattended. These are the sorts of the things that we have to think through  
13 carefully how that space is going to be used, and I would start to have some  
14 concerns about the recommendation on the project about whether it should still  
15 be approved that way or not, so that is what I have to add at this point.

16  
17 **CHAIR BARNES** – Well that’s my thought. That’s my concern. That’s my  
18 suggestion. Obviously, the will of the Commission will....

19  
20 **COMMISSIONER NICKEL** – I was wondering if maybe the fire marshall would  
21 like to address that?

22  
23 **FIRE MARSHAL ADRIA REINERTSON** – Adria Reinertson Fire Marshal. Rick  
24 is correct. There could be some egress issues there with opening up that  
25 corridor, as well as there could be some separation issues depending on what  
26 those individual suites were used for and if they were merged into restaurants  
27 and you’ve got assemblies versus business occupancies, so it could cause some  
28 real issues with what could go in there if we opened up that corridor for that kind  
29 of use.

30  
31 **CHAIR BARNES** – Okay. Any other comments?

32  
33 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, earlier when I said about  
34 the conditions you want to add, you do have the discretion to add conditions.  
35 The process whether you approve the project this evening, deny the project,  
36 approve the project with modifications, the process that the Applicant has is the  
37 appeal, if they don’t agree with what you do with the project whether it’s an  
38 approval with a lot more conditions, they can appeal that to the City Council. If  
39 you deny it, they can appeal it to the City Council, but that’s the process. We  
40 shouldn’t be negotiating that. At this point, it’s your recommendation this evening  
41 on what you’d like to see go forward.

42  
43 **COMMISSIONER LOWELL** – I would like to add a condition requiring tamper-  
44 resisting glass, and I would also like to add a condition that they add a nighttime  
45 security guard. Anybody have any comments, questions, objections on that guy?  
46

1 **COMMISSIONER NICKEL** – Does Cardenas happen to have a security guard?  
2 Does anybody know?

3  
4 **COMMISSIONER BAKER** – They do.

5  
6 **PLANNING OFFICIAL RICK SANDZIMIER** – I’m hearing.....I don’t know if you  
7 heard, but I heard in the store, not outside of the store. If your security  
8 recommendation is to have a security guard that surveils the outside of the  
9 property, that would be different than what exists out there today from what I just  
10 heard.

11  
12 **COMMISSIONER LOWELL** – That would be my recommendation.

13  
14 **CHAIR BARNES** – I have another question Rick. Could we condition the rear  
15 spaces to limit their hours so they are not open at night, say 8:00 to 7:00 or  
16 something like that, assuming that there.....

17  
18 **COMMISSIONER LOWELL** – They are conditioned to 10:00 I think.

19  
20 **COMMISSIONER NICKEL** – For a restaurant.

21  
22 **CHAIR BARNES** – Is there?

23  
24 **ASSISTANT PLANNER SERGIO GUTIERREZ** – Yeah, until 10:00.

25  
26 **CHAIR BARNES** – Okay, alright, never mind. Alright, any other comments?

27  
28 **COMMISSIONER BAKER** – I’ve got one question here, on this property where  
29 they own the....who is in charge of keeping all the litter and debris out of there?  
30 Each one of those individual tenants aren’t going to go out and pick all that stuff  
31 up, and I would think if they are the.....are they the property owners of record  
32 right now that property, these fellows here or not?

33  
34 **SENIOR PLANNER CHRIS ORMSBY** – That’s my understanding. There’s at  
35 least three different or four different parcels on this overall parking center.

36  
37 **COMMISSIONER BAKER** – Somebody needs to step up and take care of that  
38 mess back there. It’s something else. I mean, we can put anything in the world  
39 in there, but if we don’t maintain it and make is appealing to people coming in,  
40 they are not going to do it. You can put all kinds of nonbreakable glass, and I  
41 understand it’s not the greatest place in the world to be, I’m with the rest of you  
42 guys. I think it’s great that they are willing to put the money forth, and I don’t  
43 know what they paid for the lease on that, but it’s got to be a pile of dough, and  
44 it’s probably going to be that much again to renovate this because each one of  
45 those is getting an ADA restroom, right? Is that the way it....that’s the way it

1 looks like. Each slot is getting an ADA restroom. I mean, I'm seeing the 60-inch  
2 circle there, I'm assuming that's for the restroom.

3  
4 **SENIOR PLANNER CHRIS ORMSBY** – I think those restrooms would be  
5 provided as the tenants signed leases and improved those spaces and a number  
6 of units being based on that.

7  
8 **COMMISSIONER BAKER** – Tenant improvement as they go along, right?

9  
10 **SENIOR PLANNER CHRIS ORMSBY** – Um-hum, yes.

11  
12 **COMMISSIONER BAKER** – Okay, got it, but who is going to do the exterior?  
13 Are the owners going to do the exterior for the tenant improvement or not? I  
14 mean, they may want to speak to that. I don't know.

15  
16 **SENIOR PLANNER CHRIS ORMSBY** – The tenant improvement would be done  
17 by either the owner or the tenant. The exterior I think would be done by the  
18 property owner.

19  
20 **COMMISSIONER BAKER** – Okay.

21  
22 **PLANNING OFFICIAL RICK SANDZIMIER** – In this particular case, the property  
23 owner is going to improve the exterior of the building. It's kind of like creating a  
24 spec space. After they put in the exterior improvements, the hallway, and they  
25 basically start to form a shell, it can be broken up into the suites. They would  
26 come through the building process, and they would determine what size suites  
27 and what number of suites. We don't have that level of detail at this point, but  
28 they will do the exterior.

29  
30 **COMMISSIONER BAKER** – Okay, that's good, so before that even gets started  
31 on the inside, the outside will be brought up to speed, right? Is that what you're  
32 telling me?

33  
34 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, unless they.....

35  
36 **COMMISSIONER BAKER** – Go on ahead.

37  
38 **SPEAKER RICHARD SENG** – There is actually a five parcel in the whole plaza  
39 and it is actually managed under one PMA management company. They are  
40 responsible for the maintenance and the security for the whole plaza, including  
41 landscaping and parking lot area.

42  
43 **COMMISSIONER BAKER** – So it that a common area maintenance?

44  
45 **SPEAKER RICHARD SENG** – Yes.



1 **COMMISSIONER BAKER** – How come it is not being done? I mean, you're  
2 paying them. I'm sure you're paying CAM fees. I know somebody is.

3  
4 **SPEAKER RICHARD SENG** – Yes, we do, yes.

5  
6 **COMMISSIONER BAKER** – Somebody needs to put a fire under somebody's  
7 tail. Trust me, I would.

8  
9 **COMMISSIONER SIMS** – I have another comment.

10  
11 **CHAIR BARNES** – Commissioner Sims.

12  
13 **COMMISSIONER SIMS** – Thank you. Our office space where I'm at we  
14 share.....it's a....well, it was developed with two buildings, two major tenants, and  
15 so we have reciprocal shared parking and so but there is also one of the tenants,  
16 or our company, has the responsibility to direct what happens for the overall  
17 landscaping of the entire site, the overall maintenance of the parking lot, and all  
18 that sort of stuff. You know, kind of the common not inside the building, the  
19 exterior of the building. The interior of the building, that's to each of our own. So  
20 like for this, and I think you call it a PMA or property management is it's an  
21 association or a homeowners association that is for this entire shopping center. I  
22 like the idea of having a security guard there, but I don't think it should be a  
23 solely born cause because the activity that the security guard.....or the benefit  
24 security provides, not just for this back corner, it should be provided for the entire  
25 thing. I think that should be somehow worked into the CC&R or however the  
26 association is between the parcel owners of this common shopping center. They  
27 should all bear the cost that goes into for the landscape. It's just lighting,  
28 landscape, parking lot striping, seal the concrete, whatever. It should all be part  
29 in parcel. It shouldn't be one guy has to pay for it.

30  
31 **COMMISSIONER LOWELL** – That cost would be paid for by the property  
32 management and that would be worked into the rent agreement, so the whom  
33 pays, it is not really our prerogative.

34  
35 **COMMISSIONER SIMS** – Yeah, but if we add it as a condition to this Plot Plan  
36 approval, then this guy is stuck on it and he has no....he's stuck with it to the  
37 benefit of the other parcel owners. I'm not saying that, if he wants to develop  
38 that, I'm not saying that is something that.... I don't know what the cost of that is,  
39 but it's not cheap. It's a significant cost.

40  
41 **CHAIR BARNES** – Commissioner Gonzalez.

42  
43 **COMMISSIONER GONZALEZ** – I just wanted to mention that once....if and  
44 when this project is improved and improvements begin, the recycling facility will  
45 be relocated, correct, to another.....now, is this recycling facility going to be  
46 specifically onsite on the shopping center location or they could be completely be

1 relocated out and does this recycling facility cause.....is that one of the reasons  
2 there is a lot of people or individuals hanging out in the back because of the  
3 recycling facility or?  
4

5 **SENIOR PLANNER CHRIS ORMSBY** – Well it will have to be relocated. If there  
6 is a desire to relocate it at the shopping center, it will require some application  
7 through the City in terms of an approval for the location of it.  
8

9 **PLANNING OFFICIAL RICK SANDZIMIER** – I'd like to, for the record, the  
10 recycling center from what we found during the review of this process was  
11 approved at the front of the building. Somehow, it has gravitated to the back of  
12 the building, and we do need to address that as a separate issue. So we've  
13 been talking to the Applicant about how they got there, what the approval is, and  
14 they also wanted some assurance that, if this project is approved, what's going to  
15 happen with that recycling center. Since it is no longer where we think it is  
16 supposed to be, we'll address that after this evening, but it does need to be  
17 corrected in some fashion.  
18

19 **COMMISSIONER GONZALEZ** – Thank you.  
20

21 **CHAIR BARNES** – I have to say that all this conversation about security, to me,  
22 reinforces my feeling that the primary entrances, both retail and the business  
23 commercial, should be from the front. This site was never designed to have  
24 John. Q. Public circulating in the back. It's a shopping center. Back there is  
25 loading, unloading, stacking pallets, dumping trash from the store that stuff  
26 comes wrapped in. All those activities to me are conducive to an 8:00 to 5:00  
27 business, somebody who is selling insurance or whatever. I realize it is an  
28 imposition probably on the Applicant, but I really would lobby for making the  
29 primary entrances come from the west side. That's my two cents.  
30

31 **COMMISSIONER GONZALEZ** – But I think that, in these different economic  
32 times, these investors/developers want to create something that moves away  
33 from that model. Yes, it was designed and situated a certain in a way where the  
34 people shouldn't necessarily be in the back there, but I think that their attempting  
35 to repurpose it and reshape it in a way that maybe attracts a different type of  
36 business or customer. I mean, I understand that but, at the same time, I think it's  
37 a different approach to development.  
38

39 **COMMISSIONER NICKEL** – It's a future.  
40

41 **CHAIR BARNES** – Commissioner Lowell.  
42

43 **COMMISSIONER LOWELL** – This site has a lot of security issues the way it  
44 stands. There's a lot of homeless people dumping nefarious activities, just things  
45 that if my back yard, my house backed up to this, I would be afraid to let my kids  
46 play in the backyard. In my tenure of working with the City, both as a

1 commissioner and as an engineer, the previous planning official, the current  
2 planning official, the previous director of land development, the city engineer,  
3 every time I've asked them a question that is unique, I've been told the same  
4 answer. Come up with a unique solution, and we'll figure it out. The City  
5 encourages out of the box thinking to approach, resolve, and solve problems.  
6 My original reaction to this project was, no, this is a terrible idea. However, what  
7 they are proposing to do is far better than the current situation. If I were an up  
8 and coming business owner and I needed a place to set up shop that did not rely  
9 on foot traffic, this would be perfect. I could get a small shop at a discounted rate  
10 because it doesn't have street frontage. If I had my security concerns met with  
11 enhanced glass, maybe a security guard, even though my own company could  
12 hire it, and I got a discounted rate on my lease, this would be perfect for an  
13 upstarting company. It would fix the trash dumping problem because there would  
14 be people coming in and out all the time. The homeless people wouldn't be  
15 sitting there anymore because they don't want to be seen. There would be  
16 people shooing them away all the time. I think this is a unique situation. The  
17 City doesn't have much like this in the City. I think we should give it a shot, and if  
18 it doesn't work, well we've learned from it. I mean, ultimately, the capitalistic  
19 market will figure out if this is a good or bad idea. My only concern is security,  
20 and, if we can address the security issue, let's give it a shot. If they don't like it  
21 and they don't want to lease it, well that's the risk the landlord has, and they can  
22 come up with another idea. I think shooting it down because we think it should  
23 be facing the front, well that's not our call. We're not here to tell them you have  
24 to have everything facing front. I mean, we could have that authority....I mean  
25 we do have that authority, but that's not our prerogative.

26  
27 **COMMISSIONER NICKEL** – Well this is really the future of shopping centers that  
28 is being addressed right now that coming up with that methodology and how to  
29 re-purpose because stores all falling by the wayside.

30  
31 **VICE CHAIR KORZEC** – I believe they are looking for more of an internet-based  
32 business, such as someone who sells a lot on Etsy or someone that sells on  
33 these.....basically, they just need a box to run their business from, not a total  
34 retail where people will be coming in and out. Those businesses are booming. I  
35 sell on the internet, but I'm not looking for a space right now.

36  
37 **COMMISSIONER LOWELL** – I know a place that might be cheap.

38  
39 **COMMISSIONER NICKEL** – We know where there might be one.

40  
41 **VICE CHAIR KORZEC** – I understand the concept of new types of businesses  
42 and usages that are more contemporary, and this seems to be a growing trend in  
43 business.

44  
45 **COMMISSIONER NICKEL** – The development as well.

46

1 **VICE CHAIR KORZEC** – I applaud them for trying this. Whether they will find  
2 the tenants or not, I don't know, but it is an attempt to revitalize something that is  
3 just not very good right now.

4  
5 **COMMISSIONER SIMS** – Right. I like it is not going to be a 99 Cent Store or a  
6 mini-mall. This is, in my opinion, a vast improvement over that, so I guess my  
7 only concern about this is this saddling up the, because this is the last guy in, this  
8 developer or owner has to pay for the security. I don't know how that works if we  
9 were to delay a vote or add, I don't know if we can ask the owner to comment on  
10 this but the other property owners will benefit from having increased security on  
11 this thing. I also think that getting....the City should do Code Enforcement and  
12 get the can recycler guy out of the back. I think that is where you're attracting  
13 some of the nefarious activity, people that make it a living to go pick up cans,  
14 that's probably not where you want them to hang out in the back of buildings all  
15 the time. So I think if you moved that to the front, that would probably help the  
16 situation and even improve this. I think it moves things forward.

17  
18 **CHAIR BARNES** – Well it sounds like we're moving towards a consensus. Are  
19 we to a point where somebody wants to make a motion?

20  
21 **COMMISSIONER LOWELL** – I would like to make a motion, but I would like  
22 some clarification on the condition. How would you word a condition requiring  
23 the tamper-resistant glass and security guard?

24  
25 **PLANNING OFFICIAL RICK SANDZIMIER** – We can work on that. I will let  
26 Chris address it in a second. I do want to speak to the other condition with  
27 regard to a security guard and putting that burden on the entire management of  
28 the center or somebody else. The only Applicant we have is the Applicant and  
29 so, if you put any condition, you can only place it on him. You can't place it on  
30 somebody who isn't speaking for themselves or isn't an applicant of record, so  
31 we can add the language with regard to the security glass. Do you have any  
32 language on that yet, Chris?

33  
34 **COMMISSIONER NICKEL** – I'm sure Moreno Valley PD would appreciate a  
35 security guard there.

36  
37 **CHAIR BARNES** – I think we've all spoken a fair amount about letting the  
38 marketplace drive the development. It's going to do the same thing to security.

39  
40 **COMMISSIONER NICKEL** – Yes, it will.

41  
42 **CHAIR BARNES** – If it's not safe, they will get a guard. If the windows get  
43 broken, they will put in stronger glass, so I think it's not appropriate to require  
44 right out of the gate that they do that.

45

1 **COMMISSIONER LOWELL** – I think that the security guard might be  
2 overstepping, but I think the tamper-resistant glass as a building material, I think  
3 that’s at least something we should.....  
4  
5 **CHAIR BARNES** – I think that’s a choice that is totally up to them. I wouldn’t  
6 support that condition.  
7  
8 **VICE CHAIR KORZEC** – I wouldn’t support it either. I think that is up to the  
9 tenant and then, if things happen, they fix it.  
10  
11 **CHAIR BARNES** – I heard what you said.  
12  
13 **VICE CHAIR KORZEC** – You heard what I said, okay.  
14  
15 **CHAIR BARNES** – Okay.  
16  
17 **COMMISSIONER SIMS** – I don’t know if the Minutes heard you.  
18  
19 **VICE CHAIR KORZEC** – Oh, the Minutes heard me.  
20  
21 **COMMISSIONER LOWELL** – I don’t know if the Minutes heard you.  
22  
23 **VICE CHAIR KORZEC** – Do you think we should go for how many people it  
24 should be a.....  
25  
26 **CHAIR BARNES** – We have more to do tonight...  
27  
28 **VICE CHAIR KORZEC** – Yes we do.  
29  
30 **CHAIR BARNES** – Is somebody in a position that they want to make a motion?  
31  
32 **COMMISSIONER LOWELL** – I would like to add the condition of the temper-  
33 resistant glass. I would like to make that motion.  
34  
35 **CHAIR BARNES** – You make that motion, and we’ll see if somebody seconds it.  
36  
37 **COMMISSIONER LOWELL** – Let’s do that. How would you word that motion,  
38 that condition?  
39  
40 **CHRIS ORMSBY** – The wording I would recommend would be, prior to issuance  
41 of a building permit, building plans shall identify shatter-proof window glass for all  
42 north and east-facing windows, as approved by the Community Development  
43 Director.  
44  
45 **COMMISSIONER NICKEL** – That works for me.  
46

1 **COMMISSIONER LOWELL** – Sounds good for me. I would like to make a  
2 motion to approve Resolution No. 2017-23 and certify an addendum to the  
3 previously-adopted Negative Declaration for Plot Plan.....am I on the right one? I  
4 think I'm on the wrong one. I would like to recommend that the Planning  
5 Commission approve Resolution No. 2017-21 and thereby certify that this item is  
6 exempt from the provisions of the California Quality Act (CEQA) as a Class I  
7 Categorical Exemption CEQA Guidelines Section 15301 for Existing Facilities;  
8 and (2) approve PEN16-0161 Plot Plan subject to the attached conditions of  
9 approval included as Exhibit A as amended tonight.

10  
11 **COMMISSIONER NICKEL** – I'll second.

12  
13 **CHAIR BARNES** – Alright, oh, how do you do that?

14  
15 **VICE CHAIR KORZEC** – Mine's not coming up at all.

16  
17 **CHAIR BARNES** – Alright, having a motion and a second, I guess that calls for a  
18 vote. End vote, sorry, thank you Brian. The motion failed 4-3.

19  
20  
21 Opposed – 4

22  
23  
24 **Motion failed 3 – 4**

25  
26  
27 **COMMISSIONER LOWELL** – So anybody want to make a new motion?

28  
29 **CHAIR BARNES** – So now what are our options?

30  
31 **CITY ATTORNEY MARTIN D. KOCZANOWICZ** – You simply seek alternative or  
32 a different motion.

33  
34 **CHAIR BARNES** – Okay. Would anyone like to make a subsequent motion?

35  
36 **COMMISSIONER GONZALEZ** – Can we change the condition at the first break-  
37 in?

38  
39 **COMMISSIONER LOWELL** – At the first break-in?

40  
41 **COMMISSIONER SIMS** – Well I, before we go into motion making, there is still  
42 hanging chat that we haven't....we've kept on this, so what about the issue about  
43 the height of the fence? We haven't.....discussion on the height of the fence that  
44 was brought up.

1 **CHAIR BARNES** – I think the fence might already be at the maximum height  
2 allowed by the City. If it's 8 feet on the other side, so....  
3  
4 **COMMISSIONER NICKEL** – Yeah, it is.  
5  
6 **CHAIR BARNES** – We might not have the ability to change that.  
7  
8 **COMMISSIONER GONZALEZ** – I think she wanted landscaping.  
9  
10 **CHAIR BARNES** – Well, she is getting landscaping.  
11  
12 **COMMISSIONER NICKEL** – I don't remember. That was a long time ago.  
13  
14 **PLANNING OFFICIAL RICK SANDZIMIER** – One item with regard to the fence,  
15 the fence circles the entire development, and it doesn't.....it crosses property  
16 lines, so we might have an issue with regard to where you can actually condition  
17 them to do the improvements to the fence. With regard to the height of the  
18 fence, I'd have to look into it a little further in terms of what provisions we.....how  
19 tall it is on one side versus the other. I don't know the details on these conditions  
20 at this particular site, so I apologize.  
21  
22 **COMMISSIONER SIMS** – Well, I guess I don't want to hold up the process here,  
23 but at the end of the day.....  
24  
25 **CHAIR BARNES** – It's too late.  
26  
27 **COMMISSIONER SIMS** – I already am, so I'm not.....I'm going to withdraw....I'm  
28 going to leave the hanging chat hang and as far....because I think once it's get  
29 development I think the security should improve there and get the can recycling  
30 thing in the front.  
31  
32 **CHAIR BARNES** – Yeah.  
33  
34 **COMMISSIONER SIMS** – Or relocate it elsewhere.  
35  
36 **CHAIR BARNES** – Yeah, I think everybody agrees that this new development  
37 will be an improvement and much more secure than the previous uses, so for  
38 what that's worth, would anyone like to make an alternate motion?  
39  
40 **VICE CHAIR KORZEC** – I will. Okay, I recommend that we approve Resolution  
41 No. 2017-21 as submitted by Staff as written.  
42  
43 **CHAIR BARNES** – We have a motion by Commissioner Korzec, a second?  
44  
45 **COMMISSIONER BAKER** – I'll second.  
46

1 **CHAIR BARNES** – A second from Commissioner Baker, alright. Do we have to  
2 do a roll call vote?

3  
4 **COMMISSIONER LOWELL** – There we go.

5  
6 **CHAIR BARNES** – Ah, alright will the mover hit the mover button? And the  
7 seconder....alright, please vote. That motion passes 7-0. Congratulations. Is  
8 there a wrap-up?

9  
10  
11 Opposed – 0

12  
13  
14 **Motion carries 7 – 0**

15  
16  
17 **PLANNING OFFICIAL RICK SANDZIMIER** – This is an action by the Planning  
18 Commission, which is appealable. Any interested party that would like to file an  
19 appeal on the actions tonight can file an appeal within 15 days of this action. The  
20 appeal should be directed to the Community Development Director. If we do  
21 receive an appeal, it would be an appeal to the City Council for their action, and it  
22 would be agendized within 30 days after receiving the appeal.

23  
24 **CHAIR BARNES** – Thank you, Rick.

25  
26 **COMMISSIONER BAKER** – Can we take a break?

27  
28 **CHAIR BARNES** – Can we take a 5 minute recess?

29  
30 **PLANNING OFFICIAL RICK SANDZIMIER** – You’re the boss. You’re the Chair.

31  
32 **CHAIR BARNES** – I guess I don’t have to ask, huh? We are taking a 5 minute  
33 recess.

34  
35 **MEETING RECESS**

36  
37 **CHAIR BARNES** – We are now moving to Case 3, Brodiaea Business Center  
38 Project, PEN16-0100, a Plot Plan and PEN16-0101, a Variance. Do we have a  
39 Staff Report?

40  
41  
42  
43 3. Case: PEN16-0100 (PA16-0075) – Plot Plan  
44 PEN 16-0101 (P16-114) – Variance

45  
46 Applicant: Core 5 Industrial Partners



1  
 2 Owner: Prologis Development Services  
 3  
 4 Representative: EPD Solutions  
 5  
 6 Location: Near the southwest corner of Brodiaea Avenue  
 7 and Heacock Street  
 8  
 9 Case Planner: Jeff Bradshaw  
 10  
 11 Council District: 1  
 12  
 13 Proposal: Brodiaea Business Center project – PEN16-  
 14 0100 (PA16-0075) – Plot Plan to develop a  
 15 99,978 square foot industrial building on a 6.71  
 16 acre parcel located within a Business Park  
 17 (BP) zoning district near the southwest corner  
 18 of Heacock Street and Brodiaea Avenue and  
 19 Variance application PEN16-0101 (P16-114) to  
 20 allow for a larger building than the BP zone  
 21 permits due to unique site constraints that  
 22 include a triangular-shaped parcel, an  
 23 easement for the California Aqueduct, and a  
 24 segment of storm drain channel.  
 25  
 26

27 **STAFF RECOMMENDATION**  
 28

29 Staff recommends that the Planning Commission:  
 30

31 1. **APPROVE** Resolution No. 2017-23, and:  
 32

- 33 • **CERTIFY** an Addendum to a previously adopted Negative Declaration  
 34 for Plot Plan PEN16-0100, pursuant to the California Environmental  
 35 Quality Act (CEQA) Guidelines; and  
 36
- 37 • **APPROVE** Plot Plan PEN16-0100 based on the findings contained in  
 38 this resolution, and subject to the attached conditions of approval  
 39 included as Exhibit A.  
 40

41 2. **APPROVE** Resolution No. 2017-24 and:  
 42

- 43 • **RECOGNIZE** that Variance application PEN16-0101 has been  
 44 included in the project description of the Addendum to a previously  
 45 adopted Negative Declaration and has therefore been fully analyzed

1           pursuant to the California Environmental Quality Act (CEQA)  
2           Guidelines; and

- 3
- 4           • **APPROVE** Variance application PEN16-0101 based on the findings  
5           contained in this resolution.
- 6
- 7
- 8

9           **CASE PLANNER JEFF BRADSHAW** – Good evening, Chair Barnes and  
10          Members of the Planning Commission, my name is Jeff Bradshaw. I am an  
11          associate planner in the Planning Division, and I will be presenting the project to  
12          you this evening. The Applicant, Core 5 Industrial Partners, and just one  
13          correction too as I start, the Staff Report lists Prologis, I believe, as the owner of  
14          record. That has since changed. Core 5 is also the owner of record of this  
15          project. The Applicant, Core 5 Partners, has submitted an application requesting  
16          approval of a Variance to allow for a larger single building than the Business Park  
17          Zone Development Standards would typically permit, and that is due to unique  
18          site constraints of the project site. This same Applicant has also submitted a Plot  
19          Plan application proposing the Brodiaea Business Center Project, which would  
20          propose to develop a 99,978 square foot industrial building of concrete tilt-up  
21          construction on a 6.71 acre site located near the southwest corner of Brodiaea  
22          Avenue and Heacock Street. The Business Park Development Standards do  
23          limit a single warehouse building to no more than 50,000 square feet. As stated,  
24          the project proposes to build a single building of 99,978 square feet on the  
25          project site. A site area of 6.71 acres could typically accommodate the  
26          development of two buildings of 50,000 square feet. In this case, that's not  
27          possible due to unique site constraints, which include the site's shape, which is  
28          triangular, the location of the storm-drain channel along the eastern property line,  
29          and a 100-foot wide easement to the Department of Water Resources for the  
30          California Aqueduct, and also a 20-foot easement for Eastern Municipal Water  
31          District for a sewer easement that runs along the westerly side of the project.  
32          The shape of the developable area of this site is irregular. It poses challenges  
33          when designing a project that would maximize the allowable building area while  
34          still having to meet required setbacks, building separation, building height, and  
35          parking requirements. In this case, looking at the findings for a Variance, the  
36          strict or little interpretation enforcement of the limitation of building area to 50,000  
37          square feet or less would result in a practical difficulty or an unnecessary  
38          hardship not otherwise shared by others within the surrounding area or the  
39          vicinity. The Plot Plan for the project proposes again the development of a  
40          99,978 square foot warehouse distribution facility that would include parking for  
41          employees at 87 parking spaces and trailer parking for the proposed dock doors  
42          at 25 parking spaces. The majority of the truck court and parking areas would be  
43          oriented away from the residential properties to the east. The majority of the  
44          truck court would also be screened by the building itself with a small portion of  
45          the truck court screened by a perimeter concrete tilt-up wall along the eastern  
46          side, and the west and south sides of the truck court that are within the Aqueduct

1 would be screened by landscape in a tree row. Primary vehicular access from  
2 the site is from two driveways on Brodiaea Avenue. There would be no access  
3 to the site from Heacock Street, and there would be additional emergency access  
4 to the rear of the building that would come from a shared driveway on Brodiaea  
5 Avenue, which exists now and is used by the City Parks and Community  
6 Services Staff and also by Riverside County Flood Control for access to a  
7 community trail and the storm-drain channel that is located there. The project  
8 site is bounded by vacant Business Park and Business Park mixed-use  
9 properties to the north, existing warehouses in the Light Industrial Zone to the  
10 west, March Air Reserve Base to the south, and existing single-family residences  
11 to the east. The nearest residential property line to the east is more than 250  
12 feet away from the project site. The project design includes architectural  
13 treatments on the buildings north, east, and south elevations where those are  
14 visible from the public right-of-way. The building is separated from the  
15 residences to the east by reverse frontage parkway along Heacock Street on the  
16 east side by the width of the street itself, by a segment of the Heacock storm-  
17 drain channel, and also by the trail segment that runs along the east side of the  
18 project. Additionally, there is a detention basin as part of the project design that  
19 is located between the trail and the building. With regard to the environmental  
20 review for the project, an addendum and initial study checklist to a previously-  
21 adopted Negative Declaration for this area, which included a development  
22 concept for the project site, an addendum was prepared by EPD Solutions in a  
23 manner that is consistent with Section 15162 of the California Environmental  
24 Quality Act. Planning Staff has reviewed the addendum and worked with the  
25 preparing consultant to ensure that the document is comprehensive and  
26 consistent with CEQA requirements, and the addendum represents the City's  
27 independent judgment and analysis for this project. Public notice for this project  
28 was completed per our Code with notice published in the newspaper, mailing  
29 notices going out to residences within 300 feet of the site and the site being  
30 posted. In response to those noticing efforts, I did receive two phone calls, one  
31 from a resident who had questions about the project but ultimately stated  
32 opposition to the idea of a warehouse being built at this location. She indicated  
33 she would provide comments, but I never received written comments, and an  
34 additional phone call with questions about the status of the project and whether  
35 the City had received any inquiries. There, before you this evening, is a copy of  
36 some correspondence that we received before the meeting from another resident  
37 that stated concerns about the proposed project. One last correction to the Staff  
38 Report, and this was something I thought was corrected before the Staff Report  
39 was published and made available, was the order of the recommendations that  
40 we would be making to you this evening. So it is important to note that we would  
41 recommend the following: The action on the Variance be the first action that the  
42 Planning Commission take, so Staff would recommend that the Planning  
43 Commission approve Resolution 2017-24 taking action on the Variance; and  
44 second approve Resolution 2017-23 approving the project. That concludes my  
45 presentation. I am prepared to answer questions for you, and there are

1 representatives here from EPD Solutions to also assist with any questions you  
2 might have about the addendum or technical aspects of the project.

3  
4 **CHAIR BARNES** – Thank you, Jeff. Questions? Commissioner Lowell.

5  
6 **COMMISSIONER LOWELL** – Good evening Mr. Bradshaw. How are you doing  
7 today?

8  
9 **CASE PLANNER JEFF BRADSHAW** – Good.

10  
11 **COMMISSIONER LOWELL** – I have a question for you regarding the zoning.  
12 One of the primary issues is that they filed an application for approval of a  
13 Variance to allow for a larger building in the Business Park Zone due to unique  
14 considerations going from 50,000 square foot maximum to a 99,000 square foot  
15 building. What is the zoning around the project? I know you mentioned it, but I  
16 didn't get a chance to write it down, and we don't have a Zoning Map in front of  
17 us.

18  
19 **CASE PLANNER JEFF BRADSHAW** – I went kind of fast, I apologize. The  
20 zoning to the north is also Business Park or Business Park mixed-use, and those  
21 parcels remain vacant and yet to be developed. The zoning to the west is Light  
22 Industrial, and then to the south is Business Park also I believe at the corner and  
23 then from there you're outside City's jurisdiction and March Air Reserve Base is  
24 on the south side of Cactus. And, to the east, is zoned R5 for residential  
25 development.

26  
27 **CHAIR BARNES** – Just to clarify something on your question. It's not 50,000  
28 maximum. It's a 50,000 square foot building maximum, right?

29  
30 **COMMISSIONER LOWELL** – Correct.

31  
32 **CHAIR BARNES** – So they can have...the total square footage does not exceed  
33 the zone requirement.

34  
35 **CASE PLANNER JEFF BRADSHAW** – That's correct.

36  
37 **CHAIR BARNES** – It just the limitation on the building size.

38  
39 **CASE PLANNER JEFF BRADSHAW** – The limitation under the zone is a single  
40 building that would not exceed 50,000 square feet. Okay, yes, you're correct.  
41 There could be multiple buildings of 50,000 square feet on the site.

42  
43 **CHAIR BARNES** – Right, okay.

44  
45 **COMMISSIONER LOWELL** – So the question I was getting towards was, on the  
46 single larger footprint of 99,000, practically 100,000 square feet.

1  
2 **CASE PLANNER JEFF BRADSHAW** – Yes.

3  
4 **COMMISSIONER LOWELL** – Does that fit with the Business Park or does that fit  
5 with any of the zoning surrounding it, or is this going to be the sole building that is  
6 going to be out of place because of the Variance?

7  
8 **CASE PLANNER JEFF BRADSHAW** – In terms of the size and how it relates?

9  
10 **COMMISSIONER LOWELL** – A building of that size.

11  
12 **PLANNING OFFICIAL RICK SANDZIMIER** – I think the exhibit that is up right  
13 now will show you that the closet building to it is larger, almost longer than the  
14 existing site, so the 100,000 square foot building is going to be slightly smaller  
15 than the building that is adjacent to it, but that building is in Light industrial  
16 Zoning.

17  
18 **COMMISSIONER LOWELL** – And what I was getting towards is that, the  
19 building that is being proposed, it is conformance with the surrounding buildings  
20 and the surrounding projects. It's not going to stick out like a sore thumb having  
21 a huge Sketchers building in the neighborhood.

22  
23 **PLANNING OFFICIAL RICK SANDZIMIER** – What we've found is that, rather  
24 than having two 50,000 square foot buildings, the 99,000 square foot building still  
25 fits on a site, and it would be compatible with or consistent with the buildings that  
26 are around it. It is not a ginormous building if that is what you're looking for.

27  
28 **COMMISSIONER LOWELL** – That's kind of what I was going for. Would it be a  
29 better idea instead of getting a Variance to do a Change of Zone to change it to  
30 Light Industrial so it would fit on there better or?

31  
32 **PLANNING OFFICIAL RICK SANDZIMIER** – The Change of Zone is an option  
33 that would be considered, but I believe that would also require a General Plan  
34 Amendment and a Change of Zone to get to that, and so this was an option  
35 because we looked at it carefully in the Zoning Ordinance that the size of the  
36 building, which is different.....it is kind of unique because the use is 50,000  
37 square-foot buildings but development standards are usually related to size of  
38 things that can fit, and so in this case we're bringing it to you as a Variance for  
39 the size. Warehouses are still allowed as the use and, if they came in and built  
40 two separate 50,000 square foot warehouses, you'd have 100,000 square foot of  
41 warehouse occurring on that site. Trying to fit the two buildings of 50,000 square  
42 feet on the site became difficult when they actually tried to lay it out in terms of  
43 circulating the trucks through it and fitting the parking on there and looking at all  
44 the other requirements, so this was kind of a can-do, let's try to find a solution  
45 that fits into what we believe our Variance provisions allow.

46

1 **COMMISSIONER LOWELL** – Alright, thank you.

2  
3 **CHAIR BARNES** – Anyone else? No questions? Wow, well done Mr.  
4 Bradshaw.

5  
6 **VICE CHAIR KORZEC** – It's still early.

7  
8 **CHAIR BARNES** – Alright, seeing no other questions, would the Applicant like to  
9 come forward?

10  
11 **APPLICANT ALAN SHARP** – My name is Alan Sharp. I am working with Core 5  
12 in the development of this project, and we've developed numerous projects in the  
13 City of Moreno Valley in the past under a different name, and we're proud to  
14 come back with another what we consider to be institutional high-quality project.  
15 Basically, I'm here to answer questions, but I just wanted to make a couple of  
16 points. One was with respect to this building size. Once again, the option to go  
17 to two 50s presented some things that....it's kind of ironic. We felt it was more  
18 harmful to the community to have two 50s and the reason is, if you look at the  
19 layout of the building, the back of the building screens all visual site activity, as  
20 opposed to a 50,000 would have a large gap. It would have to be big enough to  
21 allow trucks to maneuver in that area and whatever. Due to the trapezoidal  
22 nature of the site, you can see that would create a pretty unmarketable building.  
23 This particular building size also has a strong marketability presence, and I've  
24 heard it referred to as a warehouse. Certainly, it could be that, but I think it's also  
25 fair to say it could be a corporate headquarters. This particular size we cater to  
26 some folks who would either bundle or manufacture or create some kind of, for  
27 example, in the E-business, which is, as you are all aware, starting to shrink  
28 down in some smaller buildings now. It gives us that flexibility to cater to those  
29 types of businesses, not just strictly the larger Amazon-type businesses but  
30 some of the smaller ones what we've done is, with the screen wall, this is a six  
31 month process. We developed a screen wall to screen anything that might occur  
32 on that very south narrow portion of the trapezoid, so as to not give consideration  
33 with respect to the DB rating and what have you that we would have for sound  
34 attenuation to the neighbors to the east, and we have.....and you're Staff has  
35 been very good at requiring the necessary reports be it traffic, air quality, GHG  
36 and what we have you to verify that there is no significant impact with respect  
37 from going to one 100,000 versus two 50,000. Of course, I would argue that in  
38 fact it was our choice that it would be less damage to the immediate area with a  
39 single 100,000. The fenestration on the building has been added to three  
40 corners so the building will look higher in. It won't just be a mass of concrete wall  
41 to the street. Then, there is a channel and a fire access road around the  
42 building, which separates it from the street as well. So you have quite a distance  
43 from the actual street before you get to the building, once again, of which there is  
44 no way for sound to go through the building and then head out towards to the  
45 residents to the east. With that, I will just answer any questions you may have

1 about the structure, any concerns you might have about it, I would be glad to  
2 answer.

3  
4 **CHAIR BARNES** – Thank you Mr. Sharp. Questions? Apparently not.

5  
6 **COMMISSIONER LOWELL** – Do you happen to have any tenants in mind?

7  
8 **APPLICANT ALAN SHARP** – We have....yes we do. We have one, which I  
9 can't disclose....

10  
11 **COMMISSIONER LOWELL** – You can't disclose yet....

12  
13 **APPLICANT ALAN SHARP** – But we do have one that kind of fits the model of  
14 what I just said. It is a tenant that is, not to create a rivalry here, but it is a tenant  
15 that is competing, not in one of my buildings but another building in your  
16 immediate area that is competing, and it is a building that would have point sales  
17 and what have you as well that services.....ironically services a lot of these types  
18 of buildings in the local area.

19  
20 **COMMISSIONER LOWELL** – So if the building was built, it wouldn't sit vacant  
21 for too long?

22  
23 **APPLICANT ALAN SHARP** – Not in this market. We believe the market is right.  
24 This is a much smaller building than I typically would build to speculate. It's a  
25 little small for an institutional speculative building, but it does seem to fit, and it  
26 takes an almost irregular or un-reusable piece of property and makes something  
27 productive out of it, as opposed to what a storage yard or something where you  
28 might end up with a trapezoid like this. So I think the outcome for the city is  
29 pretty positive. We have with the drought-tolerant landscape, the LED lighting,  
30 the reflectors. Everything is set to cause as little encroachment into the  
31 residential as we can into the east.

32  
33 **COMMISSIONER LOWELL** – Thank you.

34  
35 **APPLICANT ALAN SHARP** – Thank you.

36  
37 **CHAIR BARNES** – Any other questions of the Applicant?

38  
39 **APPLICANT ALAN SHARP** – Okay I would just like to say, if there are any  
40 CEQA related questions, we have EPD here. They'd be glad to answer anything  
41 with respect to if anyone had any questions about entitlement or issues with air  
42 or anything like that. We can respond to those. Thank you.

43  
44 **CHAIR BARNES** – Thank you. I'm seeing no questions. Let's open the Public  
45 Hearing. The first speaker is Rafael Brugueras.

46

1 **SPEAKER RAFAEL BRUGUERAS** – Good evening Chair, Commissioners,  
2 Staff, Residents, and our guests, when I got my notice when the City Clerk sends  
3 out the Agenda, I looked on every one. I was on page 80 of the Agenda, and I  
4 looked at the site area and six-point something, and I read this is not possible for  
5 the project site to do unique site constraints, which includes the site triangle  
6 shape. So I said okay, I Googled....I mean, I GPS'd myself there. I said, oh I  
7 know the corner very well, so the first thing I did was park my truck next to the  
8 water drain where the runoff goes. The first thing I looked over, and I saw the  
9 houses, and I said okay. I looked at the impact. That's the first thing I did, so  
10 there is a concrete.....excuse me, I am sucking on a cough drop there, sorry. So  
11 there's concrete from Bonita all the way to the other side. I didn't know what it  
12 was, so anyways I took my truck, and I drove down the concrete on the side  
13 of.....and I didn't know that the other side was Cactus. I said, oh, all these years  
14 I've been running up and down, it didn't know that the two things were like that.  
15 So anyway what I did was I looked at the project. I went down from one end of  
16 the street to the other. I made a U-turn on Cactus and went back. When I got to  
17 Bonita, I made a left and I went all the way down to the end. So I learned  
18 something. We have the storm drain and then we've got the Flood Control in the  
19 back. Then, we've got a unique shape that this developer wants to build his  
20 project on, and I thought about Nevada. How we go to Nevada quite a few times  
21 and, every time we go there, we see a brand new building in a small area shaped  
22 into a hotel or office building. Think about the unique stuff that they do in Nevada  
23 that we can do here in Moreno Valley. This developer is going to take a triangle  
24 shape. Instead of building outward two 50,000, he is going to build one 99,000  
25 and still meet all the requirements that the City side, okay.....still meet the  
26 requirement setback, building separation, building height, and parking  
27 requirements. The Staff is doing a great job. I thought about Jeff just now, when  
28 he got this case, how was he going to handle this unique triangle shape and to  
29 try to tell you why it works so well. It can happen. We have to think outside of  
30 the box. We can do things in different shapes by going upward and still meeting  
31 all the requirements around it. Nothing is impossible. If they can do it in Los  
32 Angeles and Nevada, we can do it in Moreno Valley.

33  
34 **CHAIR BARNES** – Thank you Mr. Brugueras. Next speaker is Kathleen Dale.

35  
36 **SPEAKER KATHLEEN DALE** – I do have one this time, thank you. The  
37 handouts include a Zoning Map for you, so maybe that'll be helpful for you when  
38 you get into your deliberations. My name is Kathleen Dale. I don't live near this  
39 project, but the project does interest me, and I did go out and speak to eight of  
40 the neighbors in the area all who were opposed to the project. I can't explain to  
41 you why they don't come out, but I know these meetings are overwhelming and  
42 intimidating for regular citizens. I think that Commissioner Lowell hit the nail on  
43 the head on this one. The question is not whether this is a good project or not  
44 but whether this project is permitted by the zoning, and the materials that I've  
45 given you include the Permitted Uses Table from the Zoning Ordinance for the  
46 BP Zone. This 50,000 square foot building size is in the Permitted Uses, not in



1 the Development Standards. You cannot grant a Variance to the permitted uses.  
2 You can grant Variances, and I've given you the excerpt from the Development  
3 Code from Development Standards but not from the use. So I think with the  
4 action that is in front of you tonight, you have three options. You have to deny it  
5 because you can't make the findings, or the plan has to be revised to not exceed  
6 50,000 square feet in the building area, or you have to come back with a Zone  
7 Change to Light Industrial. I think on the front of the Zone Change, I don't think  
8 it's wise because, if you look at that Zoning Map and you look at your industrial  
9 zoning designations, the Business Park Zone is set up as a buffer between  
10 residential and other sensitive uses and the Light Industrial uses, the more  
11 intense industrial uses. That's in your purpose statements of your various  
12 industrial zones. So, myself, I really think it should be revised to a 50,000 square  
13 foot building to comply with the zoning or come back and see if the rezoning can  
14 be supported. If there is going to be an intent to approve the project as it's  
15 before you, I think that there are a few minor things, and I did discuss these with  
16 Mr. Sharp this morning or this afternoon maybe it was. The building has four  
17 docks on the south end of the building, and it is really hard to see on the  
18 reduced-scale drawings. If those docks were removed, if the wall height was  
19 increased around that southern edge of the project, because that southern dock  
20 area, it lines right up with Powell Street, all the activity and commotion from that  
21 is just going to shoot straight down that street at those homes. Then, also all of  
22 the residents there, every single one of them, is concerned about the truck traffic  
23 on Heacock. As George mentioned to you, Heacock is becoming a major truck  
24 route. They were all concerned about trucks coming out on Brodiaea, and if  
25 something could be done to restrict truck traffic coming out on Brodiaea, I think  
26 that is about the best you can do with the plan that's before you. The residents  
27 said they all remembered when the other projects were approved, that the  
28 original design, there were not supposed to be trucks coming out on Brodiaea  
29 and they lived there then. I didn't have time to research it, and Mr. Sharp said he  
30 didn't recall that was on the record, so good luck.

31  
32 **CHAIR BARNES** – Thank you. George Hague.

33  
34 **SPEAKER GEORGE HAGUE** – Good evening, George Hague, resident here in  
35 Moreno Valley. I had something I was printing out to speak on, and then my  
36 printer didn't work so I quickly emailed it. Hopefully, you may have it. I don't  
37 even have it in front of me, so we'll have those comments in front of you, and I'll  
38 add some additional comments to you. There I am. Thank you very much, but  
39 adding to those comments since I was sitting back. I am concerned about the  
40 toxic trucks going up and down Heacock past three elementary schools. This  
41 simply adds to it. I see nothing in the Conditions of Approval to try to force them  
42 going down south or some other way to exit into 215, rather than going north past  
43 the school. Signage. There are different ways with curbs to force trucks to go a  
44 certain direction when they leave a project at least. Those things are not there. I  
45 don't see them in anything that the City puts together on warehouses on the  
46 southwest part of our City, and they definitely should. I continually hear about

1 two 50,000 square foot projects, and yet the original Negative Declaration was  
2 for an 82,000 square foot, and so this project is actually increasing by 17,000  
3 square feet, the approval that was taking place under the Negative Declaration.  
4 So it wasn't two 50,000. It was an 82,000 square foot footprint, according to the  
5 Staff, the documents that are before you. They also talk in that declaration, it  
6 says under greenhouse gas: Greenhouse gas impacts were not analyzed in the  
7 Adopted Negative Declaration because existing CEQA criteria and thresholds for  
8 analyzed greenhouse gases did not exist at the time in 2005 when the Negative  
9 Declaration was prepared. Then, on the next page, it says furthermore, and then  
10 they talk about all these conditions that can take place. Then it says, furthermore  
11 the proposed project would not result in any new or more severe greenhouse-gas  
12 related impacts and would be generated by building an 82,994 square footprint  
13 as analyzed in the Adopted Negative Declaration. When they first said it wasn't  
14 analyzed in the Adopted Negative Declaration. Now, they are referring to it as  
15 analyzed in the Adopted Negative Declaration. Then, it goes on to say no new  
16 impacts nor substantially more severe greenhouse gas impacts, emissions,  
17 related impacts would result from the adoption and implementation of the  
18 proposed project. Therefore, no new or revised Mitigation Measures are  
19 required. So, once again, it was not analyzed and yet then they say, well  
20 compared to what was analyzed, there are no additional impacts. Greenhouse  
21 gas impacts are substantial in our area. We should be very concerned about  
22 them, and more needs to be done on this. I wrote some additions to what I also  
23 wrote earlier. I thank you for your consideration of what I have mentioned and  
24 Ms. Dale has mentioned. I look forward to your discussion.

25  
26 **CHAIR BARNES** – Thank you Mr. Hague. Any other speakers? I see none on  
27 the list. That being the case, we will close the Public Hearing and.....

28  
29 **PLANNING OFFICIAL RICK SANDZIMIER** – You want to bring the Applicant  
30 back up to rebut.

31  
32 **CHAIR BARNES** – Ah, I forgot that again. Mr. Sharp, would you like.....

33  
34 **COMMISSIONER NICKEL** – He's still learning.

35  
36 **CHAIR BARNES** – My apologies.

37  
38 **APPLICANT ALAN SHARP** – Thank you so much. Let me just say this, yes, I  
39 did speak with Kathy a few hours back. Unfortunately, I hadn't had a chance to  
40 speak with her before, but we did have some conversation, and I have agreed to  
41 give some consideration. I would like to say this: We can see.....the reason for  
42 the analogy of the two 50,000 square-foot buildings was because that was the  
43 seller of the property what Prologis had run through the City and had been kind  
44 of adopted by I think a lot of us as what we being planned. So, when we bought  
45 the project, that's what they had proposed. So it's our apologies for that, and we  
46 do agree that it is in fact.....the original analysis was done based on 82,000 feet.

1 Let me address the doors to the south. The reason the doors to the south were  
2 put there is because the trapezoidal shape. Once again, that's a little creative  
3 thinking as to how do we not isolate a major quadrant of the building, if you will,  
4 from access. I would be willing to cut those doors back, halve them of  
5 something, if that would please some of the citizens or whatever to reduce it. I  
6 just didn't want to completely kill that into the building. With respect to the screen  
7 wall height, the.....it's our intention to screen completely the trailers, and so we  
8 would certainly be happy to live with a condition that would require complete  
9 screening of any trailers that would be parked on that southeastern portion of the  
10 building, and I believe that's what Jeff's done. As a matter of fact, I believe that  
11 is what we have, but I'll.....just in case that isn't covered properly, I'll address  
12 Kathy's issues and say, yes, we agree. We will do that. I can understand that.  
13 With respect to the truck routes, one of the reasons.....when you're doing your  
14 due diligence and you're buying a project, you look at where truck routes are  
15 before you place your bet. We have purchased this property, so you look at that  
16 and we do have.....we have it on record that in fact those are truck routes.  
17 However, that being said, we would be more than glad and try to post signs and  
18 put it in the leases or whatever that the tenants would try to direct their traffic on  
19 a westerly route to Brodiaea to minimize whatever traffic is proposed to go up  
20 and down Heacock, even though we are fully permitted to do that as it is a truck  
21 route. Then, with respect to the other issues on entitlement, we understand there  
22 are some different opinions. However, it was well vetted with EPD, with the City,  
23 and we have looked at this legally, so I'm going to turn this over if you would like  
24 to hear more. If you wouldn't, then we just won't, but if you'd like to hear a little  
25 more on the route that we're taking with respect to the zoning versus the  
26 addendum and what have you, then Konnie would like to speak to that with EPD.  
27 We appreciate your diligence there. Prior to me stepping down, is there anything  
28 else that you would like me to address that's been discussed?

29

30 **CHAIR BARNES** – It doesn't appear so.

31

32 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chair.

33

34 **CHAIR BARNES** – Yes.

35

36 **PLANNING OFFICIAL RICK SANDZIMIER** – With regard to Konnie speaking,  
37 we also want to acknowledge that Konnie is representing the environmental  
38 aspect of the project, which is really an extension of the Staff as well, so we  
39 would welcome Konnie to come up and add.....

40

41 **APPLICANT ALAN SHARP** – I hope I wasn't out of line.

42

43 **PLANNING OFFICIAL RICK SANDZIMIER** – We....she's working for both the  
44 Applicant and the City, but the environmental document is something that we  
45 have to substantiate that we provided independent review on. We have, but she  
46 works with us on that. Thank you.

1  
2 **CHAIR BARNES** – Alright.

3  
4 **APPLICANT ALAN SHARP** – Thank you for your time.

5  
6 **CHAIR BARNES** – Thank you.

7  
8 **SPEAKER KONNIE DOBREVA** – Good evening Commissioners. My name is  
9 Konnie Dobreva. I'm the environmental consultant that prepared the addendum  
10 that is in front of you. I wanted to address a couple of items that the speakers  
11 have brought up. Number one is the Greenhouse Gas Analysis. The speaker is  
12 correct that the conclusion was erroneous. The GHG was never analyzed as a  
13 part of the original document in 2005 because it wasn't a requirement of CEQA,  
14 so what we did with this document is to actually model 99,000 square feet of  
15 development to see whether, from existing conditions, whether there would be  
16 any significant impact. There were none, and when you do an addendum, our  
17 job is not to look at the full development, even though we did, our job is to only  
18 look at the Delta between what was previously approved, which is 82,994 square  
19 and the 99,978, so that is the only requirement we have under CEQA. We  
20 actually analyzed the full development throughout the entire document, and there  
21 were no significant impacts. We also remodeled and did a new health risk  
22 assessment to see whether the truck routes going up Heacock and going  
23 towards to the 215 and the 60 would have any impacts on the residential uses,  
24 and they wouldn't. No Mitigation Measures were required.

25  
26 **CHAIR BARNES** – Thank you. Any additional questions? There's none. Thank  
27 you very much. Alright, any deliberation?

28  
29 **COMMISSIONER SIMS** – I would note this is....this center point specific plan or  
30 the plan was done probably in the 80s when this was originally conceived or 90s  
31 when this was conceived, and I think you're just seeing an extension of its finally  
32 manifestation of things going vertical now. Looking at the cross-sections  
33 provided on attachment I, you look at the south elevation, it looks like there is  
34 significant wall structure, screened walls to screen off.....excuse me, the east  
35 elevation is the one I think of concern that's kind of the front. There is screening  
36 there for the docking, and it looks like it is somewhere in the neighborhood of 130  
37 to 160 feet from the buildings to the actual centerline of Heacock, so there is  
38 quite a bit of distance between the actual building, which for the most-part looks  
39 like it is more of just a straight building. There is no activity on that side, so  
40 anyhow I would tend to believe that there is minimal impact as far as seeing  
41 trucks per say driving on the property in and out. I can't speak to the Heacock  
42 truck traffic, but if it's already a truck traffic route, it is what it is.

43  
44 **CHAIR BARNES** – Thank you Jeff.

45  
46 **COMMISSIONER GONZALEZ** – I have a comment.

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**CHAIR BARNES** – Commissioner Gonzalez.

**COMMISSIONER GONZALEZ** – Is Heacock a designated truck route? I know there is a lot of discussion on that or.....

**ERIC LEWIS TRAFFIC ENGINEER** – Yes, good evening Commissioners. Heacock Street is a designated truck route throughout the entire city.

**COMMISSIONER GONZALEZ** – Thank you.

**CHAIR BARNES** – Do we have the Truck Route Map available? Alright, perfect.

**COMMISSIONER NICKEL** – That worked really good. Well, I'll loan you mine too. Maybe between the two.....

**CHAIR BARNES** – That's alright. Thanks.

**COMMISSIONER NICKEL** – Ah, here's somebody.....

**CHAIR BARNES** – Sure. Anybody wanting to see this or just me?

**COMMISSIONER NICKEL** – That's okay, just pass it along.

**CHAIR BARNES** – Okay.

**COMMISSIONER LOWELL** – If I'm not mistaken, the Site Plan shows that the only two entrances and exits are on Brodiaea. There is no entrance or exit onto Heacock. Am I correct?

**CASE PLANNER JEFF BRADSHAW** – That's correct. There is no access from Heacock.

**COMMISSIONER LOWELL** – And in order to direct traffic away from Heacock, you'd have to make a left turn on Brodiaea, which would be not very advantageous, so I think a right-in/right-out would be a better mechanism and you'd have to go to Heacock regardless in order to make it to Cactus, which is a freeway exit or north.....I see the concerns, but I don't see there's an easy way to remedy it, and I think what's proposed is probably the best use and one of the better designs I've seen.

**CHAIR BARNES** – Anyone else.

**COMMISSIONER LOWELL** – One of the other questions I have, this is just kind of a little bit out there, the California Aqueduct is going right through the project. It has a Department of Water easement. The City has a trail, a Master Plan Trail

1 Plan that goes on top of that easement. It looks like the trail stops at Heacock,  
2 and it continues a little bit further down up to the north off of I think that's  
3 Alessandro maybe. Is there any connection from the Heacock terminus of the  
4 trail to the north?

5  
6 **CASE PLANNER JEFF BRADSHAW** – The connection is actually the concrete  
7 trail segment that you see that runs north/south parallel to the channel.

8  
9 **COMMISSIONER LOWELL** – So the parallel is Heacock?

10  
11 **CASE PLANNER JEFF BRADSHAW** – Right, so rather than continue to follow  
12 the alignment like we see in other places over the top of the Aqueduct, this is a  
13 connecting piece. As the development occurs to the north, that trail will continue  
14 north to Alessandro, which would be the connection back to the west again to  
15 where you would pick up the trail alignment where it is over the Aqueduct going  
16 north from Alessandro.

17  
18 **COMMISSIONER LOWELL** – Gotcha.

19  
20 **CHAIR BARNES** – So Heacock to Alessandro and then west to the Aqueduct.  
21 Okay.

22  
23 **COMMISSIONER LOWELL** – Yeah, I've seen that trail. I've walked on it. I  
24 didn't realize that's what that was. It just a concrete path. I'm like, oh, this is like  
25 another driveway, but I guess it's another.....

26  
27 **CASE PLANNER JEFF BRADSHAW** – Or a way to inspect the site.

28  
29 **COMMISSIONER LOWELL** – Exactly. There you go. Okay, thank you.

30  
31 **CHAIR BARNES** – Thanks Jeff. Anything else?

32  
33 **COMMISSIONER BAKER** – You ready for a motion?

34  
35 **CHAIR BARNES** – I think someone should make a motion if there of a mind.

36  
37 **CITY ATTORNEY MARTIN D. KOCZANOWICZ** – Just a reminder Honorable  
38 Chair and Commission Members, Staff would request the first action that's taken  
39 is on the Variance.

40  
41 **CHAIR BARNES** – Yes. Separate votes?

42  
43 **CITY ATTORNEY MARTIN D. KOCZANOWICZ** – Yes.

44  
45 **CHAIR BARNES** – Okay.

46

1 **COMMISSIONER BAKER** – Okay, I move that the Planning Commission hereby  
2 approve Resolution 2017-23 and thereby certify an addendum to the previously-  
3 adopted Negative.....

4  
5 **CHAIR BARNES** – Commissioner Baker.....

6  
7 **COMMISSIONER BAKER** – Am I on the wrong one?

8  
9 **CHAIR BARNES** – Yeah, we have to do the second one first; the Variance, dash  
10 24.

11  
12 **COMMISSIONER BAKER** – Oh, I’m sorry. I’m sorry.

13  
14 **CHAIR BARNES** – Not a problem.

15  
16 **COMMISSIONER BAKER** – So we start off I move that we approve Resolution  
17 2017-23....am I on the right deal?

18  
19 **CHAIR BARNES** – 24.

20  
21 **COMMISSIONER BAKER** – 24? Oh, I go down here. I’m sorry, so what are  
22 the....okay approve Resolution 2017-24 and recognize the Variance application  
23 of PEN16-0101 has been included in the project description of the addendum to  
24 the previously-adopted Negative Declaration and has therefore been fully  
25 analyzed pursuant the California Environmental Quality Act Guidelines; also,  
26 approve Variance application PEN16-0101 based on the findings contained in  
27 this Resolution. Is that it?

28  
29 **CHAIR BARNES** – That’s it. Do you want to hit the mover button?

30  
31 **COMMISSIONER BAKER** – You bet. It’s not up here right now, let’s see, I got it.  
32 How’s that?

33  
34 **CHAIR BARNES** – There we go. A second? Seconded by Commissioner  
35 Gonzalez. Please vote. The motion carries 7-0.

36  
37  
38 Opposed – 0

39  
40  
41 **Motion carries 7 – 0**

42  
43  
44 **CHAIR BARNES** – Yes, thank you Commissioner Lowell for keeping me on the  
45 straight and narrow. We need a motion now for Resolution No. 2017-23, and we  
46 have to do this verbally roll call. So a motion from.....

1  
2 **COMMISSIONER GONZALEZ** – I would like to make a motion, the  
3 recommendation of the Planning Commission to approve Resolution No. 2017-23  
4 and certify addendum to pursue an Adopted Negative Declaration for Plot Plan  
5 PEN16-0100 pursuant to CEQA Guidelines; and approve Plot Plan PEN16-0100  
6 based on the findings contained in this Resolution and subject to the attached  
7 Conditions of Approval included as Exhibit A.

8  
9 **COMMISSIONER NICKEL** – Second.

10  
11 **CHAIR BARNES** – And a second from Commissioner Nickel. Can we have a roll  
12 call vote?

13  
14 **COMMISSIONER GONZALEZ** – Yes.

15  
16 **COMMISSIONER KORZEC** – Yes.

17  
18 **COMMISSIONER LOWELL** – Yes.

19  
20 **COMMISSIONER NICKEL** – Yes.

21  
22 **COMMISSIONER BAKER** – Yes.

23  
24 **COMMISSIONER SIMS** – Yes.

25  
26 **CHAIR BARNES** – Yes. The motion passes 7-0, and I think that concludes the  
27 case, so do we have a wrap-up from Staff?

28  
29  
30 Opposed – 0

31  
32  
33 **Motion carries 7 – 0**

34  
35  
36  
37 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, there is. You've taken two  
38 actions tonight, one is on a Variance and one is on a Plot Plan. Each action is  
39 separately appealable to the City Council. If any interested party would like to file  
40 an appeal on either of the actions, they would have to file a separate appeal for  
41 each of the actions. That appeal should be directed to the Community  
42 Development Director within 15 days of this action. If we do receive any appeals  
43 on either of those items, we would agendaize it for City Council consideration  
44 within 30 days.



1 **OTHER COMMISSION BUSINESS**

2  
3  
4 **STAFF COMMENTS**

5  
6  
7 **PLANNING COMMISSIONER COMMENTS**

8  
9  
10 **CHAIR BARNES** – Thank you. Any closing comments?

11  
12 **COMMISSIONER LOWELL** – I would like to commend and thank both  
13 Commissioners Lori Nickel and Erlan Gonzalez. I do hope that they find their  
14 way back to the Planning Commission. I know tonight is going to be their last  
15 night. The City Council hasn't made the wind up yet onto whose going to be  
16 filling these seats and the alternate vacant seats, but it has been a pleasure  
17 working with you guys for the last two years. I really hope to see you guys again  
18 very, very soon.

19  
20 **CHAIR BARNES** – Thanks Commissioner Lowell, I.....

21  
22 **COMMISSIONER NICKEL** – Thank you for that.

23  
24 **CHAIR BARNES** – I second that. You guys have been troopers in a difficult  
25 situation at times, and you've handled it extremely professionally. Thank you for  
26 your service and, as Commissioner Lowell said, we would love to see you guys  
27 back up here on the dais, so Commissioner Gonzalez.

28  
29 **COMMISSIONER GONZALEZ** – I just want to say thank you to everyone. I've  
30 learned a lot, grown a lot, and established good relationships with my Planning  
31 Commission colleagues. Specifically, Lori and I have been through a lot together  
32 as alternates, but I think we've.....I think we'll get there. I'm thinking positively  
33 here. I want to thank Staff and everyone that's made our growth here in the City  
34 possible, so thank you.

35  
36  
37 **ADJOURNMENT**

38  
39 **CHAIR BARNES** – Alright, seeing no other comments I think we will adjourn the  
40 meeting until.....

41  
42 **PLANNING OFFICIAL RICK SANDZIMIER** – The Agenda is actually reflecting  
43 the wrong date for the adjournment. I would ask you to adjourn the meeting to  
44 May 11, 2017. There is a possibility that we may need to bring the Capital  
45 Improvement Budget to the Planning Commission on May 11, 2017. If we do not  
46 have that meeting on May 11, 2017, the next meeting would be on May 25, 2017,

1 but I would like you to adjourn to give us the opportunity to come back on May  
2 11, 2017.

3  
4 **CHAIR BARNES** – Alright, with that then, we adjourn tonight’s meeting to the  
5 next scheduled meeting on May 11, 2017.....

6  
7 **PLANNING OFFICIAL RICK SANDZIMIER** – I’m hearing confirmation that the  
8 CIP won’t be here until the May 25, 2017, so you’re welcome.....you can  
9 actually adjourn it to May 25, 2017.

10  
11 **CHAIR BARNES** – Alright, I’m so confused. We’ll adjourn the meeting to the  
12 next regular-scheduled meeting of May 25, 2017, at 7:00 PM here in the Council  
13 Chambers. Thank you everyone for your patience and support.

14  
15 **COMMISSIONER NICKEL** – Good job.

16  
17  
18 **NEXT MEETING**

19 *Next Meeting: Planning Commission Regular Meeting, May 25, 2017 at 7:00*  
20 *PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street,*  
21 *Moreno Valley, CA 92553.*

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28  
29 \_\_\_\_\_  
30 Richard J. Sandzimier  
31 Planning Official  
32 Approved

\_\_\_\_\_ Date

33  
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35  
36  
37  
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39  
40  
41  
42 \_\_\_\_\_  
43 Jeffrey Barnes  
44 Chair  
45 Approved

\_\_\_\_\_ Date