

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

5 **Thursday, December 15, 2016 at 7:00 PM**

6
7
8 **CALL TO ORDER**
9

10 **CHAIR LOWELL** – Good evening ladies and gentlemen. Welcome to the
11 Special Planning Commission Meeting. Today is Thursday, December 15, 2016.
12 The time is just after 7:00. It looks like it is 7:08 PM. I would like to call the
13 meeting to order. Ms. Tadeo, could we have the roll call please?
14

15
16 **ROLL CALL**
17

18 Commissioners Present:

19 Commissioner Ramirez
20 Commissioner Baker
21 Commissioner Sims
22 Commissioner Gonzalez
23 Commissioner Nickel
24 Vice Chair Barnes
25 Chair Lowell
26 Commissioner Korzec - Excused Absent
27

28
29 Staff Present:

30 Rick Sandzimier, Planning Official
31 Paul Early, Assistant City Attorney
32 Erica Tadeo, Administrative Assistant
33 Jessica Descoteaux, Associate Planner
34 Adria Reinertson, Fire Marshal
35 Chris Ormsby, Senior Planner
36 Eric Lewis, City Traffic Engineer
37

38
39 Speakers:

40 Rafael Brugueras
41 Damon Allen
42
43

1 **CHAIR LOWELL** – Thank you very much. Vice Chair Barnes, could you lead us
2 in the Pledge of Allegiance please?

3
4
5 **PLEDGE OF ALLEGIANCE**

6
7 **CHAIR LOWELL** – Thank you very much. Would anyone like to make a motion
8 to approve tonight’s Agenda?

9
10
11 **APPROVAL OF THE AGENDA**

12
13 **COMMISSIONER BAKER** – I will.

14
15 **CHAIR LOWELL** – Motioned by Commissioner Baker. Do we have a second?

16
17 **COMMISSIONER GONZALEZ** – I second.

18
19 **CHAIR LOWELL** – We have a second by Commissioner Gonzalez. All in favor,
20 say aye.

21
22 **CHAIR LOWELL** – Aye.

23
24 **VICE CHAIR BARNES** – Aye.

25
26 **COMMISSIONER RAMIREZ** – Aye.

27
28 **COMMISSIONER BAKER** – Aye.

29
30 **COMMISSIONER SIMS** – Aye.

31
32 **COMMISSIONER GONZALEZ** – Aye.

33
34 **COMMISSIONER NICKEL** – Aye.

35
36 **CHAIR LOWELL** – All opposed say nay. No opposed. The motion passes 7-0.
37 Tonight’s Agenda is approved.

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39
40
41 Opposed – 0

42
43
44 **Motion carries 7 – 0**

1 **CHAIR LOWELL** – That moves us onto our Consent Calendar.
2
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

13 **APPROVAL OF MINUTES**
14

15 [Planning Commission - Regular Meeting - November 10, 2016 at 7:00 PM](#)
16

17 [Approve as submitted.](#)
18
19

20 **CHAIR LOWELL** – Tonight we have one Consent Calendar item, which is
21 approval of Minutes from the Regular Planning Commission Meeting from
22 November 10, 2016. Unless we have any comments, I would like to make a
23 motion to approve the Minutes. Do we have any comments or discussion?
24

25 **COMMISSIONER NICKEL** – I'll be abstaining since I wasn't seated.
26

27 **VICE CHAIR BARNES** – I'll second the motion.
28

29 **CHAIR LOWELL** – Then, all in favor, say aye.
30

31 **CHAIR LOWELL** – Aye.
32

33 **VICE CHAIR BARNES** – Aye.
34

35 **COMMISSIONER RAMIREZ** – Aye.
36

37 **COMMISSIONER BAKER** – Aye.
38

39 **COMMISSIONER SIMS** – Aye.
40

41 **COMMISSIONER GONZALEZ** – Aye.
42

43 **CHAIR LOWELL** – All opposed say nay. Abstaining we have Commissioner
44 Nickel, so the motion passes 6-0 with one abstention. The Minutes are
45 approved.
46

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3 Opposed – 0
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6 **Motion carries 6 – 0 – 1 with one abstention**
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10 **CHAIR LOWELL** – That moves us onto Public Comments.
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12

13 **PUBLIC COMMENTS PROCEDURE**
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15 *Any person wishing to address the Commission on any matter, either under*
16 *Public Comments section of the Agenda or scheduled items or public hearings,*
17 *must fill out a “Request to Speak” form available at the door. The completed*
18 *form must be submitted to the Secretary prior to the Agenda item being called by*
19 *the Chairperson. In speaking to the Commission, member of the public may be*
20 *limited to three minutes per person, except for the applicant for entitlement. The*
21 *Commission may establish an overall time limit for comments on a particular*
22 *Agenda item. Members of the public must direct their questions to the*
23 *Chairperson of the Commission and not to other members of the Commission,*
24 *the applicant, the Staff, or the audience. Additionally, there is an ADA note.*
25 *Upon request, this Agenda will be made available in appropriate alternative*
26 *formats to persons with disabilities in compliance with the Americans with*
27 *Disabilities Act of 1990. Any person with a disability who requires a modification*
28 *or accommodation in order to participate in a meeting should direct their request*
29 *to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 48 hours prior to*
30 *the meeting. The 48-hour notification will enable the City to make reasonable*
31 *arrangements to ensure accessibility to this meeting.*
32
33

34 **NON-PUBLIC HEARING ITEMS**
35

36 **None**
37
38

39 **CHAIR LOWELL** – Do we have any speakers waiting to talk on Non-Public
40 Hearing Items?
41

42 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – There is just one.
43

44 **CHAIR LOWELL** – Perfect, Mr. Brugueras.
45

1 **SPEAKER RAFAEL BRUGUERAS** – Good evening, Chair, Commissioners,
2 Staff, Residents, and Guests. It is a great honor to be back here tonight with
3 each one of you. It has been a little while. I’ve been busy meeting the residents
4 of Moreno Valley. When I was campaigning for Mr. Brian Lowell and Dr.
5 Gutierrez, I had a great honor, really. It is a beautiful city with a lot of different
6 cultures. We have a wonderful city, and we made promises to them. We talked
7 about public safety. We talked about jobs. We talked about development. We
8 talked about having a peaceful place to live in, clean, and I made promises to
9 them. And you’re going to hear my promises tonight. You’re going to see me a
10 lot more than you ever did before because I promised them that I will fight for
11 development and jobs to give people chances to go back to work. I always give
12 them my story that my mother did for me, and I am going to share it with you and
13 to those that are listening. When I was young and I was staying at my mother’s,
14 my mother always threw me out to go look for work, but she always gave me
15 \$2.00 so I can always have something to eat and take the train, have car fare.
16 But there are two things I learned growing up, as of today, I don’t steal and I don’t
17 beg because I have \$2.00 in my pocket. Each one of you is in a position to help
18 this city not to beg and steal. We can develop and bring jobs here. We have a
19 great responsibility now more than ever since our country is now moving towards
20 that purpose of bringing back jobs, and we have land in this city, and we have
21 people that want to work in this city. Whether we start at \$10.00, \$15.00, or
22 \$20.00, we don’t want to beg, and we don’t want to steal. We just want to pay
23 our bills and live a happy life. I am going to keep my promise to them. You’ll see
24 me a lot more, and thank you so much for coming back tonight.

25
26 **CHAIR LOWELL** – Thank you, Mr. Brugueras. Any other speakers?
27

28 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – No.
29

30 **CHAIR LOWELL** – Last chance for Non-Public Hearing Items. Anybody want to
31 speak? Okay, Non-Public Hearing Item portion is now closed. Moving onto the
32 Public Hearing Items. The first Public Hearing Item tonight is PA16-0027, a
33 Conditional Use Permit for a Banquet Facility. The Case Planner is Ms. Julia
34 Descoteaux.
35

36 37 **PUBLIC HEARING ITEMS** 38

- 39
40 1. Case: PEN16-0059 (PA16-0027) – Conditional Use
41 Permit for a Banquet Facility (Existing
42 Structure)
43
44 Applicant: Huber Gutierrez
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46 Owner: Formosa Rentals, LLC

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Representative: Huber Gutierrez
Location: 24805 Alessandro Boulevard, Unit #9 at the southwest corner of Alessandro and Perris Boulevards (APN: 482-540-028)
Case Planner: Julia Descoteaux
Council District: 3
Proposal: PEN16-0059 (PA16-0027) – Conditional Use Permit for a Banquet Facility (Existing Structure)

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2016-26, and thereby:

- 1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities; and
- 2. **APPROVE** PEN16-0059 (PA16-0027) Conditional Use Permit (Existing Structure) subject to the attached Conditions of Approval included as Exhibit A.

ASSOCIATE PLANNER JULIA DESCOTEUX – Good evening Planning Commissioner’s. I am Julia Descoteaux, and I am the Associate Planner. I am the Planner for this project, which is a Conditional Use Permit for a Banquet Facility located in an existing structure at 24805 Alessandro Boulevard. The proposal is to establish a new 5000 square foot Banquet Facility, which will host social events such as weddings, wedding receptions, seminars, meetings, and operate on an as-needed basis generally Friday through Sunday. The Banquet Facility proposes to accommodate approximately 200 people at any given time, and the Applicant has indicated that there will be no alcohol sales and any food will be catered by outside licensed vendors. The Banquet Facility is located in the southwestern portion of the shopping center, and the space currently has single doors. The Applicant will be modifying that to add double doors in the front for better access to the facility. The existing shopping center has a variety of other commercial uses within the center including restaurants, a medical clinic,

1 and retail offices and service-related businesses. It is in the Community
2 Commercial Zone, which is intended to provide for general shopping needs of the
3 area residents. Surrounding the shopping center includes commercial to the
4 west and east and then residential uses are north of Alessandro Boulevard and
5 the area behind, the south portion, is zoned for residential. Currently, there is a
6 site behind this location that is vacant land and then, a little bit to the southwest,
7 there are residential homes. The proposed facility in the shopping center, there
8 will be no changes to the parking lot. The Parking Study was done, and there is
9 adequate parking for this use and the other uses within the center. The proposal
10 requires a Conditional Use Permit because it's within 300 feet of a Residential
11 Zone, and the application was submitted on May 9, 2016. To date, all concerns
12 or issues have been adequately addressed between City Staff and the Applicant.
13 The proposal is in an existing center and, based on the use, size, and location,
14 the project qualifies as a Class I Categorical Exemption under CEQA, Section
15 15301, for Existing Facilities. Notification was sent to all property owners within
16 300 feet and, to date, we have had no phone calls regarding the site. Staff
17 recommends that the Planning Commission **APPROVE** Resolution 2016-26
18 certifying that the project is exempt from the provisions of the California
19 Environmental Quality Act (CEQA) as a Class I Categorical Exemption and
20 **APPROVE** PEN16-0059 Conditional Use Permit and the Existing Structure. The
21 other Case number you'll note there is PA16-0027. That application came in
22 prior to our conversion in ACP, so there are two numbers, but the new number is
23 the PEN16-0059. This concludes my Staff Report, and myself and the Applicant
24 are here to answer any questions for you. Thank you.

25
26 **CHAIR LOWELL** – What does the PEN stand for?

27
28 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Planning Entitlement.

29
30 **CHAIR LOWELL** – Awesome. Any questions for Staff before I move onto the
31 Applicant? Commissioner Sims, go for it.

32
33 **COMMISSIONER SIMS** – It states that there is not going to be alcohol sales at
34 the location. Is that the same....is that different than this is a wedding where they
35 have receptions and so forth? Is it that the people that will be renting the hall can
36 bring their own alcohol or set up their own bar, or how does that work?

37
38 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Currently, the application
39 does not allow for alcohol at the site. If they intended to serve alcohol, they
40 would have to come back and modify the Conditional Use Permit and also get a
41 license from ABC.

42
43 **COMMISSIONER SIMS** – So I guess my question is.....

44
45 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – No. They can't bring in
46 alcohol.

1
2 **CHAIR LOWELL** – Consumption is different.

3
4 **COMMISSIONER SIMS** – Alright, thank you. Not that I am necessarily opposed
5 to that, I just was wondering. It was just for my clarification, that’s all. I wanted to
6 know.

7
8 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Okay.

9
10 **CHAIR LOWELL** – Any other questions for Staff?

11
12 **VICE CHAIR BARNES** – Yes.

13
14 **CHAIR LOWELL** – Vice Chair Barnes.

15
16 **VICE CHAIR BARNES** – So ABC has a license for consumption only?

17
18 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Yes. They have to go
19 through PD for that, the police department, as well.

20
21 **VICE CHAIR BARNES** – Okay. I had the same question. I also have a
22 question on P3. It says 6:00 PM to 2:00 AM, so they couldn’t have a Saturday
23 afternoon function at 3:00?

24
25 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – That’s correct.

26
27 **VICE CHAIR BARNES** – Really? Their choice, or is that a City requirement?

28
29 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – That is the way the
30 application was submitted.

31
32 **VICE CHAIR BARNES** – Okay. P9 talks about site lighting. You know, it has to
33 be maintained. Are they responsible for the maintenance?

34
35 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – They and the landlord of the
36 center. If there is something, they would have to contact their landlord and the
37 landlord, so they would work together.

38
39 **VICE CHAIR BARNES** – Okay. My concern is that the landlord could impact
40 their Conditional Use Permit because that same item applies in another condition
41 where site maintenance is a condition. F2 talks about the fire alarm and an
42 occupancy of 300 or more but the opening description talked about, I think, 200
43 max. So, does F2 not apply?

44
45 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – That would not, based on the
46 condition, would not apply. However, when they submit to Building and Safety

1 and Fire, they'll look at the occupancy load and make a determination of the
2 ultimate.....

3
4 **VICE CHAIR BARNES** – It will be revisited.

5
6 **ASSOCIATE PLANNER JULIA DESCOTEUX** – But, if the ultimate load does
7 come out at the 300, then they would have to meet this condition.

8
9 **VICE CHAIR BARNES** – Okay, and I think that was it. Yeah, that was it. Thank
10 you very much.

11
12 **COMMISSIONER BAKER** – Brian, I got one question.

13
14 **CHAIR LOWELL** – Commissioner Baker.

15
16 **COMMISSIONER BAKER** – A couple items here, and we may have them
17 covered but I assume, I don't know what our rule is, I was always of the opinion,
18 if you had 5000 square feet or more, you had to put a sprinkler system in. Is that
19 correct? And I couldn't tell if they had sprinklers in there when I went there and
20 looked at it. You know, automatic fire sprinkler.

21
22 **ASSOCIATE PLANNER JULIA DESCOTEUX** – That would fall under the
23 Building Code and Fire Code if it's required for their tenant improvement.
24 However, it's an Existing Structure.

25
26 **COMMISSIONER BAKER** – It's what, Existing Structure?

27
28 **ASSOCIATE PLANNER JULIA DESCOTEUX** – It's an Existing Structures,
29 so.....

30
31 **COMMISSIONER BAKER** – It's a different issue then, right?

32
33 **ASSOCIATE PLANNER JULIA DESCOTEUX** – And we can let fire address
34 that.

35
36 **FIRE MARSHAL ADRIA REINERTSON** – Commissioner Baker, Adria
37 Reinertson, Fire Marshal. The Existing Facility is fully sprinklered. Under our
38 Municipal Code, we sprinkler new structures at 3600 square feet.

39
40 **COMMISSIONER BAKER** – 3600 okay.

41
42 **FIRE MARSHAL ADRIA REINERTSON** – Yes, and the assemblies, it just
43 depends on what they are being used for and what their occupant load is.

44
45 **COMMISSIONER BAKER** – Very good.
46

1 **FIRE MARSHAL ADRIA REINERTSON** – So Code would be 300 occupants.

2
3 **COMMISSIONER BAKER** – Thank you so much. One other item I had. I know
4 they are not going to prepare food there, but being from a food service
5 background, what are they going to do for grease interceptor because, even if
6 they are scraping plates off, you are going to have a waste issue there. I couldn't
7 see any 3-VAT sinks on the plans. Is that something we need to deal with here,
8 or is that Building and Safety or somebody else? I guess Health Department,
9 right?

10
11 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – That would fall under Building
12 and Safety, and the Health Department, and probably EMWD too if it has to do
13 with the drains.

14
15 **COMMISSIONER BAKER** – Okay, very good. Thank you.

16
17 **CHAIR LOWELL** – Commissioner Sims.

18
19 **COMMISSIONER SIMS** – Speaking of Eastern Municipal Water District, on this,
20 I don't see there are any comment letters or any response. So the occupancy
21 load potentially could be, with that kind of occupancy, could change like the
22 sewer connection....how does that work out? Is that done during building review
23 or as circulated?

24
25 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Yes. That would be done
26 during the building review and the Applicant has already been in contact with
27 EMWD as well.

28
29 **CHAIR LOWELL** – Any other questions? Okay, I would like to invite the
30 Applicant up please.

31
32 **APPLICANT HUBER GUTIERREZ** – Good evening.

33
34 **CHAIR LOWELL** – Good evening.

35
36 **APPLICANT HUBER GUTIERREZ** – My name is Huber Gutierrez, so we are
37 the Applicant's and basically she already said it all. So it is going to be a
38 Banquet Hall. Hopefully, you guys can approve it, and I don't know if you guys
39 have any questions or any concerns or any other questions?

40
41 **CHAIR LOWELL** – Not right now. I don't think so. We were just inviting you up
42 to have a chance to speak.

43
44 **APPLICANT HUBER GUTIERREZ** – Yeah, okay. Well basically what it is, it is
45 just going to be a venue for social events. You know, we're not selling alcohol.
46 However, I was a little confused when you guys mentioned something about that.

1 The guests, I guess they will be allowed to bring their own alcohol. We're not
2 going to sell the alcohol, so I don't know how that is going to work.

3
4 **CHAIR LOWELL** – That was one of the concerns we had is if selling alcohol is
5 the same as consuming alcohol and if there is a separate permit just for onsite
6 consumption.

7
8 **APPLICANT HUBER GUTIERREZ** – I do not know. I have no...I don't have
9 that information. I spoke to ABC over the phone, and they told me that there is
10 no, we don't need a license for that because we're not selling alcohol there.
11 We're not selling it. There might be alcoholic consumption, but we're not selling
12 it so.

13
14 **CHAIR LOWELL** – We'll find out in a little bit. We will get down to that.

15
16 **APPLICANT HUBER GUTIERREZ** – Okay so, what else, I think basically I just
17 wanted to point that out.

18
19 **CHAIR LOWELL** – Okay. If everything goes in favor, when do you guys plan on
20 opening up?

21
22 **APPLICANT HUBER GUTIERREZ** – Within three to four months possibly, yeah.

23
24 **CHAIR LOWELL** – Perfect.

25
26 **APPLICANT HUBER GUTIERREZ** – Yeah.

27
28 **CHAIR LOWELL** – I appreciate it. Thank you.

29
30 **APPLICANT HUBER GUTIERREZ** – You're welcome.

31
32 **CHAIR LOWELL** – Do we have any Public Speakers? Any Comment Slips
33 tonight?

34
35 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Just one, Rafael Brugueras.

36
37 **CHAIR LOWELL** – Mr. Rafael, you are up.

38
39 **SPEAKER RAFAEL BRUGUERAS** – Good evening once again, Chair,
40 Commissioners, Staff, Guests, and Residents. I looked at this plan, and I went
41 over to the site myself yesterday, and I read it. Planning Division General
42 Conditions, Building and Safety, Fire Prevention Bureau, and Police Department,
43 and I said to myself I need to come and meet the Applicant in person and ask
44 him is he ready to do business in Moreno Valley because he needs to
45 understand that he is going to meet the Commissioners and you kept me true to
46 your questions of asking safety questions and concerns to other residents that

1 are going to be walking or using that plaza for business. You know, and they
2 may interact with their guests or somebody may go outside and maybe sip on his
3 beer or a little drink. We don't know what people do, but we know that they are
4 not going to sell alcohol. But we know that weddings, they have wine and
5 alcohol at many weddings and I'm hoping that, if he is not responsible, the
6 Applicant that is going to rent the facility may come to the City and get a permit to
7 consume that alcohol there without making them responsible. I didn't hear that. I
8 know that you're going to work it out. You mentioned that. So I'm happy for
9 them because he said yes to your challenges, and he is willing to work with the
10 Staff and the City to bring this business to Moreno Valley. This plaza needs a
11 light on that side of the plaza because, the other side of the plaza, we have the
12 99 Cent Store and other facilities on that side. That side is well lit. Then, on the
13 other side that we just mentioned, you have small businesses, the laundry mat
14 and other little things. By having them on the weekend and at least fixing the
15 lights and everything in the parking lot, that will help a lot with, once again, the
16 residents that come to do business in that area next to them because I
17 understand that he will be next to the restaurant that is there now. Anything that
18 we can add to that side of the plaza is a plus for Moreno Valley. The good thing
19 about it is we're going to allow 200 families to be together in a larger place
20 because I thought about all the hotels that we have here that they only have
21 small rooms like this. Sometimes families cannot find a larger place to enjoy,
22 and there may be meetings and things like that. So we are going to bring a host
23 of different people to our city that get a chance to see and hopefully, in time, we
24 can start repairing Perris Boulevard to look a lot nicer and cleaner because it's an
25 old city with its own history. And we would like to change it to a little modern look
26 as time goes on with his help and others. Thank you for listening, and I hope you
27 support him and approve his project. Thank you.

28
29 **CHAIR LOWELL** – Thank you very much, Mr. Brugueras. Would the Applicant
30 like to respond to anything else you've heard tonight so far? Yes, no, maybe so?
31 Okay, with that said, let's go into Commissioner Discussion. Anybody have any
32 questions or concerns so far? We have Mr. Barnes ready to go.

33
34 **VICE CHAIR BARNES** – I guess I want to follow up on the alcohol issue. He
35 has expressed a desire for the patrons to be able to consume if they are having a
36 wedding reception or something so my only question is, should we approve this,
37 does it make the addition of alcohol consumption more complicated for him? Or
38 should that issue be resolved prior to this approval because I don't want to make
39 it more complicated for him?

40
41 **PLANNING OFFICIAL RICK SANDZIMIER** – I think we're covered with the
42 condition the way that it is written. The condition on page 45 is specifically
43 written by our police department. It is Condition PD6 basically saying that ABC
44 approvals will be required for alcohol license in this area. We can change that by
45 adding a couple words. When applicable would be one way to do it because the
46 ABC licensing is required if there is going to be any sale on the site. So, if they

1 brought in somebody who was going to run a bar and they were going to sell it to
2 the people that were coming to the event, that would be restricted. But, if they
3 could qualify with the vendor.....

4
5 **VICE CHAIR BARNES** – But if it was provided by the host....

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – If the vendor was providing their
8 own license, they may qualify. If the alcohol was free and was just provided as a
9 host by the party, then we’re covered here. There is an enforcement issue, but it
10 basically relies on the person who is running the Banquet Facility to make sure
11 that they are in compliance. Now, they are going to have to get a Business
12 License from the City. If they want to indicate in there that they intend to have an
13 ABC license provided by the person who provides the alcohol and it’s not their
14 responsibility, I can work with the Business License folks and see if there is a
15 way to document that. But I think we’re covered here.

16
17 **VICE CHAIR BARNES** – I just don’t want to make it more complicated for him
18 because if this were to be approved and then he is adding that after the fact, but
19 if it could be addressed independently and not create any heartache then I’m
20 good with it.

21
22 **PLANNING OFFICIAL RICK SANDZIMIER** – Our Municipal Code is more
23 specific to convenient stores that are selling alcohol.

24
25 **VICE CHAIR BARNES** – Yeah.

26
27 **PLANNING OFFICIAL RICK SANDZIMIER** – And then the ABC License I think
28 our attorney may want to answer here.

29
30 **ASSISTANT CITY ATTORNEY PAUL EARLY** – I don’t know if I had anything to
31 add other than to simplify. I think that the way it is written is as the Applicant has
32 stated. There is no sales allowed but, if people bring in and serve alcohol
33 (alcohol service), there is nothing restricting that at this point either under the
34 Conditions or our Codes.

35
36 **VICE CHAIR BARNES** – Yeah, I think that’s what Jeff and I were....

37
38 **CHAIR LOWELL** – Do you need a permit to consume alcohol onsite?

39
40 **ASSISTANT CITY ATTORNEY PAUL EARLY** – My five-minute research on
41 ABC Licenses here on this because I sensed this coming up was that there is an
42 exception under the ABC for what they deem to be private parties. That is a
43 commercial establishment that’s not open to the public. Obviously, it’s going to
44 be a case by case analysis. If they turned this into a facility where they were
45 basically inviting the public in, they would be required to have a license and ABC
46 would come down pretty hard on them if they were engaging in that type of

1 activity. But, if they hold true to the a wedding where it's only the wedding guests
2 who are present and they are not selling the alcohol, I don't believe an ABC
3 License is going to be required.

4
5 **CHAIR LOWELL** – Okay so the nature of the proposal, with a private banquet
6 facility where the patrons bring their own alcohol and disperse it freely to the
7 guests at a private event, there is no conflict? There is no problem with ABC?

8
9 **ASSISTANT CITY ATTORNEY PAUL EARLY** – That would be allowed under
10 our Code under these Conditions and, assuming they hold true to all of ABC's
11 regulations, then yes, that would be true for them as well.

12
13 **VICE CHAIR BARNES** – It sounds like we're good then.

14
15 **ASSISTANT CITY ATTORNEY PAUL EARLY** – If your intention is to recognize
16 that alcohol will be onsite, yes.

17
18 **VICE CHAIR BARNES** – Assuming, yeah, okay.

19
20 **ASSISTANT CITY ATTORNEY PAUL EARLY** – If your intention was not, then
21 you wouldn't be good.

22
23 **VICE CHAIR BARNES** – I understand. Okay.

24
25 **COMMISSIONER NICKEL** – I have one question, Paul, excuse me. What
26 would be the liabilities say they didn't follow through with getting okays for
27 outside alcohol to come in and be consumed and one of their guests goes out
28 and t-bones a family of four at Perris and Cactus. Who bears the liability for
29 that? Because I mean bars and all have to know when to cut off.

30
31 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Well the City wouldn't bear any
32 liability. I can speak to that. The facts of your scenario, I can guarantee you a
33 number of people would be included in that suit including the banquet facility, the
34 hosts of the event, whoever served the alcohol or gave the alcohol to the person,
35 whoever owned the vehicle that was involved in the collision whether or not they
36 were the driver of the vehicle. All those people are likely to be brought into the
37 suit. But, you know, that's the nature of our system.

38
39 **COMMISSIONER NICKEL** – Yeah.

40
41 **CHAIR LOWELL** – Yes, Commissioner Ramirez.

42
43 **COMMISSIONER RAMIREZ** – With regards to the facility being open until 2:00
44 AM, is this facility going to be required to have security or will they be using the
45 onsite security at the shopping center?

46

1 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – There is a Condition of
2 Approval that states that, if there is concern, they would have to have.....If PD
3 determines there is a concern later on, then they would have to provide security.
4

5 **COMMISSIONER RAMIREZ** – I have one question for the Applicant. What led
6 you to open the business? Did you see a need for these types of facilities for
7 families to gather? Can you come up to the microphone?
8

9 **ASSISTANT CITY ATTORNEY PAUL EARLY** – They just want to make sure it
10 captures it all on the record. Thank you.
11

12 **APPLICANT HUBER GUTIERREZ** – I'm sorry. Yeah, definitely, we saw the
13 need. There are just a few of them within the city. About a year ago, we had an
14 event in the family, and it was kind of hard for us to find one available at the time
15 that we needed it. So, you know, that kind of got knocking in our heads, and we
16 own a business currently here within the City of Moreno Valley so I guess we
17 have the entrepreneurial spirit so basically that is it.
18

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

21 **APPLICANT HUBER GUTIERREZ** – You're welcome.
22

23 **CHAIR LOWELL** – Commissioner Sims, you are on.
24

25 **COMMISSIONER SIMS** – Commissioner Ramirez asked my question. I looked
26 at Condition P8, and it is pretty vague. But, if you have 200 people and there is
27 alcohol and it is a wedding reception, it sounds like a good time. But I guess I
28 just don't know how the.....I guess is it just a matter of the activity that would be
29 monitored by the PD that would then trigger some action? How would that go
30 down as far as.....
31

32 **COMMISSIONER NICKEL** – After something happens?
33

34 **COMMISSIONER SIMS** – Yeah, something bad has to happen to trigger it and
35 then we get a Condition or how does that work?
36

37 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – That was a recommendation
38 by the police department to have security there, but it is only a recommendation.
39 They didn't want to place the condition out there. Normally, they give them the
40 benefit of the doubt to begin with that everything is going to function properly and
41 then, if it doesn't, then they come back and enforce the condition. Usually, it is
42 up to the Applicant to make sure that they are providing a secure venue.
43

44 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman.....
45

1 **COMMISSIONER SIMS** – I just, I have been to a lot of weddings and the ones
2 that I have seen that has been a hosted bar tend to be the consumption goes
3 significantly more than the non-hosted bar so I think you're squaring up that
4 you're going to need security potentially. I don't know what, are there other
5 venues like this in the City and there is a requirement for security? I know that
6 there is....

7
8 **CHAIR LOWELL** – There's one right here.

9
10 **COMMISSIONER SIMS** – Isn't there a venue over there by the.....

11
12 **CHAIR LOWELL** – Elsworth isn't it?

13
14 **COMMISSIONER BAKER** – Elsworth and.....

15
16 **CHAIR LOWELL** – The Jack in the Box parking lot.

17
18 **COMMISSIONER SIMS** – I was thinking of the one over there, it is the shopping
19 center by the, it's where the dance studio is and the gymnastic place. There is
20 kind of like a stand-alone little place right there. Is there a requirement for that
21 one to have security?

22
23 **SENIOR PLANNER CHRIS ORMSBY** – I believe we looked at the Conditions
24 for that. I believe they are similar to this project, and that project is actually
25 relocating behind the Taco Bell, which is just a little bit east of there.

26
27 **CHAIR LOWELL** – Any other questions or comments?

28
29 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman, if I may.

30
31 **CHAIR LOWELL** – Mr. Sandzimier.

32
33 **PLANNING OFFICIAL RICK SANDZIMIER** – Just for clarification, on page 45,
34 the condition I was referring to PD6, I would like to recommend that we add some
35 additional language to that. The additional language I would like to add at the
36 end would be to strike the period at the end of the sentence and add the words
37 as required by California Department of Alcoholic Beverage Control Regulations.
38 Then, with respect to, what enforcement opportunities or options would the City
39 have? If they did not follow this requirement, say they did have an event and
40 they were found to not be following ABC regulations, then we would have some
41 grounds at least protected through this Conditional Use Permit approval. And, by
42 our Municipal Code, it does allow the City to revoke a Conditional Use Permit if
43 they are operating in violation. That isn't going to stop the event from happening,
44 but it does maybe give us some protection if we ensure this here and the
45 Applicant is fully aware that, if we do move forward and approve this this
46 evening, that you're expecting them to be a responsible business and that they

1 will follow these regulations. In terms of security, I apologize, I don't know what
2 we we've put on the other banquet facilities we have in town. That was not
3 something that.....

4
5 **CHAIR LOWELL** – I know that some of the bars that we've approved, they've
6 required private security. Some Applicant's have required security, some haven't
7 so I think it is a case by case basis.

8
9 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.

10
11 **CHAIR LOWELL** – One of the conditions in here, it says that there are
12 supposed to be responsible for security should any measures arise, so it's kind of
13 an as-needed condition so I'm comfortable with it. One of the other questions
14 that I had that it doesn't appear to be an issue yet. Currently, to the south of the
15 property, it is vacant. But, if something else comes in that's like a sensitive use
16 that's like a residential site, I didn't see any noise regulations as a condition, so
17 they are operating until 2:00 in the morning and it says generally Friday through
18 Sunday but other days as needed so it could be possible that they are on a work
19 day and they have a huge party until 2:00 AM. What's the noise regulation? Is it
20 just the City's Standard Noise Regulation that they have to have quiet hours after
21 what, 10:00?

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – That would be true, correct.

24
25 **CHAIR LOWELL** – There is no exception in this CUP?

26
27 **PLANNING OFFICIAL RICK SANDZIMIER** – No.

28
29 **CHAIR LOWELL** – I'm perfect with that. Any other questions or comments?
30 Concerns?

31
32 **COMMISSIONER BAKER** – I had one other question. On the issue with the
33 ADA, and I don't know if you require that, but the one thing that I did notice is
34 there are no ramps or ADA spaces in front of this property. I mean it's null and
35 void. It's about three doors I think. I would like to see that happen because
36 you're going to have some older folk coming in that need, and I don't know if you
37 can build that into the program or not.

38
39 **PLANNING OFFICIAL RICK SANDZIMIER** – We can.

40
41 **COMMISSIONER BAKER** – It does address the ADA issue. I just don't know if
42 we went that deep with it or not for parking and the ramp?

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – So what you're asking for, we
45 could draft a Condition that, prior to the issuance of a Building Permit, that the

1 Applicant demonstrate that the parking lot would be modified to include
2 appropriate ADA parking spaces within the proximity to the new business.

3
4 **COMMISSIONER BAKER** – Yeah.

5
6 **PLANNING OFFICIAL RICK SANDZIMIER** – I would ask, before we put that
7 condition in there....do we already have it in there?

8
9 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Yeah, B4.

10
11 **COMMISSIONER BAKER** – B4? Okay, good enough.

12
13 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay. It sounds like we might
14 already have that in there. The Condition is.....

15
16 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Before.

17
18 **COMMISSIONER BAKER** – Before? Okay good. Okeydoke, very good.

19
20 **CHAIR LOWELL** – Okay. I think all of our questions have been asked and
21 answered. Would anybody like to make a motion?

22
23 **COMMISSIONER NICKEL** – I'd like to make one comment. I'm still not settled
24 with the alcohol issue, and that's probably because I do have a bias as a critical
25 care nurse for many, many years. I'm also concerned from the standpoint that
26 we're hoping that everything is being done in good faith. And, when I went up
27 and went around the rear of this site, there is a tire change store that is actually
28 dumping tires. So, if the center can't follow those rules as simple as the trash
29 dumpster, why am I to believe this is going to be safe for the public? That's just
30 where I'm coming from.

31
32 **CHAIR LOWELL** – Well this permit is Applicant based. So, if the Applicant
33 messes up, then they lose own permit. It's more of an enforcement issue than
34 anything.

35
36 **COMMISSIONER SIMS** – I'd like to make a motion.

37
38 **CHAIR LOWELL** – Feel free to click the screen.

39
40 **COMMISSIONER SIMS** – What's that?

41
42 **CHAIR LOWELL** – Feel free to click the screen.

43
44 **COMMISSIONER SIMS** – Oh.

45
46 **CHAIR LOWELL** – Go ahead. Read your motion.

1
2 **COMMISSIONER SIMS** – I would like to recommend that the Planning
3 Commission **APPROVE** Resolution No. 2016-26 and (1) **CERTIFY** that this Item
4 is exempt from the provisions of California Environmental Quality Act as a Class I
5 Categorical Exemption, CEQA Guidelines Section 15301, for Existing Facilities
6 and (2) **APPROVE** PEN16-0059 (also referred to as PA16-0027) Conditional Use
7 Permit for Existing Structures subject to the attached Conditions of Approval
8 included as Exhibit A.

9
10 **CHAIR LOWELL** – The Conditions are as amended.

11
12 **ASSISTANT CITY ATTORNEY PAUL EARLY** – As proposed by the Planning
13 Official?

14
15 **CHAIR LOWELL** – Yes.

16
17 **ASSISTANT CITY ATTORNEY PAUL EARLY** – With those amendments?

18
19 **COMMISSIONER SIMS** – Exactly.

20
21 **CHAIR LOWELL** – We have a motion by Commissioner Sims. We have a
22 second by Vice Chair Barnes. All in favor, please cast your vote. I guess
23 anybody cast your vote, not just in favor. All votes have been cast. Going once,
24 going twice, the motion passes 6-0 with one abstention. The motion passes. Do
25 we have a Staff wrap-up on this item?

26
27
28
29 Opposed – 0

30
31
32 **Motion carries 6 – 0 – 1 with one abstention**

33
34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes. This Item is an appealable
36 action by the Planning Commission. If any interested party is inclined to want to
37 appeal, they can file their appeal within 15 days of this action. They would direct
38 that letter to the Community Development Director, and it would be going to the
39 City Council within 30 days.

40
41 **CHAIR LOWELL** – Thank you very much. That moves us onto Item No. 2,
42 which is Case PEN16-0020 formerly PA16-0002, a Plot Plan. The Applicant is
43 SRG Acquisition, LLC, and the Case Planner is, once again, Ms. Julia
44 Descoteaux.

1
2 2. Case: PEN16-0020 (PA16-0002) Plot Plan
3
4 Applicant: SRG Acquisition, LLC
5
6 Owner: Vogel Properties, LLC
7
8 Representative: Patrick Russell, SRG Acquisition, LLC
9
10 Location: SWC Indian Street & Grove View Road
11
12 Case Planner: Julia Descoteaux
13
14 Council District: 4
15
16 Proposal: PEN16-0020 (PA16-0002) – Plot Plan
17
18
19
20

21 **STAFF RECOMMENDATION**

22
23 Staff recommends that the Planning Commission **APPROVE** Resolution No.
24 2016-24 and 2016-25, and thereby:
25

- 26 1. **CERTIFY** that Final Environmental Impact Report (EIR, Attachment 2)
27 PEN16-0019 (P16-003) for the Indian Street Commerce Center on file
28 with the Community Development Department has been completed in
29 compliance with the California Environmental Quality Act, the Planning
30 Commission reviewed and considered the information contained in the
31 Final EIR, and the Final EIR reflects the City's independent judgment
32 and analysis as provided for in Planning Commission Resolution No.
33 2016-24; and
34
35 2. **ADOPT** the Findings and Statement of Overriding Considerations
36 regarding the Final EIR for the Indian Street Commerce Center,
37 attached hereto as Exhibit A to Resolution 2016-24; and
38
39 3. **APPROVE** the Mitigation Monitoring Program for the Final EIR for the
40 proposed project, attached hereto as Exhibit B to Resolution 2016-24;
41 and
42
43 4. **APPROVE** PEN16-0020 (PA16-0002) Plot Plan subject to the attached
44 Conditions of Approval included as Exhibit A to Resolution 2016-25.
45
46

1 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Good evening again. The
2 Item before you today is a Plot Plan for a 446,350 square foot warehouse
3 building to be located on 19.64 acres in the Moreno Valley Industrial Area
4 Specific Plan 208. The project provides for two alternatives, one for
5 manufacturing and one for warehouse distribution, with differences being the
6 number of parking required and the number of loading bay doors. The footprint
7 of the building, the site access, landscaping, and water quality features will be
8 the same for both alternatives. All the shipping and receiving areas will be
9 located on the south side of the building with the opportunity for truck queueing
10 along the north and west sides of the building. The proposed facility is a
11 permitted use within the Industrial Area in the Zone in the Specific Plan. The
12 plan is intended to provide locations for medium to heavy industrial and
13 warehouse land uses. The proposed warehouse building is being built as a shell
14 building for a single or multiple tenant occupancy with no tenant currently
15 identified. The surrounding properties are also identified as industrial within the
16 Specific Plan. Properties to the north include vehicle storage yards and
17 operating warehouse distribution facilities. To the south, is an existing
18 warehouse and, further south, is the City of Perris. There is a Waste
19 Management Transfer Station to the northeast of the site and vacant land and
20 existing facilities both to the east, north, and west. The project will take access
21 from Indian Street at two locations with one driveway to the north being for auto
22 vehicles, and parking is provided on the site per the City's Code Requirements
23 with the parking areas designed with the required number of parking spaces and
24 landscaping depending on the type of use being warehouse and manufacturing.
25 The design of the building includes a concrete tilt-up building approximately 47
26 feet high with the use of color, reflective glazing, canopies, and mullions as
27 decorative features. Landscaping and water quality areas will be designed and
28 installed per the City's Municipal Code using water saving and drought tolerant
29 design. The initial study was prepared for the project and determined that an
30 Environmental Impact, EIR, was the appropriate environmental document for the
31 project and it should focus on seven areas including air quality, biological
32 resources, cultural resources, global climate change and greenhouse gas
33 emissions, hazard and hazardous materials, hydrology and water, noise,
34 transportation, and traffic. The EIR was prepared by Applied Planning with a
35 Peer Consultation by First Carbon Solutions. The draft was circulated in August
36 with the review period ending on October 10, 2016. Ten comment letters were
37 received. All the comment letters were reviewed and responded to in the Final
38 EIR, which was sent out on December 2, 2016 in advance of this meeting. The
39 analysis presented in the EIR indicated that there are areas where the potential
40 impact was significant and Mitigation Measures were implemented to reduce the
41 impact to less than significant. Those that could not be reduced to a less than
42 significant impact are listed in Section 4.0 of the Final EIR as significant and
43 unavoidable and include air quality, greenhouse gas, and also traffic. The
44 Planning Commission is asked to consider the Findings of Facts and Statement
45 of Overriding Considerations for the project. CEQA requires that the decision-
46 making agency balance the economic, legal, social, technological, and other

1 benefits of a proposed project against its unavoidable environmental impacts.
2 This would include project benefits such as the creation of jobs and other desired
3 beneficial features versus the impacts of the project. Some benefits that were
4 specifically identified included in your report are construction jobs, new jobs when
5 the facility opens, the construction of the infrastructure around the facility.
6 Mitigation Measures are also included, and they will be monitored under the
7 reporting process. Public notice was sent to all property owners within 300 feet,
8 posted on the site, and placed in the Press Enterprise. It was also sent to all the
9 commenter's of the Draft EIR, and they were provided the Final EIR with that
10 notification. To date, I have not received any phone calls or questions regarding
11 the project. We have provided you a Revised Condition of Approval for a couple
12 typographical errors. With respect to Condition of Approval P8, the square
13 footage is 446,350, and the ALUC-10, the height is 48 feet. Staff recommends
14 that the Planning Commission **APPROVE** Resolution No. 2016-24 and 2016-25
15 **CERTIFYING** the Environmental Impact Report, **ADOPTING** the Findings and
16 Statement of Overriding Considerations, **APPROVING** the Mitigation Monitoring
17 Program, and **APPROVING** the project with the attached Conditions of Approval.
18 Staff is available for any questions. The Environmental consultant, Ross Geller
19 from Applied Planning, is here to answer any questions related to the
20 Environmental Impact Report. And, with him, is the Traffic Consultant, and also
21 the Applicant from Sares-Regis is here as well. We also received one letter from,
22 one of the comment letters from Johnson and Sedlack, stating that they were
23 withdrawing their comments. This concludes Staff's presentation, and at this
24 time we can answer questions for you. Thank you.

25
26 **CHAIR LOWELL** – Thank you very much. Any questions for Staff? I don't see
27 any hands going up. Okay, I'd like to invite the Applicant up please.

28
29 **APPLICANT PATRICK RUSSELL** – Good evening. My name is Patrick
30 Russell. I'm with Sares-Regis Group. I think Julia has done a good job of
31 describing the project, and I just want to thank Staff, as well as the Commission
32 for considering our project approval this evening. I am available to answer any
33 questions that you would have. I would just like to add that the project is going to
34 be a model for sustainability. It will be built to LEED Silver Certified Award levels.
35 We're also including a solar ray for renewable energy at the building roof. There
36 are many other features that have to do with water quality, water conservation,
37 energy conservation, and green design that will be included in the project. So
38 this should be a great project. It will meet the demands for the market, as well as
39 be very environmentally conscious. So I'd be happy to answer any further
40 questions that you would have.

41
42 **CHAIR LOWELL** – Do you have a perspective tenant in mind? I know we're
43 talking some manufacturing, some distribution. That's what the summary said.

44
45 **APPLICANT PATRICK RUSSELL** – This is a spec project. We don't have a
46 specific tenant in mind, but it's designed to accommodate a wide range of users

1 that could be warehousing, corporate headquarters, manufacturing, or E-
2 commerce. E-commerce has been growing at a rate of more than 15% annually,
3 and we're seeing more and more of that business so that's a good possibility that
4 we'd have that type of user.

5
6 **CHAIR LOWELL** – Is the building going to be built in hopes of a future tenant, or
7 are you going to hold off construction until you have a tenant that is signed on the
8 line to build for them?

9
10 **APPLICANT PATRICK RUSSELL** – Once we receive our approvals from this,
11 the entitlement approvals, as well as the building department approvals, we will
12 proceed with construction probably around the first of April.

13
14 **CHAIR LOWELL** – Awesome, and I'm excited. I like to see new businesses
15 come to town, and I like to see new employment opportunities for our residents
16 locally. It's a breath of fresh air to see people willing to invest in our City, so I
17 appreciate it. Any other questions for the Applicant?

18
19 **COMMISSIONER GONZALEZ** – I do.

20
21 **CHAIR LOWELL** – Commissioner Gonzalez.

22
23 **COMMISSIONER GONZALEZ** – Regarding sustainability and your first
24 comment, how would you say this building compares to say some of the older
25 buildings that were built back in let's say the 2000s? You don't have to go into
26 detail but just something, a general statement, what's the big difference, kind of
27 the meat of what's changed, what's evolved from the standard warehouse
28 building in, let's say 2005/2006 and, you know, 10 years now.

29
30 **APPLICANT PATRICK RUSSELL** – There are many different facets. We can
31 talk about electrical energy consumption how now we've gone to low energy
32 fixtures, LED lighting. The insulation requirements are much more rigid these
33 days. The demands for energy are much lower because of the types of glass
34 that we use, shading on the windows. It just goes on and on. Cool roofs in all
35 the conditioned areas. Furthermore, rather than just consuming energy, we are
36 also generating energy so we've come a long ways. It doesn't really stop at the
37 building either. If we really look at the site and what's happening there is that,
38 back in the early 2000s, the storm water would just ran straight into the storm
39 drain. It could be carrying constituents or hazardous, those types of things.
40 Now, we have the best management practices where we're filtering the water
41 and we're also restoring our Aquifers through the percolation basins that we
42 provide. It goes onto drought tolerant landscape and all the types of irrigation
43 that have evolved over time to really reduce water consumption, so I look at it as
44 really a wholistic approach to the project in the way that they are designed. It
45 really started with the whole LEED movement. Now, we have Cal-Green, which
46 is also modeling a lot of those same things so, much of what is required today, is

1 not even voluntary. The LEED Certification still is voluntary. Things like the solar
2 generation are voluntary, but there are many Tidal 24 and Cal-Green
3 requirements that are very good for energy conservation and sustainability.

4
5 **COMMISSIONER GONZALEZ** – Thank you.

6
7 **CHAIR LOWELL** – Any other questions? I didn't see it in the report, but are you
8 guys planning on utilizing electric forklifts and electric, what do you call them,
9 pigs or whatever they use for shuttling containers to and from the loading docks?

10
11 **APPLICANT PATRICK RUSSELL** – Yard goats.

12
13 **CHAIR LOWELL** – Yard goats. There we go.

14
15 **APPLICANT PATRICK RUSSELL** – What we have agreed to is that we will
16 have non-diesel equipment. We primarily see the electric forklifts in these types
17 of facilities. Sometime they use propane and other clean fuels, but the diesel is
18 being discouraged.

19
20 **CHAIR LOWELL** – We have a couple of warehouses in town that utilize electric
21 equipment, and it's kind of refreshing when you walk through the warehouses
22 and see these zero emission vehicles and they are being recharged through
23 solar, which it's just nice. It takes a lot of the pollution concerns away from a lot
24 of the residents. With the solar, are you planning on operating the facility on
25 100% solar or are you just putting X amount of solar panels on the roof to
26 produce a certain amount and the rest is just going to be purchased?

27
28 **APPLICANT PATRICK RUSSELL** – Correct. The solar is primarily, the load
29 that will be covered will primarily be the office portion of the site on the project,
30 but any further needs within the warehouse would be through common means.

31
32 **CHAIR LOWELL** – Okay, Thank you very much

33
34 **APPLICANT PATRICK RUSSELL** – But still we're looking at using LED type of
35 lighting and again low-energy consuming fixtures in the warehouse plus a lot of
36 ambient natural light with the sky-lighting, so the energy demands have come a
37 long ways in terms of tapering that off.

38
39 **CHAIR LOWELL** – I'm assuming this isn't your first commercial building?

40
41 **APPLICANT PATRICK RUSSELL** – No.

42
43 **CHAIR LOWELL** – Do you happen to have a list of a couple of key tenants that
44 you have in some of your other facilities just so we can get an idea of who you're
45 trying to attract?

46

1 **APPLICANT PATRICK RUSSELL** – Sure. Across the street from us, we built
2 the Deckers Facility, and we have just recently finished the QVC facility in
3 Ontario. There is Pier One in Ontario as well so these are very common large
4 quality users that we've been able to attract to our buildings.

5
6 **CHAIR LOWELL** – Well, I appreciate it. I was just trying to get an idea of who
7 you're tenants were so Thank you very much. Any other questions for the
8 Applicant before I move on? I don't see any hands going up. Thank you very
9 much. I appreciate it.

10
11 **APPLICANT PATRICK RUSSELL** – Thank you.

12
13 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman.

14
15 **CHAIR LOWELL** – Yes, Mr. Sandzimier.

16
17 **PLANNING OFFICIAL RICK SANDZIMIER** – May I provide a little bit of a Staff
18 clarification. Mr. Russell was very clear that the solar installation is a voluntary
19 installation. It is not a requirement of the project. The project did get reviewed
20 by the Airport Land Use Commission, and the Airport Land Use Commission did
21 have concerns about solar installation that if it could disrupt anything with the
22 aircraft at the base. So it's not that it's not allowed, but we assured the Airport
23 Land Use Commission that the City itself would not be requiring the Applicant to
24 put the solar on the building, so we are not requiring them to put that on. It is
25 voluntary, and when it comes in for building permits, it will most likely have to go
26 through another Airport Land Use Commission Review. They may have to do a
27 Glare Study, and they may have to take it back. They can do that as long as
28 they satisfy the Airport Land Use Commission. There is actually a specific
29 condition in your Conditions of Approval this evening. It's on page 253 of the
30 packet. It lists all the various items that the Airport Land Use Commission.

31
32 **CHAIR LOWELL** – Do you happen to have the Condition Letter Number
33 because I don't have page numbers on mine.

34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – The Condition Number is Airport
36 Land Use Commission Condition 2. It starts at the bottom of page 252 and then
37 it goes on to page 253 or page 12 of the report. It says that, any use which could
38 cause some light to be reflected towards an aircraft engaged is an issue, so
39 basically we want to look at anything that has the potential of reflecting upwards
40 so that can be done. But, like I said, it would require subsequent review by the
41 Airport Land Use Commission, and we can take care of that during the Building
42 Permit Issuance Review.

43
44 **CHAIR LOWELL** – Vice Chair Barnes.

45

1 **VICE CHAIR BARNES** – While we're on the subject of ALUC. ALUC Condition
2 4: The attached notice shall be given to all perspective purchasers of the
3 property. What notice will that be? Did I miss something?
4

5 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – I apologize. I thought we
6 included that at the end of Conditions of Approval so I don't have that with me.
7

8 **VICE CHAIR BARNES** – What is it a notice of?
9

10 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Let me look through here just
11 a moment, okay?
12

13 **VICE CHAIR BARNES** – Okay. We can move on. I was just curious what we
14 were getting at.
15

16 **PLANNING OFFICIAL RICK SANDZIMIER** – What I can assure the
17 Commission is, if you want to take a break, we can find that document. We
18 should have it in our file but, in any event, we will attach that document to these
19 Conditions of Approval since it is referenced.
20

21 **VICE CHAIR BARNES** – Okay.
22

23 **PLANNING OFFICIAL RICK SANDZIMIER** – So that would be.....
24

25 **VICE CHAIR BARNES** – The condition is correct. There is a notice that
26 something.
27

28 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Yes there is.
29

30 **VICE CHAIR BARNES** – It's limited inadvertent.
31

32 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – There is a notice.
33

34 **VICE CHAIR BARNES** – Thank you.
35

36 **CHAIR LOWELL** – You're good?
37

38 **VICE CHAIR BARNES** – Yeah, yeah. I was just curious about that.
39

40 **CHAIR LOWELL** – Any other questions before we move onto Public
41 Comments?
42

43 **COMMISSIONER BAKER** – I've got one here on PE T8 and T9 on the, I guess
44 it has to do with the transportation deal. What I'm wondering there is what our
45 arrangement is with City of Perris where they come out with a \$32,547
46 assessment. And, on Indian and Grove right there at the intersection, I know

1 that's been improved. The City of Moreno Valley is only getting \$4885. I know
2 we have some kind of arrangement with the City of Perris down there even
3 though that's in our City limits, right?

4
5 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – Yes. I will refer to the Traffic
6 Engineer for that.

7
8 **COMMISSIONER BAKER** – That's for Traffic Engineering, right?

9
10 **CITY TRAFFIC ENGINEER ERIC LEWIS** – Yes. So the payments shown are
11 for Fair Share Contribution, their contribution to traffic at that intersection and to
12 meet their Mitigation requirements.

13
14 **COMMISSIONER BAKER** – So does that happen on every warehouse that
15 goes in in that area in the southern part of town? Perris gets some help? And I
16 understand that because most of the traffic probably goes south toward their
17 direction. Is that correct?

18
19 **CITY TRAFFIC ENGINEER ERIC LEWIS** – If the project will impact one of their
20 intersections or multiple intersections, then we require the development to make
21 a Fair Share Contribution to them.

22
23 **COMMISSIONER BAKER** – And how is that determined? On the square
24 footage or the size of the intersection or?

25
26 **CITY TRAFFIC ENGINEER ERIC LEWIS** – Well it's based on the amount of
27 new traffic that is introduced at the intersection so there's a formula.

28
29 **COMMISSIONER BAKER** – That's not on a traffic count then, right?

30
31 **CITY TRAFFIC ENGINEER ERIC LEWIS** – Correct.

32
33 **COMMISSIONER BAKER** – Okay, thank you so much.

34
35 **CHAIR LOWELL** – Any other questions? No?

36
37 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – We have the notice. It is
38 in....it talks about that the property is in the vicinity of an airport within what is
39 known as an airport influence area. For that reason, the property may be subject
40 to some of the annoyances and inconveniences associated with being near an
41 airport. That's the notice.

42
43 **VICE CHAIR BARNES** – I do have a question, another question.

44
45 **CHAIR LOWELL** – Can we push that back until after Public Comments?

46

1 **VICE CHAIR BARNES** – I don't know. Do we ask the questions now?

2
3 **CHAIR LOWELL** – No. I think we should ask them after the Public Comments.

4
5 **VICE CHAIR BARNES** – Alright.

6
7 **CHAIR LOWELL** – Okay, I'd like to open up the Public Comments. We have
8 two citizens waiting to speak. We have Mr. Damon Allen followed by Mr. Rafael
9 Brugueras.

10
11 **SPEAKER DAMON ALLEN** – My name is Damon Allen. I am a 13 year
12 resident of Moreno Valley. I have never spoken before the Planning Commission
13 before, but I want to come up here again when you have Downtown Moreno
14 Valley plans so we can get that on the road. I am with Southern California
15 Environmental Justice Alliance. I would like to thank you for the opportunity to
16 speak before you today. Since there is a time limit, I will not be able to get
17 through the entirety of our comments, so I refer you to the comment letter to
18 reflect the full scope of our comments.

19
20 **CHAIR LOWELL** – Could you pull the microphone a little closer.

21
22 **SPEAKER DAMON ALLEN** – Okay, how is that?

23
24 **CHAIR LOWELL** – Perfect.

25
26 **SPEAKER DAMON ALLEN** – Okay. We believe the EIR is flawed and should
27 be redrafted and recirculated. Firstly, regarding Section 4272 of the EIR, the Air
28 Quality Impact Statement. The EIR gives a sample construction schedule. The
29 construction schedule presents the project in phases. However, phased
30 construction is not required of the project. The EIR does not present any
31 analysis of impact or particular Mitigation Measures for potential overlap of
32 construction phases. There is no statement that the construction phases will not
33 occur concurrently. Also, there is no requirement that the project be completed
34 over a certain number of days given. Construction may occur faster as well,
35 which results in a significantly greater daily impact. The EIR states, "Should
36 construction occur any time after the dates presented here incremental in
37 aggregate construction source emissions would likely decrease since emission
38 factors for construction equipment would progressively decrease in the future."
39 This statement is misleading as it assumes the best-case scenario. Contrary of
40 CEQA's meaningful disclosure requirement, there is no indication of or
41 requirement for the projects construction to (let me change pages here) utilize
42 technology that may or may not exist to reduce emissions. The EIR continues to
43 state "This is due to the natural turnover of the older fleet vehicles and
44 replacement with more efficient equipment to enhance emission control and
45 implementation of more stringent regulations, which act to reduce construction
46 source emissions." Will the EIR be recirculated and analyzed if the project goes

1 beyond construction dates given? Will it be analyzed against the more stringent
2 regulations that do not currently exist? The statement is misleading and presents
3 a scenario that is circumstantial and uncertain. Then, we have a comment also
4 on the greenhouse gas emissions impact. The EIR states that the project
5 emissions of GHG's are significant and unavoidable after mitigation. No
6 Mitigation Measures are offered other than a reference to the projects design
7 features and operational programs that would act to generally reduce the projects
8 GHG emissions for area sources, energy sources, and other onsite emission
9 sources, which combine and account for approximately 11% of the project's total
10 GHG emissions. No further Mitigation Measures are offered. This is inadequate
11 and the EIR must offer some Mitigation Measures beyond potential design
12 features. Further, the EIR states that the project conflicts with the Scoping Plan,
13 as well as Moreno Valley's Energy Efficient and Climate Action Strategy. There
14 is no Mitigation Measure disclosed here either. The details of how the GHG
15 emissions conflict with both documents is not discussed. This does not meet
16 CEQA's meaningful disclosure requirements. Again, I thank you for your time.

17
18 **CHAIR LOWELL** – Thank you very much. Mr. Rafael Brugueras.

19
20 **SPEAKER RAFAEL BRUGUERAS** – Good evening again. I'm not sure if that
21 should be answered first before I speak? I mean, I'm not saying that he's right or
22 wrong, but I know when the Staff brings their Report to you they make sure what
23 they are doing is correct. And that's been proven time after time so I learned
24 something back there but, anyway, good evening once again Chair,
25 Commissioners, Staff, Residents, and Guests. I'm glad to hear the Applicant
26 speak first because he gave us all the positive notes of how to build a building
27 energy efficient, water, landscaping. He gave it all to us. They are going to use
28 their own energy and their own water without disturbing the City's, and that's a
29 good thing and those are the projects that are coming to pass now. The old way
30 is not going to happen anymore. We are now doing things differently, so I'm glad
31 to hear that, but I just want to talk about the benefits of what can come to the
32 City. It talks about it's going to cost 21 million dollars, and it's going to create 50
33 or 60 construction people for the next two years. And, after that, it's going to
34 project 772 million dollars up to 3.7 billion dollars in new direct spending through
35 construction and operations. This flood of funds has a positive economic and
36 fiscal impact on the City of Moreno Valley in the form of fiscal revenue, job
37 creation, household earnings, and economical output. Then, it talks about
38 another \$160,000 to \$260,000 over 20 years. When you look at \$160,000 or
39 \$260,000 over 20 years, when we add everything that we have done in the last
40 several years, that helps our general fund. Okay, in then in here, it talks about
41 billions of dollars or millions of dollars in revenue. See that's what happens when
42 we have projects that come to our City and they produce in 20 years when they
43 are built well as they are going to do for us. I'm just hoping that whatever this
44 gentleman said can be corrected because that is important what he said. But I
45 know that our Staff works very, very hard to make sure that these concerns are
46 taken care of before they bring them to you and I guess we'll hear the

1 explanation. But, anyway, I support what this project is going to do for Moreno
2 Valley on that corner. Thank you.

3
4 **CHAIR LOWELL** – Thank you very much. Any other speakers wishing to speak
5 before I close Public Comments? Going once, going twice. We have one hand
6 up, the Applicant. I was just going to call you up to ask you if you wanted to
7 respond. Let me close Public Comments. Any other Public Speakers wishing to
8 speak? Anybody else wanting to speak? Going once, going twice. Public
9 Comments are now closed. I was going to invite you back up to rebut anything
10 you heard.

11
12 **APPLICANT PATRICK RUSSELL** – Okay, Thank you very much. I just wanted
13 to respond to the comment that there really wasn't any mitigation proposed with
14 respect to air quality and emissions control, and actually we spent a lot of time
15 putting together a program where we have many mitigating factors, and I'd just
16 like to name a few. First of all, for the construction, we will be using Tier 4
17 equipment, which is the heavy equipment, which is used for grading and so forth.
18 Tier 4 equipment is State of the Art Emissions Control Equipment. They also
19 have the best available control technology on that for monitoring and controlling
20 emissions so that is very positive. Also, we have agreed that there will be no
21 portable diesel generators used during the construction of the project. We also
22 are providing limitations on idling for trucks and signage to three minutes or less.
23 We are providing and encouraging the use of carpooling in van pools. We are
24 providing special parking locations for those uses to encourage the ride sharing
25 to get to work. We are also providing electrical vehicle charging stations to
26 encourage the use of zero emissions automobiles. So we have one DC fast-
27 charge unit, which again is the quick charge. It is a premium type of unit, as well
28 as two level-two EVSE charging units for a total of three. We will also be
29 putting conduits in and infrastructure to expand those electrical vehicle charging
30 units over time as the tenants needs for those grow and to increase the number
31 of zero emission vehicles. As I stated earlier, no diesel-powered forklifts are
32 permitted onsite, and our landscape equipment will use only electric or
33 equipment that is approved by the California Air Quality Board. So, in
34 conclusion, I would just like to say that there are some significant and costly
35 provisions that have been included into this plan that I think really will make a
36 difference with the emissions, and I just wanted to make note of that. Thank you.

37
38 **CHAIR LOWELL** – For clarification, you said no diesel forklifts will be allowed
39 onsite. Is that during operation or is that also during construction?

40
41 **APPLICANT PATRICK RUSSELL** – That would be at all times.

42
43 **CHAIR LOWELL** – So period. There will never be a diesel forklift on the site
44 during construction or anytime?

45
46 **APPLICANT PATRICK RUSSELL** – Correct.

1
2 **CHAIR LOWELL** – Okay, thank you. Any questions or concerns before I move
3 to discussion and deliberations? Nope, okay, I will open up the floor. Does
4 anybody have any questions? Commissioner Sims.

5
6 **COMMISSIONER SIMS** – I don't have any questions, but I...looking over the
7 paperwork on this, this project is located within Specific Plan 208, which is
8 specifically for this type of use, so I can imagine that the conditions are all
9 consistent with what was outlined in the Specific Plan for this type of
10 development. And, of interest if you had a chance to look at the Fiscal Impact
11 Report, you look at the numbers on that and, if you would indulge me a second,
12 but the net annual revenue, that's net. That's after city expense for police and
13 fire support and such is estimated to be \$160,000 to \$260,000 a year, so that's
14 net new positive revenue to the City. The sustainable jobs are estimated
15 between 500 and 400 between direct and indirect jobs that the project would
16 influence and 50 to 60 jobs during the construction and that the net new
17 household earnings, I did the math. Over the project, it would be around \$40,000
18 per year on these jobs that will be influenced. Household earnings would be
19 influenced positively by \$40,000. I thought it was a pretty rigorous thing. They
20 looked at six sources of revenue through the various taxes that the City would
21 accumulate by this and it just, it's a warehouse in the right spot where
22 warehouses are supposed to be. They got the Mitigation Measures that are
23 consistent with the Specific Plan and the Conditions with the City, so I am very
24 supportive of this project.

25
26 **CHAIR LOWELL** – Vice Chair Barnes.

27
28 **VICE CHAIR BARNES** – I want to second what Commissioner Sims said about
29 the financial analysis. I really appreciated that being included in this Project
30 Report because previously the Overriding Considerations were always somewhat
31 vague. It's nice to see some real numbers that you can measure against the
32 demands of the project, so I appreciate that addition very much. Also,
33 observation on the conditions, which I always have, the conditions are dubitable
34 that this thing gets built by yet the EDD conditions all say encouraged, may
35 utilize, may work, encouraged, may. Why are they even in here if they are not
36 requiring that they do anything? It's just an observation. And then, on a
37 technical question, does the right-of-way for Grove exist west of Indian?
38

39 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – No. I won't exist.

40
41 **VICE CHAIR BARNES** – It does not?

42
43 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – It does not.

44
45 **VICE CHAIR BARNES** – It's not being vacated. It's already gone?
46

1 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – If it's not already gone, it's in
2 the process of being vacated.

3
4 **VICE CHAIR BARNES** – Okay.

5
6 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – It's not intended for either this
7 project or the project that's approved to the north of it.

8
9 **VICE CHAIR BARNES** – Okay. The reason I was asking is those driveways are
10 very close together and was it considered to make Grove a four-way intersection
11 with a shared driveway with the property to the north?

12
13 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – That was discussed, but the
14 property to the north has already been entitled.

15
16 **VICE CHAIR BARNES** – Oh, okay. Okay, and I think that concludes my
17 questions. Thank you very much.

18
19 **CHAIR LOWELL** – Any other questions? Commissioner Gonzalez.

20
21 **COMMISSIONER GONZALEZ** – I just want to second the comments from my
22 colleagues. This is a great project and a great place and that is what this
23 Specific Plan was intended to do, and hopefully it is a very successful project.

24
25 **CHAIR LOWELL** – I have a question. On the Plot Plan, on the northwest corner
26 of the site, the back corner doesn't look to be fire accessible. We show a fire
27 access road that is 30 feet wide but that hard 90-degree turn doesn't look like it's
28 going to accommodate a fire truck very well.

29
30 **ASSOCIATE PLANNER JULIA DESCOTEAUX** – I'll refer to Fire on that.

31
32 **FIRE MARSHAL ADRIA REINERTSON** – Adria Reinertson, Fire Marshal. Yes,
33 it does appear that there is a 30-foot-wide lane all the way around, but certainly
34 when we get to Building Permit Issuance and Plan Check, we would be setting
35 down our turning radius templates to make sure that our engines and trucks can
36 make that turn.

37
38 **CHAIR LOWELL** – It seems like that should be something that we address now
39 to make sure that the building is in the right spot and the right square footage.

40
41 **FIRE MARSHAL ADRIA REINERTSON** – We generally don't, and we give them
42 the parameters for the lane widths and then we issue conditions that all of those
43 details will be handled during Plan Check.

44
45 **CHAIR LOWELL** – Okay, I guess that just kicks the can down the road for me. I
46 don't have any other major concerns or questions. Anybody else?

1
2 **PLANNING OFFICIAL RICK SANDZIMIER** – I think you had one more
3 Commissioner, but when you get done I do have some input.

4
5 **COMMISSIONER NICKEL** – Yes I did meet Mr. Russell quite a while ago when
6 he was kind enough to have a public forum about this project. Sadly, there were
7 not a lot of public there. I was there, a representative from Joint Powers was
8 there, and a rep from the Sierra Club, but I know Mr. Russell takes a lot of pride
9 in his buildings so I have good faith in this.

10
11 **CHAIR LOWELL** – Any other questions before I go to a motion? Well
12 personally, I would like to say that the biggest problem I see facing our City is a
13 major lack of employment opportunities. A lot of our youth stay at home. They
14 work at minimum wage jobs, at Burger King, at Jack in the Box, or something
15 that is not becoming up an upstanding citizen that needs a good well-paying
16 long-term job. I welcome this project to the City. This is the right project in the
17 right location. As Commissioner Sims said, it's where warehouses need to be.
18 It's where they should be. We have two different warehouse communities, one
19 on the east side of the town and one on the south side of town. This fits the right
20 spot in the right place at the right time. We need the jobs in the City. We need
21 the revenue, so I welcome you to town. With that, I would like to make a motion.

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman, may I, just for the
24 record. I think this is important because some of the speakers did come up and
25 question the quality of the Environmental Document so I just want, for the record
26 because sometimes projects like this are challenged, I would like the record to
27 reflect that we as your Staff have applied independent judgment, which is a
28 requirement of CEQA. The consultant that was retained for the project was a
29 professional consultant from Applied Planning. The City also secured the
30 services with First Carbon to provide a Peer Review of the Environmental
31 Document. The Environmental Document has been reviewed by both
32 Professional Planners and your Professional Staff here. You already mentioned
33 that the Statement of Overriding Considerations did have detail. We took extra
34 caution to make sure that information was presented in the Staff Report so you
35 did have that information available to you, and the public had that information
36 available to you. We stand behind this project. We agree with what the
37 Commission has found so far with the comments this evening that this is a good
38 project in the right location in the City. I just want to make sure that the record
39 reflects that. With regard to the Conditions of Approval from our Economic
40 Development Department, we take great pride in this City to be business friendly.
41 You've maybe heard the mantra that we operate at the speed of business, but
42 we also have very detailed customer care standards. And the types of conditions
43 that we've put in there with the EDD, the Economic Development Department,
44 we're not going to dictate how a business is run, but we're giving them the
45 opportunity to work with us with the resources that we have available to help the
46 business be successful. So that's why those conditions are a little bit looser. We

1 don't want to dictate exactly how they work, but those are there to make sure that
2 the public and the businesses are aware that we do provide those services. And,
3 with that, I'll conclude.

4
5 **CHAIR LOWELL** – Thank you very much. I do agree making the city business
6 friendly is a good thing, and I applaud the Staff's actions and the research and
7 homework you guys have done. With that, I personally would like to make the
8 motion, so I'm going to jump on this one. I would like to recommend that the
9 Planning Commission **APPROVE** Resolution No. 2016-24 and 2016-25 and
10 thereby **CERTIFY** that the Final Environmental Impact Report (EIR, Attachment
11 2) PEN16-0019 (P16-03 is the other name for it) for the Indian Street Commerce
12 Center on file with the Community Development Department has been completed
13 in compliance with the California Environmental Quality Act. The Planning
14 Commission viewed and considered the information contained in the Final EIR,
15 and the Final EIR reflects the City's independent judgment and analysis as
16 provided for in Planning Commission Resolution 2016-24, and **ADOPT** the
17 Findings and Statements of Overriding Considerations regarding the Final EIR
18 for the Indian Street Commerce Center attached hereto as Exhibit A to
19 Resolution 2016-24, and **APPROVE** the Mitigation Monitoring Program for the
20 Final EIR for the proposed project attached hereto as Exhibit B to Resolution
21 2016-24, and finally **APPROVE** PEN16-0020 (formerly PA16-0002) Plot Plan
22 subject to the attached Condition of Approval included as Exhibit A to Resolution
23 2016-25.

24
25 **PLANNING OFFICIAL RICK SANDZIMIER** – As modified.

26
27 **CHAIR LOWELL** – As modified. So I have made the motion. We have a
28 second by Commissioner Nickel. Please cast your votes. Going once, going
29 twice. All votes have been cast. The motion passes 7-0. Do we have a Staff
30 wrap-up on this Item?

31
32
33
34 Opposed – 0

35
36
37 **Motion carries 7 – 0**

38
39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes. This is a project that you are
41 the final deciding body on. It is appealable to the City Council. If anybody is
42 interested in appealing, they can file an appeal within 15 days. That appeal
43 should be directed through the Director of Community Development. It will be
44 forwarded to our City Clerk and agendized for a City Council Hearing within 30
45 days.

1 **CHAIR LOWELL** – Thank you very much. Moving onto Other Commissioner
2 Business, which I don't think we have any.

3
4
5 **OTHER COMMISSION BUSINESS**

6
7 **None**

8
9 **CHAIR LOWELL** – Do we have any Staff Comments before we wrap up?

10
11
12 **STAFF COMMENTS**

13
14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – I'd like to wish you all a very Merry
16 Christmas and Happy New Year as we go into that.

17
18 **CHAIR LOWELL** – Thank you very much. Do we have any Planning
19 Commissioner Comments?

20
21
22 **PLANNING COMMISSIONER COMMENTS**

23
24 **VICE CHAIR BARNES** – I second that.

25
26 **COMMISSIONER RAMIREZ** – I do. I just want to say thank you for this whole
27 year. It has been great, a great learning experience with my fellow
28 Commissioners. I have really enjoyed it. Thank you. And Staff as well. I have
29 really enjoyed Staff input and.....

30
31 **CHAIR LOWELL** – As you can see the need for Alternate Planning
32 Commissioners is very present today with both alternates being used. It has
33 been very welcome. It has been a small learning curve throughout the year, but
34 it has been a great addition to the Planning Commission. I welcome you guys,
35 and thank you very much for your service and help.

36
37
38 **ADJOURNMENT**

39
40 **CHAIR LOWELL** – Again, I wish everybody happy holidays. Have a safe
41 holiday season. Have a great New Year, and we will see you guys when we
42 adjourn to the next Regular Planning Commission Meeting on January 26, 2017
43 right here at 7:00 PM. Thank you very much, and have a great night.

1 **NEXT MEETING**

2 *Next Meeting: Planning Commission Regular Meeting, January 26, 2017 at 7:00*
3 *PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street,*
4 *Moreno Valley, CA 92553.*

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16 _____
17 Richard J. Sandzimier
18 Planning Official
19 Approved

_____ Date

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31 _____
32 Brian R. Lowell
33 Chair

_____ Date