1 2 3	CITY OF MORENO VALLEY PLANNING COMMISSION  REGULAR MEETING  CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET
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5	Thursday, August 27 <sup>th</sup> , 2015, 7:00 PM
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7 8 9	CALL TO ORDER
10 11	<u>CHAIR LOWELL</u> – Good evening ladies and gentleman. I would like to call the August 27 <sup>th</sup> , 2015 Regular Meeting of the Planning Commission to order. The
12 13	time is currently 7:05 PM. Grace, may we have rollcall please?
14 15	ROLL CALL
16 17	Commissioners Present:
18 19	Commissioner Ramirez Commissioner Korzec
20 21	Alternate Commissioner Nickel Commissioner Van Natta
22	Commissioner Baker
23 24 25 26	Commissioner Barnes Alternate Commissioner Gonzalez Chair Lowell
27	Staff Present:
28 29	Rick Sandzimier, Planning Official Paul Early, Assistant City Attorney
30	Grace Espino-Salcedo, Clerk
31 32	Gabriel Diaz, Case Planner Julia Descoteaux, Case Planner
33 34	Michael Lloyd, Traffic Engineer
35 36 37	<b>GRACE ESPINO-SALCEDO</b> – Vice Chair Sims is excused absent today.
38 39 40 41 42	<u>CHAIR LOWELL</u> – Correct. So, because we have an excused absence, we are seating alternate Commissioner Lori Nickel to fill his seat and she is already at the dais. I would like to ask Commissioner Nickel to lead us in the Pledge of Allegiance please.
43	PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA	
<u>CHAIR LOWELL</u> – Thank you. Would anyone like to motion to approve to Agenda for tonight's meeting?	:he
<u>COMMISSIONER VAN NATTA</u> — I move to approve the Agenda for tonigh meeting.	ıt's
COMMISSIONER BAKER – I'll second.	
<u>CHAIR LOWELL</u> – We have a motion by Commissioner Van Natta and second by Commissioner Baker, and I don't know that we can vote on that. don't have the voting option, so let's just do a rollcall vote please.	
<u>COMMISSIONER RAMIREZ</u> – Yes.	
COMMISSIONER KORZEC - Yes.	
COMMISSIONER NICKEL – Yes.	
COMMISSIONER VAN NATTA – Yes.	
COMMISSIONER BAKER – Yes.	
COMMISSIONER BARNES – Yes.	
CHAIR LOWELL - Yes. So tonight's Agenda passes 7-0 thankfully.	
Opposed – 0	
Motion carries 7 – 0	
CONSENT CALENDAR	
All matters listed under Consent Calendar are considered to be routine and all will be enacted by one rollcall vote. There will be no discussion of these items unless Members of the Planning Commission request specific items be remove from the Consent Calendar for separate action.	∍d
CHAIR LOWELL - There is no Consent Calendar.	
APPROVAL OF MINUTES	

None

<u>CHAIR LOWELL</u> – I don't believe we have any approval of Minutes, so we're moving on to the Public Comments portion of the meeting tonight.

### **PUBLIC COMMENTS PROCEDURE**

Any person wishing to address the Commission on any matter, either under Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door and towards the side and rear of the room. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, member of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience. Additionally, there is an ADA Disclaimer: Upon request this Agenda will be made available in appropriate alternate formats to persons with disabilities in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in the meeting should direct such a request to Guy Pagan, our ADA Coordinator. His phone number is (951) 413-3120. Please make your request at least 48 hours before the meeting. The 48 hour notification will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

<u>CHAIR LOWELL</u> – Moving on to the Non-Public Hearing Items, which I don't believe we have any tonight. That moves us on to the Public Comments portion of the Agenda. This is the portion where any member can speak to the Commission on any item not on the Agenda. Do we have any Public Comment Speaker Request forms?

**GRACE ESPINO-SALCEDO** – We have six speakers signed in today.

<u>CHAIR LOWELL</u> – Wow, we do. Okay, so the first up would be Tom Jerele followed by Thomas Jerele, Sr. I have two Jerele's in here.

**GRACE ESPINO-SALCEDO** – Our first speaker would be Thomas Hines.

<u>CHAIR LOWELL</u> – Okay, so we'll have Tom Jerele first and then Thomas Hines second.

<u>SPEAKER TOM JERELE</u> – Tom Jerele, Sr. I'm speaking on behalf of myself and on this case behalf of the Sundance Center where I've spent a little bit of

time. My boss was out here today and got to sit in on the mayor's address to the state of the city and was very impressed with all the good things happening in Moreno Valley, so he asked me to share some kind words. Chairman Lowell, Commissioners, Staff and the public: Simply the main reason I'm here tonight is to thank the Commission and the Staff for some very well conducted hearings on the WLC. It's no secret what a challenge that project was, you know, from many sides. However, the way the Commission handled it, the setup, and especially the courtesy to the speakers on all sides. I really liked that. The courtesy of taking a whole night to hear many, many speakers. It was all good. And, like I said, it was a very well conducted set of hearings. I'm not thanking you so much for your voting though. I was in favor of approval of the project. But, like I said, the way the whole meeting was conducted, especially for one of this magnitude. I have a full respect for all sides. I even concede that Commissioner Korzec. your comment about wall-to-wall warehouses, was accurate. It's something I took into consideration and it was why I was a little late coming to the party because I had to deal with that mentally. But it's something that when I look at it in the long view and what may be practical at this time, you know, I wanted to support the project. And I especially want to give some thanks to Mark Gross for an excellent Staff Report. I know many people, Mr. Sandzimier, had sat through two long hearings on this and was a great go-to guy and got a lot of pointed questions but gave some very clear and direct information and the other consultants. It was really, really well done, so those are my comments. I thank you for taking time to hear me.

**CHAIR LOWELL** – Thank you Mr. Jerele. Up next is Thomas Hines I believe.

**SPEAKER THOMAS HINES** – Thank you very much. I really appreciate how this Committee stood tall during all the torment that went on in the city, and I really do appreciate the 5-1 vote that you guys came up with. It was almost unanimous. And, after listening to our City Councilmen speak, I thought we were going to have a unanimous vote from them also it appeared because of the way they had changed their song I guess trying to sound like they were in the middle. But, anyway, I have been....the next stage of this project is the environmental lawsuits. And we have been told in the paper that the Jurupa Valley Center for Community Action and Environmental Justice was going to be leading one of those charges. I happen to know who they are. I know Penny Newman. She's a nice lady, but she is an environmentalist who funds her activities by shaking down businesses so that she can get money to pay for her staff and the things that she does so that she can sue other businesses. The more she sues, the more money she gets, the more businesses she can sue in the future. Now, I was familiar with the Lake Matthews Conservancy and how they shook down my previous boss at the Dos Lagos project, and we ultimately had to pay them \$1 million to endow all of their lawsuits in the future against other businesses. I hope, any my belief is, that I have seen the World Logistics Center and the gentleman in charge of that and he doesn't take to blackmail very well. Mike Greos tried to blackmail him and another gentleman, his associate, was also in

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on that blackmail. And he has a pretty good spine, and he just doesn't take to that type of blackmailing. But, in order to get his project through, he may have to. But, if he does, then there will be more lawsuits paid by the money that would be put forth. Deep pockets: This is a tactic that was brought forth by Jesse Jackson who uses it for racial lawsuits, such as what he did for the Texaco thing. And, as soon as Texaco paid the money, Jesse Jackson and all of his protestors went away. Thank you for standing tall.

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**CHAIR LOWELL** – Thank you Mr. Hines. Up next is Rafael Brugueras.

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**SPEAKER RAFAEL BRUGUERAS** – Good evening. What a great pleasure it is to stand before you again. On behalf of the City, the thousands of men and women and myself, we say thank you very, very much to you seven and the Staff for standing tall, for doing your homework, for turning all boulders (not just little rocks but boulders) to make sure that the project was safe and beneficial for the City of Moreno Valley because that was very important. Again, today's ceremony was great. And we got to learn that not only is the World Logistics Center is part of Moreno Valley, but we have others. It's not just one basket with all the eggs. There's many things in that basket that creates Moreno Valley, so we just don't rely on one big project. We have other projects that we unite together to hold our city together. I'm deeply grateful for that. I want to talk about warehouses because many of our parents, grandparents and great grandparents started out at a warehouse or a factory to get us where we are at today. You're here because they worked hard to get you to go through school, to be well educated, and to be in the position that you're in. I didn't do that when I was growing up in Harlem. I chose a different route, but I thank my mother who kept me together and taught me to work very, very hard. I started at \$1.85 an hour when I first worked, and I ended with \$25.00 an hour in 2009, and I worked for Ralph's Food for Less for 25 years. I'm deeply grateful for my union who fought for me to get pay raises every year, even if it was only \$0.15, but it was a pay raise. It would be nice to get the whole thing, but I had to share that with my fellow workers, so \$0.15 is \$0.15. But what I want to say because she inspired me to talk about my job because, without it, I wouldn't have what I have today. So I want to share with you the future because warehouses do pay well, very well. In 2006, I made \$62,000. In 2007, I made another \$62,000. In 2008, I made \$49,000. May last year, I made \$80,000 working for Ralph's Food for Less. So dreams can come to warehouses. Not everybody has to have a college degree to work hard. So, if you have a college degree, work hard. Work from the bottom and work your way up and use that degree to go into management. Thank you so much.

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<u>CHAIR LOWELL</u> – Thank you very much. Up next is Robert Harris followed by Chris Baca.

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<u>SPEAKER ROBERT HARRIS</u> – Commissioners and Staff: I would just like to thank you all for your hard work and your diligence evaluating the World Logistics Center. The years that the Staff took that were involved in creating the EIR

(40,000 pages) and the consultants obviously that you used. And, together, you guys have made history for Moreno Valley and you've helped to make a better future for our City. Thank you very much.

<u>CHAIR LOWELL</u> – Thank you very much. Chris Baca please. I saw him. Where did he go? Last call for Chris Baca. Okay, we can sit tight for a second. I think he might have changed his mind. Okay, I appreciate it. Thank you. Chris Baca didn't show up, so that concludes the Public Comments portion of this meeting.

## **NON-PUBLIC HEARING ITEMS**

None

<u>CHAIR LOWELL</u> — Moving on to the Non-Public Hearing Items, which I believe I called out of place a minute ago. I don't believe we have any Non-Public Hearing Items. So we are going to go on to the Public Hearing Items. So the first item is P14-072 an Amended Conditional Use Permit. The owner is Time Warner, and the Case Planner is Gabriel Diaz. Do we happen to have a Staff Report for this item?

## **PUBLIC HEARING ITEMS**

1. Case: P14-072 Amended Conditional Use Permit

Applicant: Mansour Architecture Corporation

Owner: Time Warner Cable Pacific West, LLC.

Representative: Tony Mansour

Location: 24541 Fir Avenue

Case Planner: Gabriel Diaz

Council District: 1

Proposal: P14-072 Amended Conditional Use Permit

#### STAFF RECOMMENDATION:

Recommend the Planning Commission:

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<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – We do. Good evening, Chairman Lowell. Gabriel Diaz, as you mentioned, will be giving the Staff presentation.

**CASE PLANNER GABRIEL DIAZ** – Thank you. Chairman and Commissioners: The project is located at 24541 Fir Avenue on the northeast corner of Indian and Fir Street. You can see the aerial on Attachment 1. The zone is Specific Plan 204 Village Office/Residential. It allows for office and residential housing. It's located within Council District 1. The owner is Time Warner Cable Pacific West, LLC. The Applicant is Mansour Architecture. The Amended Conditional Use Permit application will add 1498 square feet to an existing 1301 square foot unmanned Time Warner Communications facility. The existing facility was previously approved by the Planning Commission back on March 14th, 2002, this is the facility you see in Attachment 1, as Conditional Use Permit No. PA01-0085. So the proposed building addition consists of a new equipment room, new battery room, and a new generator enclosure. The generator enclosure will not have a roof above it. That's the elevations of existing and proposed. Let me get you a Site Plan. Here's the Floor Plan of the proposal. The design of the Time Warner facility will have a residential appearance to fit into the existing neighborhood. The building will have cream-colored stucco walls and white trim color around the windows, doors, and garage door. The roof is mansard and will have an asphalt roof shingle in the brown wood color. The building height is 19 feet and 2 inches. The existing building is about 17 feet. The majority of the new building addition is within the rear yard and side yard areas behind the existing fence and will not encroach into the front yard or street side setbacks. The new building addition will not have much effect on the existing mature landscaping. Noise from the proposed generator and condenser units was a concern to the Planning Department. The Applicant submitted an Acoustical Report that indicated noise levels below the 60 dBA noise levels allowed under the Municipal Code at the property lines. The adjacent properties to the project to the north, east and west include single-family residences and are zoned Specific Plan 204 Village Office/Residential. Properties to the south and southwest are also singlefamily residences and are zoned Specific Plan 204 Village Residential. The project has been reviewed and meets or exceeds the Development Standards for a communications facility in the Specific Plan 204 and is consistent and does not conflict with the goals, objectives, policies, or programs of the general planner or

1. **CERTIFY** that the proposed Time Warner Communications building addition

2. **APPROVE** Amended Conditional Use Permit P14-072 based on the findings

conditions of approval included as Exhibit A of the Resolution.

contained in Planning Commission Resolution 2015-23, subject to the

15301 (e.2) for Additions to Existing Facilities; and

is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section

Municipal Code. Access to the property will be off Fir Avenue through an existing

driveway where service trucks are able to park. No additional driveways or parking areas are required or being proposed. Public notification was sent to all property owners of record within 300 feet of the project. The Public Hearing Notice for this project was posted onsite and published in the local newspaper. I do have one Public Comment to report. The owner just to the north of the property had some concerns about the noise and maintenance of the existing facility. I did explain the current project to him. I let him know that the generator is being moved further south away from his property and closer to Fir Street and will also be enclosed. There was a Noise Study that the Applicant submitted that meets our current Noise Standards. He did seem fine with the new addition. He did not seem to have any issues with the new proposal, but I did let him know that he could call if the project was approved or if there are any existing issues with noise or maintenance to the property. On the environmental part, Planning Staff has reviewed the project and determined that this item will not have significant effect on the environment and qualifies for an exemption under provisions as a Class 1 Categorical Exemption under CEQA Guidelines Section 15301 (E2) Additions to Existing Facilities. Staff recommends the Planning Commission certify that the proposed Time Warner Communications building addition is exempt from the provisions of the California Quality Act as Class 1 Categorical Exemption CEQA Guideline Section 15301 (E2) for the additions to the existing facility and approve Amended Conditional Use Permit P14-072 based on the findings contained in the Planning Commission Resolution 2015-23 subject to the conditions of approval included as Exhibit A of the Resolution. This concludes Staff presentation. I believe we do have the Time Warner representative here. Let me give you the elevations. Here's the cross section of the inside and how things are hidden and there is the materials color board. The Applicant also did provide some colored renderings and the real color board for your review. Thank you.

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<u>CHAIR LOWELL</u> – Thank you very much. Does anybody have any questions for Staff? I have a couple questions. On the materials board, is there any particular reason why we are utilizing shingles as opposed to tile for the roofing material?

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<u>CASE PLANNER GABRIEL DIAZ</u> – That's pretty consistent with the neighborhood.

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<u>CHAIR LOWELL</u> – Okay. Also, on the conditions, I didn't see anything about fire sprinklers. Since they are building onto the building, do they have to bring that current structure up to Code? Or is there a Code that this type of structure, since it mimics residential but it's really a commercial or industrial facility, it doesn't need sprinklers?

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<u>CASE PLANNER GABRIEL DIAZ</u> — I'm not too sure if the building will have sprinklers or not. Maybe the Applicant can speak on that, but it will go through the building process and everything will be built per Code.

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**CHAIR LOWELL** – Okay I was just curious because most of the time in the conditions of approval it says must have fire sprinklers, but I didn't read that in here so okay. I have a couple more questions, but I'll push them off until later. At this time, if there are no other questions for Staff, could we have the Applicant come up?

APPLICANT STEPHEN SLATER - Hello Chairman and Members of the Commission. My name is Stephen Slater. I'm here representing Time Warner Corporation. I wanted to just start off and say that, this project, we took a lot of time on this. We've worked closely with Richard and with Gabriel. We spent a lot of time going through the design. What we've really worked closely to do is to make it a better project, a better facility than it is today. It does have a residential look. There are things like a garage door, a portico for the entry. Those are all intentional to make it blend in a little bit more with the neighborhood. As far as the front of it and the landscaping area, it's going to be the same and the additions are on the back. And the most significant thing is the existing generator, which only is used in the event of a commercial power failure, is outside right now. So, by doing this, Time Warner is able to take the generator inside the building and that's just going to be a much better situation for the neighborhood. I do have representatives here from Time Warner and the project architect to answer any specific questions you might have. And, the Applicant, we're in concurrence with the Staff Report as submitted. Again, we have spent a lot of time working closely with the Planning Department, and we're in concurrence with the conditions as submitted. Thank you.

CHAIR LOWELL – I have a quick question for you. What triggered the modification of this building? Were you trying to expand the site for better or more utility or more usage or?

**APPLICANT STEPHEN SLATER** – It's generally....well part of the reason for the expansion is to bring the generator inside and then for future growth for equipment, for additional services that are being provided by Time Warner.

**CHAIR LOWELL** – I really like what's proposed. I really like the way it looks. I think this is a good example of what should be done throughout the City so.

**APPLICANT STEPHEN SLATER** – And it does have a specific fire suppression system within the building and the project architect is here if you have a particular question about that.

**CHAIR LOWELL** – Okay, I'll ask that in a moment.

**APPLICANT STEPHEN SLATER** – Okay.

**CHAIR LOWELL** – I appreciate it. Do we have any other questions for the Applicant? Okay.

**APPLICANT STEPHEN SLATER** – Thank you.

<u>CHAIR LOWELL</u> – I think it is pretty simple also. Do we have any Speaker Slips?

**GRACE ESPINO-SALCEDO** – We do not have any. Thank you.

<u>CHAIR LOWELL</u> – Oh, we have Tom Jerele. He sneaks in under the wire. You can just come up to the podium and we'll get the green paper from you in a minute. I guess I should formally open the Public Comments portion. It's open.

SPEAKER TOM JERELE — Thank you, Chairman Lowell. I didn't plan on speaking but then I've spoken before about any type of communication device not only in this area because I work close to it, but throughout the city, communications are evolving so rapidly. I mean, we're going into a whole different world and we have been for the last 10 years. And it's probably going to continue to evolve, and they are vital. And we all know how we have a bad earthquake and all of a sudden nothing works, so I'm all for anything that'll keep our communications up and running. And it's a tasteful building. It's a nice addition, but it's also an essential service. You know, it could save somebody's life in an emergency situation. So, you know, I support it. We're actually negotiating with Time Warner on an easement on our property to bring in services, so that's not why I want to speak for it. It's just that we need good communications, not only in this area but throughout the city. So that's all I wanted to say. Thank you. I'll submit my slip and I'll save one for the next item. Thank you.

<u>CHAIR LOWELL</u> – Thanks Tom. Okay, with that, I don't see anymore Public Comments. The Public Comments portion is now closed. Moving onto Commissioner Discussion. Do we have any questions for Staff or the Applicant or comments in general? Go for it.

**COMMISSIONER VAN NATTA** – I'd like to make a motion.

CHAIR LOWELL - Oh, oh.

**COMMISSIONER VAN NATTA** – Oh. Were you going to do that?

**COMMISSIONER BARNES** – No. I wasn't going to do that. That's all you Meli.

**COMMISSIONER VAN NATTA** – Go ahead and say something.

1 2 3	<b>COMMISSIONER BARNES</b> – I was just going to say that it's a simple clean project and a nice relief after the last time we had to vote.			
4	COMMISSIONER KORZEC – I agree.			
5 6 7	<u>CHAIR LOWELL</u> – But, before we get to the motion, I just had a couple qu questions on the fire items.			
8 9	COMMISSIONER VAN NATTA – Okay.			
10 11 12 13 14 15 16	CHAIR LOWELL – We're proposing to put batteries in the building. Is there any spill contingency. I know from my personal experience, if you leave a battery in a remote too long, it starts to corrode or leak fluid. A 1000-pound battery has quite a potential for having a spill if something should break it or rupture it, especially if it's a liquid battery.			
17 18 19	<u>CASE PLANNER GABRIEL DIAZ</u> – There are conditions from the Fire Department on the containment of the different types of batteries.			
20 21 22	<u>CHAIR LOWELL</u> – Okay. It just says it needs to get a battery permit. I was just curious what those were?			
23 24 25 26 27 28	<u>PLANNING OFFICIAL RICK SANDZIMIER</u> — Unfortunately, our fire marshall was not able to attend this evening. But I can attest that, as Mr. Diaz has indicated, there are conditions in the project approval that require consideration of that before they get the building permit. So, if it's important to the Commission, we can bring that answer back.			
29 30	CHAIR LOWELL - It's not that important. I was just curious.			
31 32 33	<u>PLANNING OFFICIAL RICK SANDZIMIER</u> — I do have a request out to our building official to see if he can give me any input, but I haven't heard back yet.			
34 35 36	<u>CHAIR LOWELL</u> – Okay. I appreciate it. That was pretty much it. Would anyone like to make a motion?			
37 38	COMMISSIONER VAN NATTA – Yes.			
39 40	<u>CHAIR LOWELL</u> – Okay, let's go vote. You can officially make your motion by clicking the button.			

<u>COMMISSIONER VAN NATTA</u> – Okay. Click on the button that says mover, huh? Okay. I move that the Planning Commission certify that the proposed Time Warner Communications building addition is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption CEQA Guidelines Section 15301 (E2) for Additions to Existing

Facilities and approve Amended Conditional Use Permit P14-072 based on the findings contained in the Planning Commission Resolution 2015-23 subject to the conditions of approval included as Exhibit A of the Resolution.

<u>CHAIR LOWELL</u> – So we have a motion by Commissioner Van Natta, and it looks like we have a second by Commissioner Barnes. I now opened up the voting. Please vote. We are good to go. So, last call, does anyone want to change their votes? Voting is now ending. The motion passes 7-0. I do want to say that this is a great project. I love what's being done. I think this is a good example of what needs to be done throughout the City where you're blending something into the existing. If you drove by, you wouldn't even realize it's a Time Warner facility so I really compliment Staff on this project. Thank you very much. Is there a Staff wrap-up on this item?

#### Motion carries 7 – 0

<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – Yes there is. Thank you for the compliments also. We did work very hard with this applicant, and I want to commend the Applicant for taking the time to work with us. The action that you did take this evening is appealable to the City Council. Any interested party has 15 days to file an appeal. That appeal would be filed through the Community Development Department to the Director of Community Development and would be agendized for a hearing before the City Council within 30 days if such an appeal is filed.

 <u>CHAIR LOWELL</u> – Thank you very much. Moving onto the second item tonight, which I believe is PA15-0002 which is a Plot Plan and P15-003 which is a Revised Tentative Tract Map for Tentative Tract Map 35414. The Applicant is Oak Parc Partners. The Case Planner is Julia Descoteaux.

2. Case: PA15-0002 Plot Plan

P15-003 Revised Tentative Tract Map 35414

Applicant: Oak Parc Partners, LLP

Paul Reim

40 Owner: Garry Brown, Trustee

Representative: Trip Hord Associates, Trip Hord

44 Location: SECONDARY Box Springs Road/Clark Street

Case Planner: Julia Descoteaux

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4	Proposal:	PA15-0002 Plot Plan and P15-003 Revised Tentative

Tract Map 35414

## **STAFF RECOMMENDATION:**

That the Planning Commission **APPROVE** Resolution No. 2015-21 and thereby:

1. APPROVE an Addendum to the previously adopted Mitigated Negative Declaration for PA15-0002 (Plot Plan) pursuant to the California Environmental Quality Act (CEQA) Section 15164 (b) as only minor technical changes or additions are required to the prior Mitigated Negative Declaration approved November 26<sup>th</sup>, 2007 for PA07-0016/PA07-0017 (Tentative Tract Map 35414 and Plot Plan). None of the conditions described in Section 15162 calling for preparation of a subsequent negative declaration have occurred and thereby approve PA15-0002 subject to the attached conditions of approval included as Exhibit A and the Mitigation Measures included as Exhibit B of the Resolution; and

2. **APPROVE** PA15-0002 (Plot Plan) subject to the attached conditions of approval included as Exhibit A and the Mitigation Measures included as Exhibit B of the Resolution; and

That the Planning Commission **APPROVE** Resolution No. 2015-22 and thereby:

 1. APPROVE an Addendum to the previously adopted Mitigated Negative Declaration for P15-003 (Revised Tentative Tract Map 35414) pursuant to the California Environmental Quality Act (CEQA) Section 15164 (b) as only minor technical changes or additions are required to the prior Mitigated Negative Declaration approved November 26<sup>th</sup>, 2007 for PA07-0016/PA07-0017 (Tentative Tract Map 35414 and Plot Plan). None of the conditions described in Section 15162 calling for preparation of a subsequent negative declaration have occurred and thereby P15-003 subject to the attached conditions of approval included as Exhibit A and the Mitigation Measures included as Exhibit B of the Resolution; and

2. **APPROVE** P15 -003 (Revised Tentative Tract Map 35414) subject to the attached conditions of approval included as Exhibit A and the Mitigation Measure included as Exhibit B of the Resolution

**COMMISSIONER BARNES** – Chairman Lowell.

**CHAIR LOWELL** - Yes, Sir.

<u>COMMISSIONER BARNES</u> — I must recuse myself. My employer has a professional relationship with the Applicant, so I will watch from the lobby.

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<u>CHAIR LOWELL</u> – You're officially recused. Thank you. With that said, I'd like to call up alternate Commissioner Erlan Gonzalez. Just give us a moment while Commissioner Gonzalez logs out and logs back in.

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**COMMISSIONER GONZALEZ** – What's the password?

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<u>CHAIR LOWELL</u> – It's super secret.

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<u>PLANNING OFFICIAL RICK SANDZIMIER</u> — While he's doing that, I will introduce Julia Descoteaux is our planner on this. Julia has been involved thoroughly on this project when it was before the Planning Commission and City Council late last year so.

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**CHAIR LOWELL** – I remember this project coming before us last year.

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CASE PLANNER JULIA DESCOTEAUX -Good evening Planning Commissioners. I'm Julia Descoteaux, Associate Planner. The item before you is a Plot Plan PA15-0002 and a Revised Tentative Tract Map 35414, P15-003. The Applicant is Oak Parc Partners, Paul Reim. The owner is Garry Brown and the representative is Trip Hord Associates, Trip Hord. The project is located at the southeast corner of Box Springs Road and Clark Street and it's in Council District 2. The item before you includes a Plot Plan for a 266 unit apartment complex with amenities and a Revised Tentative Tract Map for condominium purposes. The site includes four parcels, which will be consolidated into one parcel of approximately 13 acres with the approval of the Revised Tentative Tract Map. The Revised Tentative Tract Map is consistent with the prior-approved Tentative Map with minor changes to the ingress and egress locations and minor changes to the Plot Plan for the project. The site was operated as a commercial desert nursery from approximately 1967 to the early 1980s and has been vacant since that time, except for numerous unattended trees and shrubs and vegetation. In addition, there is a telecommunications facility located on the southeast portion of the site. In 2007, the site was approved for a 240 unit complex, which included a Condominium Map, a General Plan Amendment, and a Change of Zone changing the land use designation and the zoning from Commercial to Residential 20. In October 2014, the land use and zoning was changed to Residential 30 providing an increase in the density, which allows for an increase in the number of dwelling units per acre. The surrounding area includes existing residential and multifamily and single family both to the north and commercial vacant property to the east and the west. There is an existing residential unit to the east, which is legal nonconforming. And, to the south, is State Highway 60. And, further south, is commercial land located in the City of Riverside. The proposed Plot Plan includes 266 units and is compatible with the

Residential 30 Land Use and includes 19 buildings with one, two, and three bedroom units. The site will include onsite leasing, a recreation building, a pool and a spa, and a play area, which will be located adjacent to the recreation building. Each three-story building includes 14 units designed to provide a Santa Barbara Tuscan feel with several color schemes and building accents, which includes wall projections, window treatments, tiles, shutters and wrought iron elements, and clay tile roofs. Each unit will include the required private open space of 100 square feet for the upper stories and 150 square feet for the ground units. The main entrance will be off the newly designed Clark Street with two additional driveways available with limited access. The Internal Circulation System will provide convenient access for residents and emergency response teams to all buildings and parking areas. Parking garages and uncovered parking spaces are available for the residents, which exceed the City's requirement with a total of 513 required and 521 provided. The Conceptual Landscape Plan provides for a variety of plant material consistent with the City's landscape requirements, which will also take into consideration the recent The design will include trees, onsite trees, and the drought conditions. integration of drought-tolerant plants; cacti-type plants incorporating the original site use as a desert nursery into the design. Based on an initial study, it has been determined that this project is consistent with the requirements for an addendum to the previously-approved Mitigated Negative Declaration pursuant to Section 15164 (b) of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that calls for a preparation of a subsequent negative declaration have occurred. The initial study evaluated the modification of the project, which includes the addition of 26 units and changes to the building layout circulation, landscape and walkway design, and other minor changes to the Site Plan. Updated technical studies were prepared and submitted to the City for review to compare the original project to the modified project. Based on the analysis provided, only minor technical changes are required to the previously-adopted Mitigated Negative Declaration and the proposed project would not create impacts not analyzed with the original project or create new impacts not previously considered with the The project was submitted in February 2015 with minor original project. modifications made to accommodate fire emergency ingress and egress to the site. All requested modifications have been completed and meet both the City's objectives, as well as the Applicant's. Notice was sent to all property owners within 300 feet posted on the site and noticed in the local newspaper. To date, I have received no phone calls or inquiries regarding the project. recommends that the Planning Commission approve Resolutions 2015-21 and 2015-22 and thereby approve an Addendum to the previously-approved Mitigated Negative Declaration for PA15-002 Plot Plan and P15-003 pursuant to the California Environmental Quality Act Section 15164 (b) as only minor technical changes or additions are required to the prior Mitigated Negative Declaration with the inclusion of the conditions of approval included as Exhibit A and the Mitigation Measures included as Exhibit B of the Resolution. This

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concludes my presentation. I'm available for any questions, as well as the Applicant is here. Thank you.

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<u>CHAIR LOWELL</u> – Thank you very much. Do we have any questions for Staff? I don't see anybody raising their hand, so let's move on. Can we have the Applicant please?

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**APPLICANT PAUL REIM** – Good evening Commissioners. Thank you for your time. My name is Paul Reim, the Applicant, and I'd just like to touch on a few things that Julia mentioned a little bit more about the project. Along with the project, we're going to be finishing off a big hunk of Box Springs Road adding a lane, bike lane, sidewalks. I think about 700 feet of Box Springs Road is going to get finished off, so there won't be very much of Box Springs Road left when we're done. In addition to that, we'll be upgrading the cabinet in the intersection at Clark Street into a four-way intersection with turn lanes, so that will help that intersection. The community will be a gated community; gated access to residents only. As Julia mentioned, it is going to be done in a drought tolerant landscape. We're going to have several hundred trees, I think, right Julia? I think we counted almost 300 trees on the Tentative Conceptual Landscape Plan, so we're going to be putting a lot of shade on the property. It'll have a leasing office, a recreation center, a community room, a workout room. The concept in the recreation area is trying to create several conversation areas to try and create community within the community. The interiors are going to be completely furnished with energy efficient appliances, full-size washer/dryers side-by-side units in each unit, as well as LED lighting inside the units and the building is complete with sprinklers. So, if there are any questions, I would be happy to answer them.

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<u>CHAIR LOWELL</u> – I appreciate it. Thank you. Do we have any questions for the Applicant?

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**COMMISSIONER GONZALEZ** – 1 do.

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<u>CHAIR LOWELL</u> – Commissioner Gonzalez.

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<u>COMMISSIONER GONZALEZ</u> – I read in the Staff Report that there is an option for it, in the future, to be a for rent product and maybe go to a condominium-type development. Will that be determined by market forces or when is that decision going to be made?

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<u>APPLICANT PAUL REIM</u> — Yeah, really we have to go to a Tentative Tract because there are four parcels, so we have to bring those four parcels into one parcel so the future condominium conversion is kind of a residual of bringing in the four parcels together into one as a Tentative Tract, yeah.

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**COMMISSIONER GONZALEZ** – Thank you.

**COMMISSIONER RAMIREZ** – The entryway is off Box Springs Road?

APPLICANT PAUL REIM - Yes.

<u>COMMISSIONER RAMIREZ</u> — What is the distance from where the gate is going to be to the actual street and is there any chance that could get congested as vehicles are entering through there?

<u>APPLICANT PAUL REIM</u> — We went through that with Traffic, I think with Mike, and I can't remember the exact distance but it's the required queueing distance. It's 60 or 80 feet off Box Springs Road or something like that yeah. It's way back into the property.

**CHAIR LOWELL** – That's going to be an entrance, not just an exit?

<u>APPLICANT PAUL REIM</u> – Correct. It will be secondary, yeah, but it's residents only at that entrance. Public is only off Clark.

<u>CHAIR LOWELL</u> – Thank you. Any other questions? That moves us onto the Public Comments portion. Do we have any speakers? I believe we have Tom Jerele. Tom Jerele, you're up Sir. I think we should just give you a permanent seat over there, Tom.

**<u>COMMISSIONER VAN NATTA</u>** – Yeah or a microphone.

**CHAIR LOWELL** – Just give you a microphone and you can sit down over there.

SPEAKER TOM JERELE – Tom Jerele, Sr. again. I'm speaking on behalf of myself. Chairman Lowell, Commissioners, members of the Staff, and public watching on TV or on the internet: Thank you for conducting this hearing. You know, before I go onto my comments on the project, this hearing is a perfect example of why we needed the alternate system for the Planning Commissioners and I'm glad to see it coming together. So I just want to give some kudos to the City as they took that system up. The Applicant and the public get the benefit of a full Commission Hearing on a project, so I like that. I am here to support the project. Number (1): It's zone compliant. Number (2): I've seen the man's other projects and they appear to be first rate apartment complexes, and something that I noted when I went through the mix that I wasn't aware of until tonight, I really like the idea of the 57 three-bedroom units. You know, these interest rates aren't going to last forever. I'd like to think that home values are going to go up in time, which is a good thing overall, but that can displace a lot of young couples. I was thinking as I was waiting to speak how before we bought our

house, my wife and we ultimately had two kids. We all piled into one little one-bedroom apartment in Garden Grove. I mean, we didn't start out that way. But, the kids came, and we were able to keep them in there and luckily we were able to get a house but that housing went up dramatically. So this affords a quality housing element in the City. These are people that shop in the city. We know our commercial element is going to need the additional footprints. I like the idea of opening up Box Springs because that is a big bottleneck right there. So, even though it's going to add traffic, it's also going to do something substantial to remedy it. So I want to endorse the project, and I pray you approve it. Thank you.

<u>CHAIR LOWELL</u> – Thank you very much. I don't see any other speakers. I'm going to close the Public Comments portion. This moves us onto Commissioner Discussion. Do we have any questions or comments? Commissioner Ramirez?

<u>COMMISSIONER RAMIREZ</u> — Well I just wanted to say I think it's a great project once again. It's in an ideal location. It will also support the local businesses that are there in the area, and I'm ready to vote this project through.

**CHAIR LOWELL** – Commissioner Nickel?

<u>COMMISSIONER NICKEL</u> – My only concern about Clark Street, that's going to be open to the public? Okay Foothill Baptist Church, and the only reason I'm bringing it up is that I attended a Traffic Committee Meeting and there was someone from the church there complaining about a lack of parking and that they were wanting basically the City to grade them a lot to park. So I was just concerned that the church may overflow on that street.

<u>CASE PLANNER JULIA DESCOTEAUX</u> – I'll let Public Works speak more to the construction of the street, but it will be a public street and it will be open to parking unless Transportation or Land Development determine that it wouldn't be allowed to be parked on.

<u>COMMISSIONER NICKEL</u> – I'm worried it could turn into a nightmare like Saint Christopher Lane with the congestion of the church traffic, so I don't know if Staff can mitigate that for Sundays.

<u>CASE PLANNER JULIA DESCOTEAUX</u> – I can let Public Works talk to the street improvements.

**<u>COMMISSIONER NICKEL</u>** – Thank you.

TRAFFIC ENGINEER MICHAEL LLOYD — Good evening, Michael Lloyd with the Public Works Department. With this approval and the improvements that this project will make, there will be no initial connection between the church and Clark Street. So I appreciate your concern, and it's certainly something we'll have to

look at. But, at least initially, there will be no connection between the church and Clark Street. Obviously, as the church expands into the vacant lot and develops, that's when we would look at any potential connections at that time.

**<u>COMMISSIONER NICKEL</u>** – Okay, thank you.

 <u>CHAIR LOWELL</u> – Any other questions or comments? Okay, I have a couple. I remember this project coming before us last year. I see the Revised Tentative Map in front of me, but I don't really understand what changed. I know you said there were some minor changes, but was there anything worthy of note or was this an essentially carbon copied plan that is just coming back for re-approval?

<u>CASE PLANNER JULIA DESCOTEAUX</u> — It's relatively similar. The only difference would be the driveway on the western portion of the site was a little bit different and Clark Street on the original project was a private street at that time, so it's real minor.

<u>CHAIR LOWELL</u> – So what triggered this project having to come back in front of us?

<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – Mr. Chairman, members of the Planning Commission: The item that was before you last year was actually a Change of Zone and a General Plan Amendment, which would allow for a higher unit count. The unit count on this particular project is higher than the previous project, so while the map is relatively consistent, the total number of units has increased.

**CHAIR LOWELL** – Gotcha.

<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – What is the total number of extra units or additional units?

**CASE PLANNER JULIA DESCOTEAUX** – 26.

<u>CHAIR LOWELL</u> – Thank you very much. Any other questions or comments? Would somebody like to make a motion?

**COMMISSIONER VAN NATTA** – Yes, I'm motioning again.

CHAIR LOWELL - There we go. Now you can motion.

**COMMISSIONER VAN NATTA** – Now I can motion. Okay, I move we approve 43 an Addendum to the previously adopted Negative Mitigation Declaration for 44 PA15-0002 Plot Plan pursuant to the California Environmental Quality Act CEQA 45 Section 15164 (b) as only minor technical changes or additions are required to 46 the prior Mitigated Negative Declaration approved November 26<sup>th</sup>, 2007 for

1 PA07-0016/PA07-0017 Tentative Tract Map 35414 and Plot Plan. None of the 2 conditions described in Section 15162 calling for preparation of a subsequent negative declaration have occurred and thereby approve PA15-0002 subject to 3 4 the attached conditions of approval included as Exhibit A and the Mitigation Measures included as Exhibit B of the Resolution; and approve PA15-0002 Plot Plan subject to the attached conditions of approval included as Exhibit A and the 6 7 Mitigation Measures included as Exhibit B of the Resolution and that the 8 Planning Commission approve Resolution No. 2015-22 and thereby approve an 9 Addendum to the previously adopted Mitigated Negative Declaration for P15-003 Revised Tentative Tract Map 35414 pursuant to the California Environmental 10 Quality Activity (CEQA) Section 15164 (b) as only minor technical changes or 11 12 additions are required to the prior Mitigated Negative Declaration approved November 26<sup>th</sup>, 2007 for PA07-0016/PA07-0017 Tentative Tract Map 35414 and 13 14 Plot Plan. None of the conditions described in Section 15162 calling for 15 preparation of a subsequent negative declaration have occurred and thereby approve P15-003 subject to the attached conditions of approval included as 16 Exhibit A of the Mitigation Measures included as Exhibit B of the Resolution; and 17 approve P15-003 Revised Tentative Tract Map 35414 subject to the attached 18 19 conditions of approval included as Exhibit A and the Mitigation Measures 20 included as Exhibit B of the Resolution.

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**CHAIR LOWELL** – Are you sure you got it all?

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### **COMMISSIONER VAN NATTA** – I think so.

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28 29 <u>CHAIR LOWELL</u> – So we have a motion by Commissioner Van Natta and we have a second by Commissioner Korzec. Let's vote. We are waiting on Commissioner Barnes, but he is absent because he recused himself, so we're going to end the vote. Voting has ended. The motion passes 7-0. Do we have a Staff wrap-up on this item?

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<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – We do. This is another item that is appealable to the City Council. Any interested party that would be interested in filing an appeal would file their appeal within 15 consecutive days of this action. That appeal would be filed with the Community Development Director in the Community Development Department. And, if such an appeal is filed, it would be agendized for a City Council Hearing within 30 days.

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**OTHER COMMISSION BUSINESS** 

<u>CHAIR LOWELL</u> – Thank you very much. That moves us onto Other Commission Business, which I do not believe we have any Other Business.

# **STAFF COMMENTS**

**CHAIR LOWELL** – Do we have any Staff comments?

<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – The only Staff Comments that I have is I did miss the July meeting. It was fun to be back here. I also do appreciate the efficiency of tonight's meeting and the efficiency I heard at the July 23<sup>rd</sup> meeting. My Staff is working very hard to put together good Staff Reports, and I hope that's one of the reasons that we're able to get through these things. I do appreciate the comments from the public as well tonight on the efforts of our Staff. And so, with that, I'll conclude.

# **PLANNING COMMISSIONER COMMENTS**

<u>CHAIR LOWELL</u> – That moves us onto Planning Commissioner Comments. Does anybody have any comments?

**COMMISSIONER VAN NATTA** – Our next meeting is?

**PLANNING OFFICIAL RICK SANDZIMIER** – Our next meeting is....

**GRACE ESPINO-SALCEDO** – That would be Thursday, September 24<sup>th</sup>, 2015.

**CHAIR LOWELL** – September 24<sup>th</sup>, 2015, there we go.

**COMMISSIONER VAN NATTA** – I just always like it when he says that. It's kind of...

<u>CHAIR LOWELL</u> — One of the questions I had last time, which I was hoping to get some answers to, is I would like to have the members of the Commission allowed the chance to tour some of the facilities we've approved in the past. For instance, Aldi Foods. We have the Amazon facility, which I believe is JPA. But we also have Proctor & Gamble. We have a lot of large warehouses coming into our area, and because there are going to be more coming to us for approval or suggestions, I'd kind of like to know better what we're approving on the inside of the building. We know what the outside of the building looks like, but the inside of the building is kind of the important thing. So if we could kind of arrange that and have maybe the City chaperone the events so we don't have any Brown Act violations or whatnot.

PLANNING OFFICIAL RICK SANDZIMIER - I'd be happy to do that. I will work
with our Economic Development Staff whose worked with a lot of the various
businesses out there and the property owners that are trying to market the
properties. I think that there would be good opportunity to include the
Commissioners, including the alternate Commissioners. I also wanted to
compliment the alternate Commissioners as Mr. Jerele had. I think it's working
really well.

<u>CHAIR LOWELL</u> – I think it's working very well also. And one of the facilities I would really like to see is the Fisker facility, maybe get a free test drive or something. I'd also like to comment that our alternate Commissioners did a great job tonight. Thank you very much.

**COMMISSIONER GONZALEZ** – Thank you.

**CHAIR LOWELL** – Any other comments?

<u>COMMISSIONER VAN NATTA</u> — Well I just wanted to say, when you're including that list, I think it would be really nice since we just talked about an enormous warehouse facility that we get to go into the largest one we have in town which is the Skechers one and get an idea of what it's like with all the robotics and everything in place.

**CHAIR LOWELL** – Make a nice fieldtrip out of it.

**<u>COMMISSIONER VAN NATTA</u>** – Yeah, especially if lunch is included.

**PLANNING OFFICIAL RICK SANDZIMIER** – I'll see what we can do.

**ADJOURNMENT** 

<u>CHAIR LOWELL</u> – With that said, this concludes our meeting. The next meeting is adjourned until our next Regular Meeting, which is September 24<sup>th</sup>, 2015, at 7:00 PM. Thank you very much and have a good night.

1 22 33 44 45 55 66 77 88 99 00 11		mission Regular Meeting, September 24 <sup>th</sup> , 2015, a lley, City Hall Council Chamber, 14177 Frederic 553
3 4 5 6 7 8 9 9 0 1 1 2 3 4 5 6	Richard J. Sandzimier Planning Official Approved	Date
7 8 9 0 1 2	Brian R. Lowell Chair	Date