1	CITY OF MORENO VALLEY PLANNING COMMISSION
2	REGULAR MEETING
3	CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET
4	
5	Thursday, October 22 nd , 2015, 7:00 PM
	, , ,
6	
7	
8	CALL TO ORDER
9	
10	CHAIR LOWELL - Good evening ladies and gentleman. I would like to call the
11	October 22 nd , 2015 Regular Meeting of the Planning Commission to order. The
12	time is 7:03 PM. We do have two absentees up here. Commissioner Ramirez
13	has an excused absence and Commissioner Baker has an excused absence.
14	With that noted, could we have the rollcall please?
15	
16	DOLL OALL
17	ROLL CALL
18	Commissioners Dresset
19 20	Commissioners Present: Alternate Commissioner Nickel
	Commissioner Korzec
21 22	Commissioner Van Natta
23	Alternate Commissioner Gonzalez
23 24	Commissioner Barnes
2 4 25	Vice Chair Sims
26	Chair Lowell
27	Chair Lowell
28	Staff Present:
29	Rick Sandzimier, Planning Official
30	Paul Early, Assistant City Attorney
31	Grace Espino-Salcedo, Permit Technician
32	Jeff Bradshaw, Case Planner
33	Guy Pagan, Senior Engineer
34	
35	
36	PLEDGE OF ALLEGIANCE
37	
38	CHAIR LOWELL - Would anyone like to motion to approve the Agenda for
39	tonight's meeting? Oh, I'm one step ahead. We need to have the Pledge of
40	Allegiance. Commissioner Gonzalez is going to lead us in the Pledge of
41	Allegiance tonight. Thank you.
42	
43	
11	ADDDOVAL OF THE ACENDA

1	
2	Approval of Agenda
3	
4	
5	CHAIR LOWELL - Thank you for that. Now, would anyone like to motion to
6	approve tonight's Agenda? Let's see if we can do a vote on that. There we go.
7	We have a motion by Vice Chair Sims and a second by Commissioner Van
8	Natta. Let's vote. We are waiting on Commissioner Korzec.
9	
0	<u>COMMISSIONER KORZEC</u> – I keep pushing it.
1	
2	CHAIR LOWELL - There we go. It passes unanimously, 7-0. Awesome. Ah, I
13	crack me up.
4	
15	
6	Opposed – 0
17	
8	
9	Motion carries 7 – 0
20	
21	
22	CONSENT CALENDAR
23	
24	All matters listed under Consent Calendar are considered to be routine and all
25	will be enacted by one rollcall vote. There will be no discussion of these items
26	unless Members of the Planning Commission request specific items be removed
27	from the Consent Calendar for separate action.
28	
29 30	CHAIR LOWELL - So that moves us onto our Consent Calendar of which we
31	don't have any.
32	don thave any.
33	
34	APPROVAL OF MINUTES
35	ATTROVAL OF MINOTES
36	None
37	Tions and the second se
38	CHAIR LOWELL - Next is approval of Minutes, which again we do not have
39	any.
10	
11	
12	PUBLIC COMMENTS PROCEDURE
13	
14	Any person wishing to address the Commission on any matter, either under
15	Public Comments section of the Agenda or scheduled items or public hearings,
16	must fill out a "Request to Speak" form available at the door. The completed

1 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 3 4 Commission may establish an overall time limit for comments on a particular Members of the public must direct their questions to the Agenda item. Chairperson of the Commission and not to other members of the Commission, 6 the applicant, the Staff, or the audience. Additionally, there is an ADA note. 7 Upon request, this Agenda will be made available in appropriate alternative 8 formats to persons with disabilities in compliance with the Americans with 9 10 Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct their request 11 12 to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 48 hours prior to 13 the meeting. The 48-hour notification will enable the City to make reasonable 14 arrangements to ensure accessibility to this meeting.

15 16

17

<u>CHAIR LOWELL</u> – And now we're onto the Public Comments portion of the meeting.

18 19 20

NON-PUBLIC HEARING ITEMS

21 22 23

24

25

<u>CHAIR LOWELL</u> – Moving on, we have Non-Public Hearing Items, which we do not have any.

26 27

PUBLIC HEARING ITEMS

None

28 29 30

1. Case: PA15-0009 (Conditional Use Permit)

31 32

Applicant: Verizon Wireless

33 34

Owner: Shinder Kaur and Parmjit Singh

35 36

Representative: SAC Wireless (Dail Richard)

3738

Location: 14058 Redlands Boulevard (Farm Market)

39 40

Case Planner: Claudia Manrique

41 42

Council District: 3

43 44

45

46

Proposal: Applicant request for continuance of PA15-0009

(Conditional Use Permit) to the November 12th, 2015 Planning Commission Meeting for a proposed new

1 2	Wireless Communication Facility (WCF) with a 60 foot monopine.
3 4 5	CHAIR LOWELL – Which moves us onto the Public Hearing Items. The first Public Hearing Item is Case No. PA15-009, a Verizon Wireless cell tower and the
6 7	Case Planner is Claudia Manrique. Do we have a
8	PLANNING OFFICIAL RICK SANDZIMIER — We do. We have a quick update.
9 10	There will be no Staff presentation this evening on this particular item. This item was before the Commission at the last meeting and the Commission asked to
11	continue the item to this meeting. Subsequent to that, the Applicant's
12	representative (or the consultant) had asked that this item be further continued to
13	November 12 th . They are still trying to get a hold of Verizon to make sure that
14	they've got proper authorization to do the additional investigation that the
15	Commission was interested in. It is my understanding, as of today, that that
16	representative is still trying to work with Verizon. I've talked with Claudia and so
17	we will continue to push them to do what they need to do so that they can be
18	here on November 12 th . But, at this time, they've asked for the item to be
19	continued to November 12 th . We're supportive of that action at this time.
20	OHAID LOWELL Altitude Decreased to talk a configuration of
21	CHAIR LOWELL – Alright. Do we need to take an action on that or can we
22 23	justdo we vote on continuing the item?
24	PLANNING OFFICIAL RICK SANDZIMIER - You should take an action so that
25	we don't have to notice it again.
26	
27 28	CHAIR LOWELL - Okay.
20 29	PLANNING OFFICIAL RICK SANDZIMIER - So you're accepting the
30	recommendation to continue it.
31	
32	CHAIR LOWELL – Okay, I motion to continue the item to November 12 th , 2015,
33	meeting. You are now able to vote. Waiting on Commissioner Korzec.
34	
35	COMMISSIONER KORZEC – It's still not
36 37	CHAIR LOWELL – You didn't hold your head right. Okay, so the motion passes
38	7-0. So that item has been continued to November 12 th .
39	7 6. Go that item had been continued to Nevember 12 .
40	
41	Opposed – 0
42	
43	
44	Matian aguita 7 A
45	Motion carries 7 – 0

1 2 3	<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – Was there anyokay, it shows that the Commissioner Van Natta made the motion and you seconded it. Is that correct?							
4 5 6	<u>CHAIR LOWELL</u> – Yeah actually I motioned it. She seconded it but the buttons were pushed backwards.							
7 8	PLANNING OFFICIAL RICK SANDZIMIER - Okay.							
9 10	CHAIR LOWELL - I don't know if that's an issue.							
11 12 13	PLANNING OFFICIAL RICK SANDZIMIER – It'll be what you've done and no what the computer shows. Thanks.							
14 15 16 17 18 19 20	CHAIR LOWELL – Alright. Okay, so I don't think we need to take any oth action on that. So the item has been continued to November 12 th , 2015. The moves us onto our second item, which is PA15-0028, a Tentative Parcel Map N 36468. The Applicant is Continental East Fund III, LLC. The Case Planner Mr. Jeff Bradshaw.							
21 22	2. Case:	PA15-0028 – Tentative Parcel Map 36468						
232425	Applicant:	Continental East Fund III, LLC						
26 27	Owner:	Continental East Fund III, LLC						
28	Representative:	Continental East Fund III, LLC						
29 30 31 32	Location:	Northwest corner of Lasselle Street and Krameria Avenue						
33 34	Case Planner:	Jeff Bradshaw						
35	Council District:	4						
36 37 38 39 40 41 42 43 44 45	Proposal:	Tentative Parcel Map No. 36468 proposes to create a three parcel subdivision for finance purposes for property located within the approved 217 unit Continental Villages Project. The three parcels correspond to the three distinct residential product types located within the project. The Finance Map does not include any proposed development.						

46

STAFF RECOMMENDATION:

2

1

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2015-24, and thereby:

4 5 6

7

8

9

 CERTIFY that the project will not have a significant effect on the environment and is therefore exempt from the provisions of California Environmental Quality Act (CEQA), as a Class 15 Categorical Exemption, as a Minor Land Division, per CEQA Guidelines Section 15315; and

10 11 12

13

14

2. **APPROVE** PA15-0028 (Tentative Parcel Map) based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

15 16

17

18

<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – I'd like to introduce Mr. Jeff Bradshaw, our Planner on this, and we do have the Applicant present this evening as well.

19 20 21

22

23

2425

26

27

28 29

30

31

32 33

34

35

36 37

38

39

40

41

42 43

44

45

46

CASE PLANNER JEFF BRADSHAW - Thank you Chair Lowell and Members of the Planning Commission. The application presented to you this evening is for a proposal for a three parcel Finance Map. It is for property located on the 19 acres at the northwest corner of Lasselle and Krameria as indicated on the Exhibit on display. The proposal is to create this subdivision for finance purposes only. The property was previously entitled through an action by the Planning Commission. This prior project was approved at this location in November of 2002 for a 217 unit project referred to as the Continental Villages project. That was a project that included a combination of residential product types. They approved, at that time, was a portion of the site to be developed as detached single-family residences on small lots, clustered units that would have been developed around courtyards, and multiple-family apartments. proposed parcels, three parcels of this Finance Map, would match the boundaries of those three distinct residential product types from that original The project, through review by Staff, Staff has ensured and approval. determined that the design of this Finance Map conforms to all of the development standards (the applicable standards of the Moreno Valley Ranch Specific Plan) where it is located. It is also consistent with the requirements of the City's Municipal Code, and it is important to note that the Finance Map does not include any proposed development nor would approval of this Finance Map afford any development rights. It is for finance purposes only. development with any of the parcels within this map would be required to be in conformance with that original project, with the Continental Villages project. It was approved by the Planning Commission under a prior action. If the developer elected to do something different within the property, that would require separate review and separate approval under completely different applications. And they would go through that process, and it would be reviewed under its own merits. In the review of the project, Staff looked at the potential environmental impacts of this proposed subdivision and determined that it qualified and satisfied rather all of the criteria for a Categorical Exemption. And it would be Staff's recommendation that the Planning Commission recognize that the project is exempt from the provisions of the California Environmental Quality Act as a Class 15 Categorical Exemption as a Minor Land Division. Standard Public Hearing Notice was completed for this project with a 10-day notice appearing in the paper, as well as notices being provided to all owners of record within 300 feet of the site and the site was also posted. As of this evening, I did receive two phone calls in response to those noticing efforts. Both residents had questions about the Finance Map to better understand what is being proposed. They both stated, restated rather, their opposition to the original project, and there were some concerns with the City's criteria with how far away from a project we provide notice. They felt like 300 feet was not adequate. With that, Staff would recommend the following actions to the Planning Commission that they APPROVE Resolution No. 2015-24 certifying that the project will not have a significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act as a Class 15 Categorical Exemption and additionally APPROVE Tentative Parcel Map No. 36468 based on the findings contained in the Resolution and subject to the conditions of approval attached to that Resolution. That concludes my report. I'd be happy to answer any questions that you might have.

242526

1 2

3

6 7

8

9 10

11 12

13

14

15

16

17

18 19

20

21

2223

<u>CHAIR LOWELL</u> – Thank you for that. Do we have any questions for Staff before we ask the Applicant up?

2728

<u>COMMISSIONER BARNES</u> – Yeah, I have one question.

29 30

<u>CHAIR LOWELL</u> – Commissioner Barnes, go ahead.

31 32

33

3435

<u>COMMISSIONER BARNES</u> — I do have one question on LD6. Is it in conflict with P8 or do they imply different things because P8 says no development until a Future Map, a Conditional Use Permit, or a Master Plan for development whereas LD6 says that a Future Map must be processed? So it seems like there is no possible development without a Future Map.

36 37 38

39

40

41

42

43 44

45

46

CASE PLANNER JEFF BRADSHAW — I'll try and provide a response if I could and then I'll let Land Development respond to their condition if you will. If you look at the section of the Code that discusses finance maps, it anticipates a couple of different scenarios. Typically, you would see I believe the chronology you would see the Finance Map created first with development that might then follow later showing some specific concept or design plan for those distinct parcels. In this case, the development has already been approved, and they are now asking for the opportunity to create distinct parcels. So, I believe, P8 and LD6 are accurate in they are trying to cover both of those scenarios. There is the

possibility again that the underlying entitlement is never developed and they decide to come forward with a different concept, which would then be reviewed through our process to ensure compliance with our Code. I don't know if Land Development has anything they wanted to offer for LD6.

<u>COMMISSIONER BARNES</u> – Well I understand that, but even if the existing approved development is to move forward, based on that condition, they would still have to do another map because it says a future map for development must be processed. It seems...

 <u>CASE PLANNER JEFF BRADSHAW</u> – I don't believe the intent is to require a distinct map and so I will look to Land Development for some clarification on that. There is no requirement for the City to do a third map if you will for development at this location.

<u>COMMISSIONER BARNES</u> – That's the way I would read LD6. To me, it says another map is required before they can get any development permits.

<u>SENIOR ENGINEER GUY PAGAN</u> – This is Guy Pagan with Land Development. I'll have to go back and double check, but if I'm not mistaking, Resolution for Finance Maps that was approved some time earlier this year. The statement that is put in there is exactly the statement that was part of that resolution.

PLANNING OFFICIAL RICK SANDZIMIER – Well I'll try and shed some light on it. It is actually correct the way that the condition is written. Both conditions are correct. This particular project was actually in play at the time that the Finance and Conveyance Map Ordinance was put in place and there was actually some consideration give to this particular project because, as Mr. Bradshaw has already indicated, typically you'd want to see a Finance and Conveyance Map done prior to any sort of a land division already haven taken place. So the note on the map is actually correct. I should say the language in LD6 is correct, and when they come in for the development, what we would be then confirming is that the map that was already previously approved is confirmed to still be accurate so you still would go through a process to say there was an approved map put in place. It may sound awkward. It may look awkward, but that is in fact what was intended. And so, if they make a change to that map and they have to come in for a modification or revision to that map, then we would be approving another map for those development purposes. So it sounds a little convoluted. I can appreciate the Commissions questions and concerns, but we do believe that it is correct.

COMMISSIONER BARNES – Okay.

<u>CASE PLANNER JEFF BRADSHAW</u> – In my providing a background, I maybe didn't do as complete a job of explaining what the underlying entitlement

includes, so just for reference purposes this is the map that was approved with that original Continental Villages project. And that, I believe, is the map that is being referred to here in LD6 that development cannot occur as an outcome of this Finance Map unless there is an actual Development Map recorded. The Tentative Map that would correspond to this condition is this map, so.....

COMMISSIONER BARNES – So this map that exists is the future map that will exist?

CASE PLANNER JEFF BRADSHAW – That's correct.

COMMISSIONER BARNES – That's crystal clear to me.

CASE PLANNER JEFF BRADSHAW – Back to the future.

<u>CHAIR LOWELL</u> – Along that same note, LD5, it says that the developer shall protect downstream properties from damage caused by alternation of drainage patterns, i.e., concentration or diversion of flows. Protection shall be provided by constructing adequate drainage facilities, including but not limited to modifying existing facilities by securing a drainage easement. But, everywhere else in these conditions, it says no work can be done. But we're telling them they have to do work.

COMMISSIONER BARNES – I didn't prompt him to ask that.

 SENIOR ENGINEER GUY PAGAN – This statement is basically to put the Owner or the Applicant on notice that anything that's done within the property that may change the drainage pattern, such as going out and testing the property, that may change the drainage pattern. And they are responsible to ensure that any change to that drainage pattern does not do any harm to downstream any development that exists. So, if they go out and do work other than a development of the property itself, they need to make sure that whatever they do doesn't change that drainage pattern and causes damage to anything that is downstream of the property.

<u>CHAIR LOWELL</u> – Okay, so it's not referring to actual development. It's referring to anything that goes on with the property.

SENIOR ENGINEER GUY PAGAN – Correct.

41 <u>CHAIR LOWELL</u> – Do we have any other questions for Staff before I move on? 42 Vice Chair Sims.

<u>VICE CHAIR SIMS</u> — So mine is regarding on the conditions of approval, P4, which just it seems to be the Financial Map has a three year time on it and then it expires. Is there any conflict with the three years on this not lining up with the

prior three approvals, whatever PA11-025 through PA11-027? Are those consistent? Because it would just seem like, I don't know what the statutes are for Financing Maps per the Subdivision Map Act, but it would seem like you'd want to have this run concurrent with the length of time for the previous approvals.

<u>CASE PLANNER JEFF BRADSHAW</u> — They are distinct. The life afforded to the map would be the same as the Development Map, so by our statute is consistent or it matches the Subdivision Map Act, so a total of eight years. So, the three years is the initial approval. There would be opportunities for extensions through our process and possibly extensions if the State offered those again like they have over the last couple of years. The Finance Map is not a requirement for development. It was something that was a choice that was made by the developer. And so, to date, there has not been an effort to pair those. The Development Map would run on its own life or its own terms. And I don't know if Rick has anything additional he wanted to add.

<u>PLANNING OFFICIAL RICK SANDZIMIER</u> — The only thing I would say is, along the lines of the discussion we had a little bit earlier, they do run their own course for their own three years. Say the previous approval expires. You can still have the Finance and Conveyance Map approval in place and it almost is effectively then having the Finance and Conveyance Map in advance of actually having a development approval for the site. So the owner of the property still has the opportunity to sell the properties off for finance and conveyance purposes and then each of those individual properties, which are indicated in the conditions, would come in for subsequent approvals. So it is covered.

<u>CHAIR LOWELL</u> – Any other questions for Staff before we move on? No? Okay, I'd like to invite the Applicant up to speak.

 APPLICANT ALEX RAMIREZ — Good evening. I am Alex Ramirez and I am here on behalf on Continental East. We just first would like to thank Staff. They have been very helpful with this process and everything they've stated is accurate. We would just like to be on record and clarify that we are not looking to change any conditions, any entitlements to the property. This is clearly, as Staff has reiterated, just a financial tool. It is used throughout the State of California at various cities. We recently used it in Marietta as a tool to provide additional financing for our future development of the same projects that we're not changing any conditions on or entitlements. Having said that, we do appreciate the concern of citizens, but we'd like to have them be assured that we are not seeking to change the project. What was approved is what we will submit, and we ill submit a Final Map (a final approval) once we get to that position. If there are any other questions, we'd be open to receive them through contacting our company or through our Legal Staff.

1 2 3	<u>CHAIR LOWELL</u> – Thank you very much. Do we have any questions for the Applicant? Commissioner Gonzalez, do you still have any questions?			
4 5	ALTERNATE COMMISSIONER GONZALEZ - That was earlier.			
6 CHAIR LOWELL – Alright. Do we have any questions for the Applicant? 7 Okay. Grace, do we happen to have any Public Speaker Slips, any Comr. 8 Slips?				
9 10 11 12	<u>PERMIT TECHNICIAN GRACE ESPINO-SALCEDO</u> – I have not received any Speaker Slips.			
13 14 15 16 17	<u>CHAIR LOWELL</u> – Okay. With that said, do we have any Commissioner Comments or Discussion? I don't see anybody raising their hands. So, with that, would anybody like to motion the item? Okay, so we have a motion by Commissioner Van Natta and a second by Commissioner Korzec. Place your vote. Please cast your vote.			
18 19 20 21	<u>VICE CHAIR SIMS</u> — We're no longer reading into the record the motion? Is that a requirement or are we just			
22	COMMISSIONER VAN NATTA – Do we still read in the motion?			
23 24 25 26 27 28 29 30	ASSISTANT CITY ATTORNEY PAUL EARLY – There is no requirement that you read it verbatim. I know that some Commissioners and some Councilmember's prefer that, but if you're not making any changes to it, you can simply reference what was included in the Staff Report that you move to APPROVE as recommended by Staff and that would cover the entire thing as written.			
31 32 33	COMMISSIONER VAN NATTA – Okay then I move to APPROVE Resolution No. 2015-24 as recommended by Staff.			
34	CHAIR LOWELL - And do you still second that Commissioner Korzec?			
35 36	COMMISSIONER KORZEC – Sure, absolutely.			
37 38 39 40 41	<u>CHAIR LOWELL</u> – So motion by Commissioner Van Natta and seconded by Commissioner Korzec. All votes have been cast. Motion passes 7-0. Do we have a Staff wrap-up on this item?			
42 43 44	Opposed – 0			
45 46	Motion carries 7 – 0			

<u>PLANNING OFFICIAL RICK SANDZIMIER</u> – This item is appealable. For any interested party that would be interested in appealing the project, they can make that appeal to the City Council within 15 days of your action this evening. That appeal should be directed to the attention of the Community Development Director. If an appeal is filed, it would be scheduled for a hearing before the City Council within 30 days. I'm sorry, 10 days. It's a map.

OTHER COMMISSIONER BUSINESS

<u>CHAIR LOWELL</u> – Thank you very much. That moves us onto Other Commissioner Business. Do we have any other Commissioner Business?

PLANNING OFFICIAL RICK SANDZIMIER - None.

<u>CHAIR LOWELL</u> – How about our Joint Study Session this upcoming Thursday?

PLANNING OFFICIAL RICK SANDZIMIER — We have a Joint Study Session, which is still in the process of being set up through the City Clerk's office. You will be notified of the final Agenda we expect tomorrow, but since that hasn't been set yet, we'd still be asking you to adjourn your meeting to the next Regular Meeting of November 12th. But the Study Session that you're referencing is a Study Session that has been contemplated for next Thursday night, and it would include possibly three items. Those three items would be a discussion about Vineyard Zoning. It would be on Hillside Residential Ordinance and Development, and the third one would be a discussion about the Nissan Corridor Study, which has been under works for the last year.

<u>CHAIR LOWELL</u> – Perfect. Thank you very much.

PLANNING COMMISSIONER COMMENTS

<u>CHAIR LOWELL</u> – Do we have any Planning Commissioner Comments? I don't see anybody's hands.

COMMISSIONER VAN NATTA – I just have one.

CHAIR LOWELL - By all means, Commissioner Van Natta.

<u>COMMISSIONER VAN NATTA</u> – I just wanted to express my appreciation to the Staff and the Planning Commission for all their condolences on my mother's

	passing and that I appreciated all the camuch.	ards and the flowers.	Thank you very			
	<u>CHAIR LOWELL</u> – You're welcome. Any other comments?					
7 8 9 10	ALTERNATE COMMISSIONER NICKE Commissioner Baker and myself attended Verde Middle School. It was fairly well a was the City's Trucking Map, so that was very happy about it.	Walmart's open hou attended. The only it	se down at Vista em of contention			
13	CHAIR LOWELL - Last call for comment	s. Nobody?				
14 15 16	ADJOURNMENT					
17 18 19 20 21	CHAIR LOWELL - Okay, with that sa Meeting we are not adjourning to our nex 12 th , 2015 at 7:00 PM right here in the Ci much and have a good night.	t Regular Meeting, wh	nich is November			
22 23 24 25 26 27 28 29	Next Meeting: Planning Commission Regular Meeting, November 12 th , 2015 a 7:00 PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederic Street, Moreno Valley, CA 92553.					
30 31 32						
33 34 35 36 37 38 39 40	Richard J. Sandzimier Planning Official Approved	Da	ate			
41 42 43 44 45 46	Brian R. Lowell Chair	Da	te			