

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

5 **Thursday, May 26th, 2016, 7:00 PM**

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8 **CALL TO ORDER**
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10 **CHAIR LOWELL** – Good evening ladies and gentlemen. I would like to call to
11 order this Regular Meeting of the Planning Commission. Today is Thursday,
12 May 26th, 2016. The time is a little after 7:00 PM. It's 7:03 PM. May we have roll
13 call please?
14

15
16 **ROLL CALL**
17

18 **Commissioners Present:**

19 Commissioner Nickel
20 Commissioner Korzec
21 Commissioner Van Natta
22 Commissioner Baker
23 Commissioner Gonzalez
24 Vice Chair Sims
25 Chair Lowell
26

27 **Staff Present:**

28 Chris Ormsby, Senior Planner
29 Paul Early, Assistant City Attorney
30 Erica Tadeo, Administrative Assistant
31 Gabriel Diaz, Associate Planner
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34 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Commissioner Ramirez and
35 Commissioner Barnes are excused absent today.
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37

38 **PLEDGE OF ALLEGIANCE**
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41 **CHAIR LOWELL** – Thank you very much. May we have the Pledge of
42 Allegiance, Meli?
43

1 **COMMISSIONER VAN NATTA** – Sure. Please stand and put your hand over
2 your heart.

3
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5 **APPROVAL OF THE AGENDA**

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7 **Approval of Agenda**

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10 **CHAIR LOWELL** – Thank you very much. Could we have a motion to approve
11 the Agenda tonight?

12
13 **COMMISSIONER BAKER** – I'll so move.

14
15 **CHAIR LOWELL** – Thank you very much. Do we have a second?

16
17 **COMMISSIONER VAN NATTA** – I'll second that.

18
19 **CHAIR LOWELL** – Thank you. All in favor, say "aye."

20
21 **COMMISSIONER KORZEC** – Aye

22
23 **COMMISSIONER BAKER** – Aye

24
25 **COMMISSIONER VAN NATTA** – Aye

26
27 **VICE CHAIR SIMS** – Aye

28
29 **CHAIR LOWELL** – Aye

30
31 **ALTERNATE COMMISSIONER NICKEL** – Aye

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33 **ALTERNATE COMMISSIONER GONZALEZ** – Aye

34
35 **CHAIR LOWELL** – All opposed say "nay." The motion passes 7 – 0. The
36 Agenda is approved tonight.

37
38
39 Opposed – 0

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41
42 **Motion carries 7 – 0**

1 **CONSENT CALENDAR**

2
3 *All matters listed under Consent Calendar are considered to be routine and all*
4 *will be enacted by one rollcall vote. There will be no discussion of these items*
5 *unless Members of the Planning Commission request specific items be removed*
6 *from the Consent Calendar for separate action.*
7

8
9 **CHAIR LOWELL** – That moves us onto our Consent Calendar.

10
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12 **APPROVAL OF MINUTES**

13
14 **Planning Commission - Regular Meeting - Apr 28, 2016 7:00 P.M.**

15 **Approve as submitted**

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18 **Planning Commission - Regular Meeting - May 12, 2016 7:00 P.M.**

19 **Approve as submitted**
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22

23 **CHAIR LOWELL** – We have approval of the Minutes tonight. I heard that we
24 have a couple of questions on them, so let's just move on. Who would like to
25 motion to approve the Planning Commission Regular Meeting Minutes for
26 04/28/2016, or do we have any comments before we move to approve?
27

28 **COMMISSIONER VAN NATTA** – I have a comment. I was wondering, have we
29 hired a different company to do the transcription of the Minutes now, or is it the
30 same people who have been doing it all along?
31

32 **SENIOR PLANNER CHRIS ORMSBY** – To my knowledge, it's the same
33 company that has been doing it at least for a number of months.
34

35 **COMMISSIONER VAN NATTA** – Okay. My comment is it appears as though
36 it's a machine transcription that has not been proofread by a human, and the
37 reason I say that is that there's a number of misspelled words throughout; a lot of
38 them. But they are the type of words that would not be caught by spell check.
39 For example, when we're saying aye and nay, it's coming across "I" as in capital
40 "I" and "neigh" as in what a horse says instead of "aye" and "nay". And wherever
41 we're referring to a site, as in a location, they are spelling it "sight." And these
42 are not the types of things that I saw in previous Minutes, so I think that if we
43 haven't changed our supplier they've probably changed their methods, and I
44 think the Minutes should be returned to them for correction.
45

1 **SENIOR PLANNER CHRIS ORMSBY** – We can certainly do that if the Planning
2 Commission chooses to refer it back to Staff. In general, Staff proofs those. So I
3 don't know if this is in reference, I'm not sure which item that is, but we'd have to
4 take a look at it further in house but we could work to correct that.

5
6 **COMMISSIONER VAN NATTA** – So Staff proofs it?
7

8 **SENIOR PLANNER CHRIS ORMSBY** – Yes.
9

10 **COMMISSIONER VAN NATTA** – And they did not notice those errors
11 throughout?
12

13 **SENIOR PLANNER CHRIS ORMSBY** – I can't speak to if we proofed that.
14 Perhaps it went directly through. I'm not positive on that.
15

16 **COMMISSIONER VAN NATTA** – Like I said, this I mean occasionally there
17 have been things where what we said was misinterpreted or something, but this
18 seems to be systemic throughout the whole report.
19

20 **COMMISSIONER BAKER** – I'll say one thing, they are turning them around a lot
21 quicker.
22

23 **COMMISSIONER VAN NATTA** – Yes but at.....
24

25 **COMMISSIONER BAKER** – I mean that's one thing, they are moving them
26 quick.
27

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

30 **COMMISSIONER BAKER** – We were like three or four months behind there for
31 a while, right?
32

33 **COMMISSIONER VAN NATTA** – Yes but speed at the cost of accuracy is not
34 acceptable.
35

36 **CHAIR LOWELL** – Well the question I have now is would that negate us
37 approving the Minutes tonight because it's.....
38

39 **COMMISSIONER VAN NATTA** – Only if you agree with me.
40

41 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Yeah that's still up to you if,
42 you know, they can still go back and correct the clerical typographical errors that
43 don't change the content in any way if you approve the Minutes and directed
44 them to do so, or you could direct Staff to bring it back after those corrections
45 have all been made. I don't know the substance of whether those are truly the

1 clerical type of typographical errors or if there is anything in there that is
2 substantive only if you've reviewed them.

3
4 **COMMISSIONER VAN NATTA** – Well I think since it is throughout the whole
5 document, and that seems pretty consistent, I think it has to do with the way the
6 transcription is being done and I would recommend that whoever is preparing it
7 for us (whoever we're hiring to do it) be aware or admonished that it is not
8 acceptable, and I think the only way we can really tell them that is by not
9 approving the Minutes. Well, if somebody makes a motion to approve, I can say
10 nay.

11
12 **COMMISSIONER NICKEL** – Could I interject?

13
14 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Or if no motion is made at all,
15 you would just move on and not approve them. You don't need one. You don't
16 need a motion to disapprove. There doesn't have to be any action.

17
18 **COMMISSIONER NICKEL** – I don't know if Staff is aware, but I know that
19 Council Member Pro Tem Giba had worked with, I believe, Sage College to see if
20 there could be an arrangement done with their transcription school for doing the
21 Minutes. So I don't know when that might have taken over. Is anybody aware of
22 that? I just know he was happy about it because he showed me the letter.

23
24 **SENIOR PLANNER CHRIS ORMSBY** – I'm not aware of that, but we can follow
25 up with that.

26
27 **COMMISSIONER NICKEL** – That may be what the issue is, it's students.

28
29 **ASSISTANT CITY ATTORNEY PAUL EARLY** – I'm aware of conversations
30 regarding that.

31
32 **COMMISSIONER NICKEL** – Okay.

33
34 **ASSISTANT CITY ATTORNEY PAUL EARLY** – It would be in addition to, not
35 instead of.

36
37 **COMMISSIONER NICKEL** – Okay.

38
39 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Because those students would
40 be here....well we wouldn't have any guarantees when they'd be here. Plus,
41 they are students. Obviously, you're having accuracy issues here so it's hard to
42 say that the students would be less accurate. But, if that were to come to fruition,
43 it would be in addition to; not to replace the current.

44
45 **VICE CHAIR SIMS** – Just out of curiosity. Is there a requirement with the
46 Municipal Code that requires the Minutes to be like transcripts? I mean the

1 agency I work for, the Board Secretary catches the essence of the discussion of
2 who presented and who talked. It doesn't, it's not word for word. I guess what's
3 the necessity of that?
4

5 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Right. There is no legal
6 requirement that the Minutes be verbatim and this is the only Board in the City,
7 including the Council, that does do verbatim Minutes. That's a
8 longstanding.....for the 10 years that I've been with the City, that's been the case.
9 The information that I was told when I asked that question years ago was that the
10 Council wanted that so that when those items came through to Council later they
11 could read the verbatim Minutes and see exactly what was said rather than rely
12 on summary by a clerk or having to watch the video all the way back.
13

14 **COMMISSIONER VAN NATTA** – That makes sense.
15

16 **CHAIR LOWELL** – As far as the content goes, I don't see the grammatical, or
17 not the grammatical, but the spelling errors making a big difference. But I do see
18 extreme validity in Commissioner Van Natta's point. Does anybody have any
19 objections?
20

21 **VICE CHAIR SIMS** – I would move to just approve the Minutes and then direct
22 Staff to work with the vendor that provides these and get them correct for next
23 time. And, if we don't get it right the next time, don't approve them.
24

25 **COMMISSIONER BAKER** – I'll second that.
26

27 **CHAIR LOWELL** – Okay, so we....is that your motion to approve?
28

29 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Is that both sets of Minutes or
30 just the 04/28/2016?
31

32 **CHAIR LOWELL** – Did anybody have any comments on the second half of the
33 second set of Minutes before we make the motion?
34

35 **COMMISSIONER VAN NATTA** – I wasn't here for May 12th, so I won't be voting
36 on the second set.
37

38 **COMMISSIONER BAKER** – And I can't vote on the second set either.
39

40 **COMMISSIONER VAN NATTA** – So we probably need to have two votes
41 because there were a different group of people.
42

43 **VICE CHAIR SIMS** – So I would move to approve the Planning Commission
44 Minutes for the Regular Meeting of 04/28/2016 and request that Staff discuss
45 with the vendor that does the Minutes to clean them up on the typographicals
46 and to have a real person read it, not just phonetically translate it by machine.

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COMMISSIONER BAKER – I’ll second that.

CHAIR LOWELL – We have a motion by Vice Chair Sims and a second by Commissioner Baker. All in favor say “aye.”

COMMISSIONER KORZEC – Aye

COMMISSIONER BAKER – Aye

VICE CHAIR SIMS – Aye

CHAIR LOWELL – Aye

ALTERNATE COMMISSIONER NICKEL – Aye

ALTERNATE COMMISSIONER GONZALEZ – Aye

CHAIR LOWELL – All opposed say “nay.”

COMMISSIONER VAN NATTA – Nay and that’s “nay” not “neigh”. Thank you.

CHAIR LOWELL – The motion passes 6-1. And that moves us onto.....sorry. Actually, Commissioner Gonzalez and Commissioner Nickel shouldn’t have voted on that. It was just Korzec, Van Natta, Baker, Barnes, Sims and myself so it still would pass 4-1.

Opposed – 1

Motion carries 4 – 1

CHAIR LOWELL – And that moves us onto the Meeting Minutes for 05/12/2016. Commissioner Van Natta and Commissioner Baker were not here but both alternates were, so we have Commissioner Ramirez, Commissioner Korzec, Commissioner Barnes, Vice Chair Sims and myself. That makes one, two, three, four, five. We have five people so we still have enough to vote on it. Any questions or comments on that besides the grammatical errors and spelling errors?

COMMISSIONER VAN NATTA – No comment.

1 **CHAIR LOWELL** – Okay, could we get a motion to approve the Minutes for
2 05/12/2016?

3
4 **COMMISSIONER BAKER** – I’ll move. Oh, I can’t, I can’t. I wasn’t here.
5 Somebody else will have to. I’m sorry. Retract that.

6
7 **VICE CHAIR SIMS** – I move to approve the Planning Commission Regular
8 Meeting Minutes from 05/12/2016 with the same request that Staff works with the
9 vendor to correct the typos and admonish them to get it right next time.

10
11 **CHAIR LOWELL** – Perfect. We have a motion by Vice Chair Sims. Do we have
12 a second?

13
14 **COMMISSIONER KORZEC** – I’ll second.

15
16 **CHAIR LOWELL** – Seconded by Commissioner Korzec. All in favor say “aye.”

17
18 **CHAIR LOWELL** – Aye.

19
20 **VICE CHAIR SIMS** – Aye.

21
22 **COMMISSIONER KORZEC** – Aye.

23
24 **ALTERNATE COMMISSIONER NICKEL** – Aye.

25
26 **ALTERNATE COMMISSIONER GONZALEZ** – Aye.

27
28 **CHAIR LOWELL** – All against say “nay.” Perfect that passes 5-0, and that is
29 the approval of the Minutes for this meeting. That moves us onto the Public
30 Comments Procedure.

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33 Opposed – 0

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36 **Motion carries 5 – 0**

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40 **PUBLIC COMMENTS PROCEDURE**

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

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

13
14
15 **CHAIR LOWELL** – We do not have any Non-Public Hearing Items, so that
16 moves us onto the Public Hearing Item. I know that a Speaker Slip was passed
17 on to you Ms. Tadeo. What was that, which item was that on?
18

19 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – He’s actually asking to speak
20 on something that’s not on the Agenda.
21

22 **CHAIR LOWELL** – That’s what I was hoping to hear. So I would like to open up
23 the Public Comments portion for Non-Hearing Items. Do you want to come on up
24 Mr. Brugueras? It’s always a pleasure to hear you.
25

26 **SPEAKER RAFAEL BRUGUERAS** – It’s always a pleasure to greet the
27 Commissioners. I know you wasn’t here on the 12th, both Commissioners, but I
28 also am glad to see the substitutes again on each end of the bench. Before, they
29 were here. Now, they are here. And the good thing about that is there is always
30 seven people here to conduct business for the City of Moreno Valley. I have joy
31 because once in a while I go to the Press Enterprise to see what they say about
32 our City, and they talked about the vote that was taken on the 12th on Eucalyptus
33 and Day Street. They wrote a nice article reminding the region, because it’s not
34 only just Moreno Valley, the region of what we’re doing in Moreno Valley to
35 provide jobs not only for our locals but for those that live nearby because I know
36 that not everybody in Moreno Valley is going to get a job because they already
37 have a job somewhere else. But this is hopefully for those that want to stay near
38 home or don’t have a job or want to advance their career somehow because
39 there are going to be medical centers built there in the future. We know that a
40 clerk just like the guy in the mailroom or the lady in the mailroom winds up being
41 the president of the company. That’s how things are done in our country. You
42 work hard, you go to school, you mind your business, and you do your job and
43 you get to where you’re going and that’s always been the way. And that’s a
44 beautiful thing because no one can ever take that away from you as a personal
45 person. That is something that you have earned. So, with that said, I’m glad to
46 be here because we have people that give comments in the back of the page,

1 and I was look at two of them. And why do we need more hotels in Moreno
2 Valley and why is Moreno Valley Tourism....and then the comment he puts it in
3 bold letters we have nothing to offer the people. You know what, and I always
4 say it. We had a chance to have Disneyland here, Magic Mountain, and Buena
5 Park, but that was all voted down. But now we have another chance to bring
6 jobs. I'd rather have jobs in the City of Moreno Valley to be provided for the
7 region so they can take their money and go to Disneyland. That is always going
8 to be something that I'm going to preach about and fight for because there are
9 going to be haters as I've learned in the prayer thing this morning that we had.
10 We are always going to have people that don't care about us, and they live in our
11 City. But they give me fire to come here time after time to let them know that
12 Moreno Valley has great Commissioners, a beautiful staff, and people that want
13 to work in the City of Moreno Valley.

14

15 **CHAIR LOWELL** – Thank you very much. I don't think there were any other
16 Speaker Slips?

17

18 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – No there is not.

19

20 **CHAIR LOWELL** – Perfect. What was that? Sure come on up Mr. Jerele. Just
21 in the nick of time.

22

23 **SPEAKER TOM JERELE** – Thank you Chair Lowell.

24

25 **CHAIR LOWELL** – Just make sure you fill out a slip afterwards.

26

27 **SPEAKER TOM JERELE** – Pardon me?

28

29 **CHAIR LOWELL** – Just make sure you fill out a slip afterwards.

30

31 **SPEAKER TOM JERELE** – I will. I'm happy to do that. I was waiting for Mr.
32 Brugueras. I didn't want to walk in on him and well first of all I say ditto to
33 everything he said. I was listening to him on the TV on the monitor there and
34 good job on the hotels, although to support those hotels and I affirm what Mr.
35 Brugueras said, we needs jobs. We're going to need.....sooner or later this town
36 has got to start developing offices. I know it's the top of the crust there, the top of
37 the pie, but we've got to figure out how to do it. It's pitiful we lost our
38 redevelopment in a time, you know, we didn't do it while we had it. But that's
39 something that I think needs to be a priority as a City to continue to develop to
40 bring more professional people, more clerical and so provide local jobs for our
41 people. And but the other thing that I'm calling on the negative side, not on you
42 and not on the City, but I manage a little center and I'm not sure how to say it in a
43 low rent/high crime district. And I can document both if you need it. I mean, it's
44 safe, but we have our problems. Marijuana, it is getting so big. What's
45 changed? I started getting calls about five/six years ago and the initial context of
46 them were oh I went to a health store, alternative, holistic and everything. Well,

1 you know, I talked to them and it always turned out to be the same thing. They
2 were quite evasive and then over time they got at least a little more honest and
3 will say hey we're doing this. But it's gone from being honest and up front to
4 downright bold. I had a guy on the phone yesterday from Florida literally reading
5 me the riot activity how the City can't do this, the City can't do that. They can't
6 Ordinance. They have no right, we'll bond you, we'll indemnify you, we'll defend
7 you in court, take our money, we'll put armed guards. I mean, it's ridiculous. So
8 I just put that on your radar because I think it's something that you and the
9 Council....I know some of you move up to the Council at some point. It's a hot
10 issue. There will probably be something on the ballot this year. I think it's known
11 and how that state-wide issue plays out. It is you know, for lack of better words,
12 a crap shoot. So, you know, but it's a serious issue. And, you know, it's a
13 decision that rests with the Planners and Council of the City. And, as Mr.
14 Brugueras said, there was a very nice prayer breakfast this morning. They didn't
15 take public comments, but I would have been happy to address that those
16 pastors there and we've got one operating our center totally unauthorized. They
17 defrauded us. We're in the process of an eviction. I'm hoping it's soon. We're
18 working on it. We're spending good money with a good attorney and you know
19 trying to run it through the process and we have good family-oriented tenants in
20 there. You know, there probably is a place for it. But it's, like I said, their getting
21 really, really ruckus and demanding. So I just wanted to share that, and I thank
22 you. I'll fill the slip out. Thank you.

23
24 **CHAIR LOWELL** – Thank you very much. I don't believe we have anymore
25 Speaker Slips so, with that, I'm going to close the Public Comments portion.

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28 **NON-PUBLIC HEARING ITEMS**

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31
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None

33 **CHAIR LOWELL** – Moving onto Non-Public Hearing Items, which I do not
34 believe we have any tonight. That's going to move us onto the Public Hearing
35 Item. The first item was taken off the Agenda, which moves us onto Item No. 2,
36 which is PA15-0005 (Conditional Use Permit) and P15-092 (Variance). The
37 Case Planner is Mr. Gabriel Diaz.

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40 **PUBLIC HEARING ITEMS**

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| 1. Case: | PA15-0005 Conditional Use Permit and P15-092
Variance |
| Applicant: | VZW/Cortel |

1 Owner: Southern California Edison
2
3 Representative: Andrea Urbas
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5 Location: Southwest corner of Kitching Street and John F.
6 Kennedy Drive
7
8 Case Planner: Gabriel Diaz
9
10 Council District: 4
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12 Proposal: PA15-0005 Conditional Use Permit and P15-092
13 Variance
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16 **STAFF RECOMMENDATION:**

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18 Staff recommends that the Planning Commission **APPROVE** Resolution No.
19 2016-16, and thereby:
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21

- 22 1. **RECOGNIZE** that Variance P15-092 and Conditional Use Permit PA15-
23 0005 qualify as an exemption in accordance with CEQA Guidelines,
24 Section 15303 (New Construction or Conversion of Small Structures); and
25
- 26 2. **APPROVE** Variance P15-092 and Conditional Use Permit PA15-0005
27 based on the findings contained in Planning Commission Resolution 2016-
28 16.
29
30

31 **ASSOCIATE PLANNER GABRIEL DIAZ** – Thank you Chairman and
32 Commissioners. The project is located at the southwest corner of Kitching Street
33 and John F. Kennedy Drive. The project is located at the Edison Electrical
34 Substation. The project is located within Council District 4, and the zoning is
35 Residential 5 (R5). The Applicant Representative is Andrea Urbas, and I believe
36 she’s here. The owner of the property is Southern California Edison. The
37 existing site consists of two telecommunications facilities. One is approximately
38 58 feet tall, a monopine. And the other is approximately 57 feet tall, a monopole.
39 And we have some pictures of the proposal. The purple is it. There is the
40 electrical substation, flood control channel. There’s the aerial with the different
41 views. The 24.23 acre site is surrounded by residential. Verizon Wireless is
42 requesting the Conditional Use Permit and the Variance. The conditional use is
43 for the 58 foot tall facility (monopine) and the associated equipment. The
44 Variance is necessary to allow the reduction in setback from the east property
45 line to the telecommunications pole. The proposed setback of 35 feet 1 inch is
46 consistent with the existing monopine on the project site The project is located

1 within the Single-Family Residential Zone. Our Municipal Code states that,
2 within any Single-Family Residential District, all commercial communications
3 facility antennas and supporting tower systems shall be set back from the
4 property line a distance that is not less than the height of the antenna and tower
5 system and not less than any setback required by the applicable fire and building
6 codes. For the purpose of this project, this would require a 58 foot setback. A 58
7 foot setback alternative was explored by the Applicant. However, Southern
8 California Edison was not in favor so the Applicant is pursuing this Variance as
9 afforded by the State Planning Law and local regulations. The proposed facility
10 is located approximately 145 feet from the residential properties to the east and
11 is separated by the drainage channel and the right-of-way of Kitching Street.
12 There are two previously approved wireless communications facilities onsite. As
13 described by our City Municipal Code, the purpose of a Variance is to provide
14 equality, equity, in the use of property. Furthermore, this request has been
15 considered against the full required findings set forth in Section 9.02.100(d) of
16 the Municipal Code and each finding can be made thereby conferring the
17 Variance to allow a setback reduction from 58 feet to approximately 35 feet for
18 this project is reasonable and appropriate. The Variance provides for equality in
19 the use of the property given the setback location of the prior approved wireless
20 communications tower on the same site. Strict enforcement of the setback
21 regulations would deprive the Applicant of privileges enjoyed by others in the
22 vicinity and under the same zoning classification. The other design elements of
23 the project have been carefully considered and found to meet or exceed the
24 minimum criteria of a communications facility in a residential zone. The design of
25 the tower is a monopine and will blend in with the existing monopine onsite. It
26 will actually be a little better than what's out there. The Applicant has prepared
27 the photo simulations, which we've seen already. The area surrounding the
28 project site to the north, east and south are developed as single-family residential
29 homes zoned R5. Again, the nearest single-family residential is approximately
30 100 feet to the east. Armada Elementary School and Oakwood Apartments are
31 located more than 1200 feet to the west. The proposed wireless tower has been
32 evaluated against General Plan Policy 7.7.6, Section 9.09.40 Communications
33 Facilities and Antennas and Satellite Dishes of our Municipal Code. The
34 proposed project does not conflict with any goals, objectives, policies, or
35 programs outlined in the General Plan. The main access to the site will be off a
36 driveway off JFK. The facility will periodically be checked by maintenance or for
37 maintenance purposes. The wireless facility is unmanned and will not impact
38 available onsite parking. A notification, public notice, was sent to all property
39 owners of record within 300 feet of the proposed project site. In addition, the
40 Public Hearing Notice for this project was posted on the project site on
41 05/13/2016 and published in the Press Enterprise on 05/13/2016. I did go out
42 and take a look that the site was posted, and it's posted directly on the corner of
43 JFK and Kitching. Environmentally, Planning Staff has reviewed the project and
44 determined that this item will not have a significant effect on the environment and
45 qualifies for an exemption under the provisions of CEQA as a Class 3
46 Categorical Exemption, CEQA Guidelines Section 15303, for New Construction

1 or Conversion of Small Structures. Staff recommendation: Recommend that the
2 Planning Commission recognize that Variance P15-092 and Conditional Use
3 Permit PA15-0005 qualify as an exemption under CEQA and approve Variance
4 P15-092 and Conditional Use Permit PA15-0005. There is a memo that you all
5 received, and it's a green-colored paper. There are some changes to Condition
6 P1. The Planning Division recommends that P1 be corrected. We used the
7 wrong case number and also we used the reference of palm fronds, and this is a
8 monopine. They've been striked out and then underlined for the new wording.
9 This concludes Staff presentation. Do you have any questions?

10
11 **CHAIR LOWELL** – Thank you very much.

12
13 **ASSOCIATE PLANNER GABRIEL DIAZ** – Thank you.

14
15 **CHAIR LOWELL** – Does anybody have any questions or comments for Staff?

16
17 **COMMISSIONER VAN NATTA** – Yeah I just had one question. Quite often
18 when we're looking at one of these applications we see where the coverage was
19 and what gaps in coverage are being corrected by the placement of the unit, but
20 we didn't see that in this presentation.

21
22 **ASSOCIATE PLANNER GABRIEL DIAZ** – I do have it available if you actually
23 want to look at it.

24
25 **COMMISSIONER VAN NATTA** – I always find that interesting to see why one
26 was needed, especially since there's another monopine right next to it. How
27 does this change the coverage?

28
29 **ASSOCIATE PLANNER GABRIEL DIAZ** – I believe they are just different cell
30 providers. I didn't check if the other one was AT&T versus Verizon versus T-
31 Mobile. They all kind of have their own towers.

32
33 **SENIOR PLANNER CHRIS ORMSBY** – The Applicant may be able to speak to
34 that as well.

35
36 **COMMISSIONER VAN NATTA** – Okay.

37
38 **CHAIR LOWELL** – In the past, we've approved monopines and monopalms and
39 in the past even a huge Eucalyptus tree, and the intent was for these cell towers
40 to be co-location or to have the ability to co-locate services. Why are we building
41 or why would we build a new monopine next to an existing monopine that could
42 theoretically allow for co-location of Verizon on an AT&T site or vice versa?

43
44 **ASSOCIATE PLANNER GABRIEL DIAZ** – At least for this site, I believe there's
45 a height issue. It is in a residential zone (R5) and usually the cell providers need
46 that height, and I think the ones that you've seen in the past are over the 58 feet.

1 At least they try to put the antennas as high as possible for the most coverage
2 and anything below that obviously they don't get that coverage. And adding an
3 additional.....and the Applicant can speak on that, but I believe adding the new
4 cell site facility at that same setback and keeping everything the same provides
5 that coverage that they need.

6
7 **COMMISSIONER VAN NATTA** – I did have another question because you're
8 using a monopine here and usually it's, you know, you like to match it to what
9 other natural-growing trees are in the area. And there's absolutely no natural-
10 growing trees, so why wasn't this just a.....I mean, it's got all that other electrical
11 equipment there. Why wasn't it just a pole?

12
13 **ASSOCIATE PLANNER GABRIEL DIAZ** – There is another monopine out there
14 to match. That's why we chose that one.

15
16 **SENIOR PLANNER CHRIS ORMSBY** – There's an existing one there.

17
18 **COMMISSIONER VAN NATTA** – Yeah, I got that but.....

19
20 **CHAIR LOWELL** – We want it to blend in more naturally with the electrical
21 substation.

22
23 **ASSOCIATE PLANNER GABRIEL DIAZ** – We have a forest of monopines.

24
25 **COMMISSIONER VAN NATTA** – Another fake pine.

26
27 **CHAIR LOWELL** – I think what she's saying is that's a big electrical substation
28 and this doesn't blend in with anything else because it's a 58 foot fake tree.

29
30 **COMMISSIONER VAN NATTA** – I don't think anything's going to.....nothing's
31 going to make it look worse so.....

32
33 **CHAIR LOWELL** – Also, in the past, we.....

34
35 **COMMISSIONER VAN NATTA** – I don't think anything is going to improve it
36 either.

37
38 **CHAIR LOWELL** – Also, in the past, we've had the applicant's plant trees
39 around it to kind of help it blend in. I know this is an SCE Site, and they have a
40 big transformer station. Was any kind of landscaping even looked at for big
41 natural trees to help fill in the site? I know in this instance it wouldn't really do
42 much, but holding it to the same standard as other cell sites where they had to
43 plant a couple trees to make it blend in and look more natural.

44
45 **ASSOCIATE PLANNER GABRIEL DIAZ** – I mean, internally, we did discuss
46 that. Obviously, we try to improve every project that comes along. In this case,

1 like you said, is it best to just put a pole out there or is it best just to put in
2 monopine? I guess you guys could change it if you guys see fit. But our thought,
3 and the Applicant's thought, was the same that it would fit better in the
4 neighborhood with this monopine. The addition of trees, I don't know if that was
5 a lease item that the Applicant can speak of. But we didn't bring it up to the
6 Applicant for a condition of approval.

7
8 **CHAIR LOWELL** – Okay.

9
10 **ALTERNATE COMMISSIONER GONZALEZ** – I have questions for the
11 Applicant.

12
13 **CHAIR LOWELL** – Any other questions for Staff before we invite the Applicant
14 up? No? Okay, if the Applicant would like to come up and.....

15
16 **APPLICANT ANDREA URBAS** – Good evening Mr. Chair and Commissioners.
17 My name is Andrea Urbas. I'm representing the Applicant (Verizon Wireless),
18 and I'm with Cortel. First of all, before we have any questions that I can answer,
19 I would like to just say that this is a really, really odd experience. I have now
20 been here for 12 years, and prior to today I was always on that side. So I've now
21 changed roles and I'm here representing this project. And I know I haven't
22 worked with any of you, but I would welcome it, and I am here to answer any of
23 your questions. And I would request your support of the project. We have been
24 working on this for a very long time with Staff; very closely as Gabriel can attest
25 over many, many revisions, and I think we have a solid project.

26
27 **CHAIR LOWELL** – Any questions for the Applicant?

28
29 **ALTERNATE COMMISSIONER GONZALEZ** – I have some questions. Can
30 you describe the difference between this telecommunications facility and a
31 standard wireless facility or is it just an interchange of words there or is it a
32 distinct different type of product?

33
34 **APPLICANT ANDREA URBAS** – It is not. No. Any wireless facility can be just
35 as you had suggested a simple pole, or it can be designed to be stealth. And a
36 stealth facility can take the form of a monopalm (palm tree), monopine (as in this
37 case), mono-euc (which is a Eucalyptus), or it can take the form of various other
38 structures. So I have seen towers, church towers, signage; all of that. In
39 addition, at certain locations, they have also mounted their antennas on top of
40 rooflines provided again that the roofline is tall enough. We don't have that here.
41 So what we were trying to do is match what was existing so we came up with a
42 design solution of the monopine, not palm, and also maintaining that same
43 setback. Because once you are on an SCE site, you have to comply with all of
44 their restrictions and that's what we were doing.

45

1 **ALTERNATE COMMISSIONER GONZALEZ** – Now does....I have one more
2 question. Does Verizon have a Master Plan for the City of Moreno Valley as far
3 as how many more facilities for complete coverage? Because I see, you know,
4 I've been on the Planning Commission for approximately a year, and I've seen a
5 number of them come to the Commission. It seems more of an incremental type
6 of strategy or there some plan somewhere that maybe someone could show us?
7

8 **APPLICANT ANDREA URBAS** – You are correct. It's been incremental, and
9 it's in response to identified gaps in coverage to calls from users who have
10 dropped calls and that all, you know, creates a pattern for where they need to
11 respond and look at potentially constructing new facility. And your question also
12 had been before about co-locations. Gabriel was correct. We don't have
13 adequate height as permitted to be able to co-locate with anyone. I have many
14 projects, which are actual co-locations elsewhere but not....we can't do it for this
15 site.
16

17 **ALTERNATE COMMISSIONER GONZALEZ** – What's the, how much more
18 height do you need for co-location?
19

20 **APPLICANT ANDREA URBAS** – We need to achieve the height that we have.
21 So, if you have another facility be it AT&T; Sprint; T-Mobile; whoever, you would
22 need to get that height that we need on top of theirs. So our antennas are
23 usually approximately eight feet in length and then you also need coverage
24 above that to make sure that it does look like a true tree. So, unfortunately in this
25 case because of height limitations, we cannot.
26

27 **ALTERNATE COMMISSIONER GONZALEZ** – Thank you.
28

29 **COMMISSIONER VAN NATTA** – And the map, do you have any of the maps
30 that show what coverage area is going to be corrected?
31

32 **APPLICANT ANDREA URBAS** – We did submit it.
33

34 **CHAIR LOWELL** – Diaz has it.
35

36 **COMMISSIONER VAN NATTA** – Oh.
37

38 **COMMISSIONER BAKER** – Now I have one other question for you. On the
39 microwave part of this is to be determined. Is there going to be a microwave dish
40 mounted on here or not?
41

42 **APPLICANT ANDREA URBAS** – That is the current plan.
43

44 **COMMISSIONER BAKER** – Okay and what's that mean microwave to be
45 determined and as moved? What's that mean?
46

1 **APPLICANT ANDREA URBAS** – That basically means that it's being proposed
2 for this initial CUP, but if there is adequate coverage, they may not actually install
3 it right now but they may in the future.

4
5 **COMMISSIONER BAKER** – Very good. Thank you. And that's kind of....you've
6 got that drawn in on a couple different locations here on the drawing?

7
8 **APPLICANT ANDREA URBAS** – Yes.

9
10 **COMMISSIONER BAKER** – Okay, very good. Thank you.

11
12 **COMMISSIONER VAN NATTA** – Can you tell us a little bit about this? What's
13 the green, what's the red, and what's the blue on these?

14
15 **APPLICANT ANDREA URBAS** – There should be a chart at the bottom. Each
16 of these, based on who the engineer is, their using different codes. So that
17 should tell you which is the worst coverage and which is the best and, if you look
18 at the before and after, you will see there is more color right at the proposed
19 location.

20
21 **COMMISSIONER VAN NATTA** – I'm trying to figure out which one of these is
22 before and which one is after.

23
24 **CHAIR LOWELL** – I'm assuming that one's before.

25
26 **COMMISSIONER VAN NATTA** – So greater or equal to negative 95 which is
27 the red. There is a negative 75, a negative 85, and a negative 95. Which is the
28 worst coverage and which is the better coverage?

29
30 **APPLICANT ANDREA URBAS** – Well may I take a look?

31
32 **COMMISSIONER VAN NATTA** – Yeah.

33
34 **APPLICANT ANDREA URBAS** – And I'm not an RF engineer. This is going to
35 be your after, so you can see that you have a lot more coverage here.

36
37 **CHAIR LOWELL** – That's the after? That looks like the before. I think the last
38 page is the site specific coverage.

39
40 **APPLICANT ANDREA URBAS** – Oh, well you've got me.

41
42 **CHAIR LOWELL** – That looks like site specific coverage.

43
44 **APPLICANT ANDREA URBAS** – Alright, you got me. Okay, here, so the green
45 would be your best coverage here.

1 **COMMISSIONER VAN NATTA** – And then the blue is not quite as good and the
2 red is poor coverage?
3
4 **APPLICANT ANDREA URBAS** – Um-hum. And again this is...
5
6 **COMMISSIONER VAN NATTA** – So the first one there that is mostly red is
7 showing that you don't have coverage there? Okay. Do you guys want to see
8 those maps.
9
10 **APPLICANT ANDREA URBAS** – If one reads them correctly. I'm embarrassed.
11
12 **COMMISSIONER VAN NATTA** – I'm sorry. That wasn't my intent. Sometimes I
13 do that but not this time.
14
15 **CHAIR LOWELL** – Any other questions for the Applicant before we open up
16 Public Comments?
17
18 **VICE CHAIR SIMS** – I do.
19
20 **CHAIR LOWELL** – Go ahead.
21
22 **VICE CHAIR SIMS** – So is the...I assume the flood control was contacted and
23 there's no objections by the flood control for the.....
24
25 **ASSOCIATE PLANNER GABRIEL DIAZ** – Yeah, everybody within 300 feet
26 was contacted. Nobody was, nobody objected. I did not receive any calls or any
27 letters.
28
29 **VICE CHAIR SIMS** – And then the only other question is what is the right-of-way
30 width of the flood control channel? So you have, it looks like, about 35 feet from
31 the pole to the property line. Plus, what is the distance to the actual street?
32
33 **ASSOCIATE PLANNER GABRIEL DIAZ** – I don't.....
34
35 **VICE CHAIR SIMS** – I can't see it on the map but....
36
37 **ASSOCIATE PLANNER GABRIEL DIAZ** – I believe it's like 145 to the single-
38 family homes.
39
40 **VICE CHAIR SIMS** – To the property line of the site?
41
42 **ASSOCIATE PLANNER GABRIEL DIAZ** – Yeah.
43
44 **VICE CHAIR SIMS** – Okay.
45

1 **CHAIR LOWELL** – Any other questions for the Applicant today? No? Thank
2 you very much.

3
4 **APPLICANT ANDREA URBAS** – Thank you.

5
6 **CHAIR LOWELL** – I'd like to open up the Public Comments portion. It looks like
7 we have our one and only Speaker Slip tonight is Mr. Rafael Brugueras. Okay,
8 then we'll switch that and it will be Mr. Tom Jerele.

9
10 **SPEAKER TOM JERELE** – Thank you again. Chair Lowell, Vice Chair Sims,
11 Commissioners, the Staff and the public: Yeah I guess I'm your resident let's
12 bring in the monopolies to the City. Bad reception, that's the big issue. I assume
13 most of you have cellphones, not all of you. And, you know, it's the new top of
14 the line phones. Some guys say it's the best that there is but the bottom line up
15 where I live in Sunnymead Ranch, man my dropped calls they get worse literally
16 by the day. It's just horrible. Now part of the problem, Sunnymead Ranch, they
17 can't facilitate the poles because of their HOA and they can only do one-year
18 leases so it's an internal problem. So we suffer. My carrier is Sprint. Sprint has
19 developed a system of little mini antennas in your house. It's supposed to help.
20 I'm trying to get one as we speak and you know just so I have better reception
21 there. But, two words, public safety. You know, god forbid we got some little old
22 lady, some young girl, or a young kid, or there's an accident and their trying to
23 make a call and they can't get reception. One day the chief of police was trying
24 to call me to give me some information that I had requested. Three calls dropped
25 and actually it was two. I missed the first one but the second two when then
26 dropped they didn't even go through. They kick over to voicemail and they didn't
27 tell me that a message came in. And, when I did call the chief back and I said I
28 missed his first call, he said you know I called you two more times. I said oh my
29 goodness, so you know that may be endemic to the Sprint service. I think it is a
30 little substandard, both in that area and maybe throughout the City, I don't know
31 who Sprint uses. But the point is we need the infrastructure. These phones are
32 getting more prolific by the day. When I lost my phone a couple weeks ago, I
33 had to get a new one. The Sprint guy told me they do about, I think they said
34 about 30 phones a day; new contracts, so, average. I mean it's a huge amount,
35 so it's more load problem. In fact, maybe Ms. Urbas, who I do remember, can
36 come back up to the microphone because I'm curious. So I'm assuming as we
37 get more phones on the system, it's just like more cars on the road, and so that
38 may be part of the reason. So we're going to need more infrastructure as we go.
39 I do like the Staff that they wanted to make it...beautify our relay station there,
40 our Edison system there. So I support the project, and so that's my comments.
41 Thanks for taking them.

42
43 **CHAIR LOWELL** – Thank you very much. That was the last Speaker Slip I
44 believe Erica?

45
46 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Yes.

1
2 **CHAIR LOWELL** – Do you want to speak Mr. Brugueras, or are you okay?
3 Thanks. Thank you. Would the Applicant like to respond to anything they've
4 heard so far?

5
6 **APPLICANT ANDREA URBAS** – No. I would just like to add about public
7 safety. What is a common practice for Verizon is to install a backup emergency
8 generator and so that actually kicks in just when the power is completely out
9 even though it's right next to SCE's facility. So that is the idea that you have a
10 backup, you can respond to emergencies, you don't lose your service. And
11 Verizon has been looking at two separate approaches, which is both capacity
12 and also increased coverage, and so we're trying to respond to those because
13 again we are getting more and more requests for more and more
14 appliances/tools that everybody wants to have. So it isn't just one cellphone per
15 family. It's everyone now wants to have a cellphone. Everyone wants to have all
16 of this ancillary equipment as well.

17
18 **CHAIR LOWELL** – Thank you.

19
20 **APPLICANT ANDREA URBAS** – Thank you.

21
22 **CHAIR LOWELL** – Any questions or comments before I move to a motion?
23

24 **COMMISSIONER VAN NATTA** – I just wanted to comment. I've had Verizon
25 service sine before they were Verizon, and I just hope that Verizon Wireless does
26 not sell that service to Frontier because that has been a nightmare on the FIOS
27 service. So, but other than that like I said earlier, you can't make that site look
28 any worse no matter what you put up there. I don't see any problem in putting
29 another monopine or anything else there. Maybe they could start doing like
30 shaped like dinosaurs or something like that; just make it more interesting.

31
32 **CHAIR LOWELL** – Make it look like an electric substation.

33
34 **COMMISSIONER VAN NATTA** – Yeah.

35
36 **CHAIR LOWELL** – Any other questions or comments? No? Okay, I'd like to
37 ask somebody for a motion tonight.

38
39 **COMMISSIONER VAN NATTA** – I will move.

40
41 **CHAIR LOWELL** – Perfect.

42
43 **COMMISSIONER VAN NATTA** – Okay. I move that we approve Resolution No.
44 2016-16 and recognize that Variance P15-092 and Conditional Use Permit PA15-
45 0005 qualifies as an exemption in accordance with CEQA Guidelines, Section
46 15303, New Construction or Conversion of Small Structure and approve

1 Variance P15-092 and Conditional Use Permit PA15-0005 as amended on the
2 memorandum dated 05/26/2016 based on the findings contained in Planning
3 Commission Resolution 2016-16.

4
5 **CHAIR LOWELL** – Perfect. We have a motion by Commissioner Van Natta and
6 I believe we have a second by Vice Chair Sims. Please vote. All votes have
7 been cast. The motion passes 7-0. Do we have a Staff wrap-up on this item?

8
9
10 Opposed – 0

11
12
13 **Motion carries 7 – 0**

14
15
16
17 **SENIOR PLANNER CHRIS ORMSBY** – The Planning Commission’s action on
18 the Conditional Use Permit and Variance will be final unless an appeal is filed
19 with the City Council within 15 calendar days.

20
21
22 **OTHER PLANNING COMMISSION BUSINESS**

23
24 **CHAIR LOWELL** – Thank you very much. Do we have any other Commissioner
25 Business tonight? I don’t believe so.

26
27
28 **STAFF COMMENTS**

29
30
31 **CHAIR LOWELL** – That moves us onto Staff Comments. Do we have any Staff
32 Comments for tonight?

33
34 **SENIOR PLANNER CHRIS ORMSBY** – The Planning Commission’s next
35 scheduled meeting is June 23rd. The nominations for Chair and Vice Chair are
36 scheduled for that Agenda.

37
38
39 **PLANNING COMMISSIONER COMMENTS**

40
41 **CHAIR LOWELL** – Perfect and that moves us onto Planning Commissioner
42 Comments. Do we have any insight as to why Item No. 1 was removed, the Sign
43 Ordinance?

44
45 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Very little. At this time, I know
46 there are some revisions that are being worked on. There are some questions

1 about whether these revisions should be brought forward now at this time or held
2 off for a couple months until after the campaign season. So I don't have an
3 answer for you quite yet. We're going to see where the direction goes with some
4 of the revisions. There are revisions that need to be made, but we don't want to
5 politicize them so we're trying to be cautious of doing it in a timely fashion without
6 going that direction.

7
8 **CHAIR LOWELL** – Perfect. Thank you. Any other questions or comments
9 tonight?

10
11
12 **ADJOURNMENT**

13
14 **CHAIR LOWELL** – Perfect, with that, I will adjourn this meeting to the next
15 Regular Scheduled Meeting of the Planning Commission on 06/23/2016 at 7:00
16 PM here in the Council Chambers. Thank you and have a good night.

17
18
19 **NEXT MEETING**

20 *Next Meeting: Planning Commission Regular Meeting, June 23rd, 2016 at 7:00*
21 *PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street,*
22 *Moreno Valley, CA 92553.*

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33 Richard J. Sandzimier
34 Planning Official
35 Approved

36 _____
37 Date

38
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44 _____
45 Brian R. Lowell
46 Chair

47 _____
48 Date