

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

5 **Thursday, August 25th, 2016 at 7:00 PM**

6
7
8 **CALL TO ORDER**
9

10 **CHAIR LOWELL** – Good evening ladies and gentlemen. I would like to call to
11 order the August 25th, 2016, Regular Meeting of the Planning Commission. The
12 time is 7:05 PM. Could we have rollcall please?
13

14
15 **ROLL CALL**
16

17 Commissioners Present:

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

27
28 Staff Present:

29 Rick Sandzimier, Planning Official
30 Paul Early, Assistant City Attorney
31 Erica Tadeo, Administrative Assistant
32 Claudia Manrique, Associate Planner
33 Gabriel Diaz, Associate Planner
34 Michael Lloyd, Land Development Division Manager
35 Vince Giron, Associate Engineer
36 Paul Villalobos, Fire Safety Supervisor/Assistant Fire Marshall
37

38
39 Speakers:

40 Estella Hernandez Patel
41 Rafael Brugueras
42 Liz Berry
43

44 **CHAIR LOWELL** – I am also here.

1 **ADMINISTRATIVE ASSISTANT ERICA TADEO**– And we have Vice Chair
2 Barnes who is excused absent today.

3
4 **CHAIR LOWELL** – With that said, I would like to move on and could
5 Commissioner Gonzalez lead us in the Pledge of Allegiance please?
6

7
8 **PLEDGE OF ALLEGIANCE**
9

10
11
12 **APPROVAL OF THE AGENDA**
13

14
15 **CHAIR LOWELL** – Thank you very much. I would like to move onto the
16 approval of tonight’s Agenda. Would anybody like to motion to approve tonight’s
17 Agenda?
18

19 **COMMISSIONER BAKER** – I’ll move to approve the Agenda.
20

21 **CHAIR LOWELL** – We have a motion by Commissioner Baker. Do we have a
22 second?
23

24 **COMMISSIONER GONZALEZ** – I second.
25

26 **CHAIR LOWELL** – We have a second by Commissioner Gonzalez and, just by
27 a show of hands, we will vote. All in favor, say aye.
28

29 **COMMISSIONER RAMIREZ** – Aye.
30

31 **COMMISSIONER KORZEC** – Aye.
32

33 **COMMISSIONER GONZALEZ**– Aye.
34

35 **COMMISSIONER NICKEL** – Aye.
36

37 **COMMISSIONER BAKER** – Aye.
38

39 **COMMISSIONER SIMS** – Aye.
40

41 **CHAIR LOWELL** – Aye.
42

43 **CHAIR LOWELL** – All opposed, say nay. The motion passes 7-0. Tonight’s
44 Agenda is approved.
45
46

1 Opposed – 0

2

3

4 **Motion carries 7 – 0**

5

6

7 **CONSENT CALENDAR**

8

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

13

14 **CHAIR LOWELL** – Moving onto the Consent Calendar, and the Consent
15 Calendar items tonight are the approval of the Minutes. Does anybody have any
16 comments on the Regular Planning Commission Meeting from July 28th, 2016?

17

18

19 **APPROVAL OF MINUTES**

20

21 Planning Commission - Regular Meeting - July 28th, 2016, at 7:00 PM

22

23 Approve as submitted.

24

25

26 **COMMISSIONER NICKEL** – I want to go on the record as abstaining from
27 approval of the Minutes as I was not seated.

28

29 **CHAIR LOWELL** – Perfect and Commissioner Van Natta also was there, but
30 she is not here anymore so we have....everybody else can vote.

31

32 **COMMISSIONER SIMS** – I'll be abstaining.

33

34 **CHAIR LOWELL** – Commissioner Sims was also not there, so we have
35 Commissioner Ramirez, Commissioner Korzec, Commissioner Baker,
36 Commissioner Gonzalez, Vice Chair Barnes who is absent and myself, so we
37 have five people that can vote. I think that's right. One, two, three, four, five,
38 yes.

39

40 **ASSISTANT CITY ATTORNEY PAUL EARLY** – If I may, Chair, just to make
41 sure everybody understands and is clear on it. There is no legal requirement that
42 you abstain. You're just choosing to abstain because you want to, but you can
43 always still vote on it, especially if you've listened to the meeting and can
44 approve that the Minutes were accurate. I just want to make sure that nobody
45 thought they had to.

46

1 **CHAIR LOWELL** – Okay. Any other comments or questions? Everybody
2 agrees that the Minutes are accurate? Okay, with that said, I would like to
3 motion to approve.....I would like to motion to approve the Minutes for the
4 Regular Planning Commission Meeting of July 28th, 2016. Do we have a
5 second?

6
7 **COMMISSIONER BAKER** – I'll second.

8
9 **CHAIR LOWELL** – Seconded by Commissioner Baker. All in favor, say aye.

10
11 **CHAIR LOWELL** – Aye.

12
13 **COMMISSIONER RAMIREZ** – Aye.

14
15 **COMMISSIONER KORZEC** – Aye.

16
17 **COMMISSIONER BAKER** – Aye.

18
19 **COMMISSIONER GONZALEZ** – Aye.

20
21 **CHAIR LOWELL** – All opposed, say nay. Any abstaining?

22
23 **COMMISSIONER NICKEL** – Yes.

24
25 **COMMISSIONER SIMS** – Abstaining.

26
27 **CHAIR LOWELL** – Two abstains. Perfect. That's 5-0. The motion is approved.
28 Moving onto the Public Comments portion.

29
30
31 Opposed – 0

32
33
34 **Motion carries 5 – 0 – 2 with 2 abstentions**

35
36
37 **PUBLIC COMMENTS PROCEDURE**

38
39 *Any person wishing to address the Commission on any matter, either under*
40 *Public Comments section of the Agenda or scheduled items or public hearings,*
41 *must fill out a "Request to Speak" form available at the door. The completed*
42 *form must be submitted to the Secretary prior to the Agenda item being called by*
43 *the Chairperson. In speaking to the Commission, member of the public may be*
44 *limited to three minutes per person, except for the applicant for entitlement. The*
45 *Commission may establish an overall time limit for comments on a particular*
46 *Agenda item. Members of the public must direct their questions to the*

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

10
11
12 **NON-PUBLIC HEARING ITEMS**

13
14 **None**

15
16
17 **CHAIR LOWELL** – Do we have any Non-Public Hearing Item Speaker Slips
18 tonight?

19
20 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – We do not.

21
22 **CHAIR LOWELL** – Perfect. Let's move onto Public Hearing Item No. 1, which is
23 Case PA14-0027, which is a Plot Plan, and the Case Planner is Claudia
24 Manrique.

25
26
27 **PUBLIC HEARING ITEMS**

28
29 1. Case: PA14-0027 (Plot Plan)
30
31 Applicant: Design Concepts
32
33 Owner: Titak Chopra
34
35 Representative: Design Concepts (Architect Shiv Talwar)
36
37 Location: 23778 and 23798 Hemlock Avenue
38
39 Case Planner: Claudia Manrique
40
41 Council District: 5
42
43 Proposal: Plot Plan (PA14-0027) for a new 39 unit
44 apartment complex
45
46

1 **STAFF RECOMMENDATION**

2
3 Staff recommends that the Planning Commission **APPROVE** Resolution No.
4 2016-19, and thereby:

- 5
6 1. **CERTIFY** that this item is exempt from the provisions of the California
7 Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption,
8 CEQA Guidelines, Section 15332 for In-Fill Development; and
9
10 2. **APPROVE** Plot Plan PA14-0027 based on the findings contained in the
11 Resolution and subject to the Conditions of Approval included as Exhibit A
12 of the Resolution.
13
14

15 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, Claudia Manrique will be
16 presenting this project. It's a District 5 project. It is a multi-family residential
17 project.
18

19 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Good evening. I am Claudia
20 Manrique, the Case Planner, for PA14-0027, which is a proposed 39 unit
21 apartment complex located on a 2.6 acre site along Hemlock Avenue west of
22 Peacock Street and east of Swegles Lane. We have an aerial showing the site.
23 It includes three parcels. The project is located within the Residential 15 Zoning
24 District, which allows up to 15 dwelling units per acre, and this project meets the
25 maximum density of 15. This is the Zoning Map. As you'll see, the project is
26 directly south. East and west are also zoned R15, and to the north is R5, which
27 is single-family residential.
28

29 **CHAIR LOWELL** – Claudia, can you pull the microphone a little closer. Thanks.
30

31 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Sorry. Adjacent
32 developments to the project site include single-family homes, as well as multiple
33 family units and other apartment complexes. Access to the proposed site will be
34 from a single driveway off of Hemlock Avenue. Here is the Site Plan. This
35 driveway will direct traffic north through the project with an internal loop, and this
36 loop meets the emergency vehicle turnaround requirements from the Fire
37 Department. The project includes a total of 109 parking spaces including 70
38 carports and 8 single-car garages for a total of 78 covered spaces. Then, there
39 are 20 non-covered spaces for residents, as well as 10 guest parking spaces. All
40 this meets the Code requirement for the multi-family parking. The proposed
41 project includes a main recreation and office building with an onsite manager
42 apartment, as well as six two-story multi-unit buildings. There a total of 18 two-
43 bedroom units and 21 three-bedroom units for a total of 39 dwelling units. The
44 amenities proposed include a small gym facility and reception space, which are
45 within the recreation/office building, as well as private open space for each
46 residential unit, which is provided by a mix of fenced yards, patios, and

1 balconies. The proposed architecture is contemporary in design with stucco and
2 stone veneer. Then there is various architectural relief provided through stone,
3 foam trim, window shutters, concrete, tile, and decorative metal railings, which
4 will be along the balconies, staircases, and second level walkways. Here we
5 have the elevation for building 1A and 1B, and then you can see that the colors
6 are a neutral brown earth tone palette. This is the office/recreation building with
7 the same color palette. The site includes the 25-foot front yard landscape
8 setback, which will also include street trees. There are two landscaped public
9 open spaces for the residents within the project. There is also a 10-foot
10 landscaped area to the rear of the site, which will help buffer from the
11 neighboring single-family residents to the north. I have color conceptual of the
12 Site Plan, and then this one will show a 3D rendering of the site to get a better
13 idea of all the architectural relief of the project. The project was submitted in May
14 of 2014 as a 22-unit apartment complex with two parcels and, due to the odd
15 shape, it was a challenge to meet the City Code requirements including
16 setbacks, emergency exits, and the parking requirements. Staff suggested to the
17 Applicant, if it was possible, to get one of the adjacent parcels. The one to the
18 east was available, and the Applicant was able to inquire and resubmit the
19 redesigned project in late March of 2015. Since then, we have been working
20 closely with the Applicant on the site design, the elevations, and we have
21 resolved any outstanding issues to date. The project is exempt under CEQA as
22 In-Fill as it is less than five acres. Public notice was sent to all property owners
23 within 300 feet and posted on the site on August 12th and, on August 13th, it was
24 published in the Press Enterprise Newspaper. Staff recommends approval of
25 Resolution No. 2016-19 certifying that the project is exempt under CEQA 15332
26 as an In-Fill development and approve Plot Plan PA14-0027. Thank you.

27
28 **CHAIR LOWELL** – Thank you very much. Do we have any questions or
29 comments for Staff? No? Okay, perfect. I would like to invite the Applicant up.

30
31 **APPLICANT SHIV TALWAR** – Good evening Chair, Commissioners, and the
32 Staff. My name is Shiv Talwar. I'm the architect for the project, and we really
33 want to thank you, the Staff, for coordinating the project with us. We complied
34 with all the requirements, and we really appreciate all the efforts and
35 recommendations. So we would like to request you to approve the project, and I
36 will be glad to answer any questions you have.

37
38 **CHAIR LOWELL** – Thank you. Do we have any questions for the Applicant?
39 Okay, do you have any questions for them though?

40
41 **COMMISSIONER NICKEL** – I have three questions.

42
43 **CHAIR LOWELL** – Okay.

44
45 **COMMISSIONER NICKEL** – I don't know if you want me to ask them now.

46

1 **CHAIR LOWELL** – If we don't have any questions for the Applicant, then thank
2 you and we'll move on.

3
4 **APPLICANT SHIV TALWAR** – Thank you again.

5
6 **CHAIR LOWELL** – Thank you very much. Commissioner Ramirez.

7
8 **COMMISSIONER RAMIREZ** – I do have a question. Thank you for coming
9 tonight. Are any of these going to be Section 8 apartments?

10
11 **APPLICANT SHIV TALWAR** – It is not planned for that. But, again, Section 8
12 is welcome.

13
14 **COMMISSIONER RAMIREZ** – Okay, that was my only question. Thank you.

15
16 **APPLICANT SHIV TALWAR** – Thank you very much.

17
18 **CHAIR LOWELL** – If you say it's planned for it, but Section 8 is welcome, what's
19 your anticipated rent then?

20
21 **APPLICANT SHIV TALWAR** – I mean the project is like definitely not planned
22 for that, but Section 8 is, you know, they are welcome.

23
24 **CHAIR LOWELL** – Well what's your anticipated rent?

25
26 **APPLICANT SHIV TALWAR** – They can apply for rentals.

27
28 **CHAIR LOWELL** – What's your anticipated rent?

29
30 **APPLICANT SHIV TALWAR** – We don't know the rent, the anticipated rent, for
31 this one, but I will have.....

32
33 **CHAIR LOWELL** – Alright, we can address that later. Thank you very much.
34 Okay, then I would like to open up the Public Comments portion. I'm assuming
35 we have a few speakers waiting. We have Estella Hernandez-Patel followed by
36 Rafael Brugueras.

37
38 **SPEAKER ESTELLA HERNANDEZ-PATEL** – Good evening, Chairman,
39 Planning Commission, Body, and Staff, again my name is Estella Hernandez-
40 Patel, and I reside on Hemlock Avenue. I've been there for 20 some years, and
41 I'm here tonight to oppose the development of the apartments. There are plenty
42 of apartments on Hemlock Avenue if you don't know the area already, and it
43 brings a lot of stress with a lot of transits. We have people walking the streets.
44 It's....I want to say it's high crime. Statistically, I don't know what it is, but it
45 concerns me and my family. It's a working class community. On the side where
46 the apartments are going to be built, there are a lot of single-story family homes

1 and a few duplexes, but they are one story. That's on the east side of Hemlock
2 and, on the west side of Hemlock, there are two-story and three-story
3 apartments, and it's a little disturbing for me and my family and some of my
4 neighbors to have more apartments coming into my community, our community.
5 And so I'm here today to speak of my opposition, and I hope that you seriously
6 consider some redevelopment. And it appears that the Staff is recommending
7 approval, but they don't, I don't think they live in the area because I don't see
8 them. And I know, according to the report, it's within guidelines, but I do
9 sincerely hope that something else could be developed. I know it's the R15, but
10 that concerns me too, and I'm thankful to the Chair for asking the questions on
11 Section 8 because there's too many. Like I said, I've lived there. We bought
12 from the original owner a number of years ago and, my family, we're happy there.
13 But it is, it is too much. Too many apartments. It's embedded within single-story
14 homes, and it doesn't fit in my opinion and some of the people that I spoke to.
15 So I hope that you consider, reconsider again, the opposition of this plan. Thank
16 you very much.

17
18 **CHAIR LOWELL** – You said you wish something else would be built there.
19 What would you recommend being built there in its placed?
20

21 **SPEAKER ESTELLA HERNANDEZ-PATEL** – Single-story townhomes,
22 something esthetically pleasing but also that brings value of property but worth to
23 the community. In other words, you know, when something happens in the
24 neighborhood, the police officers are there and we report it. It's almost like it's
25 expected something is going to happen, and I don't want that to continue. I don't
26 know. I mean, perhaps maybe I should've gotten more involved in my
27 community in this sense. I wasn't aware there was, this was being planned in
28 2014, especially with the apartments down the road on Hemlock. Those were
29 three stories, and I know that's common with the space that's available but
30 I...family residences are good and welcome but more apartments, there's just
31 way too many.
32

33 **CHAIR LOWELL** – I'm assuming you've lived in the neighborhood since before
34 the other apartment complexes built?
35

36 **SPEAKER ESTELLA HERNANDEZ-PATEL** – The one directly across from us
37 is La Pacifica, and that was already preexisting. And, next door to me, they are
38 single story. They are more like duplex homes or apartments, but they look more
39 like homes not apartments. And I live on, it's about an acre maybe almost two
40 acres, because my dad lives next door so we just kind of fenced everything in
41 together. And, you know, people come and go. People come and go all the time
42 and that's my concern, my fear for the kids and my nieces and nephews that also
43 live next door.
44

45 **COMMISSIONER GONZALEZ** – I just have a question. If this type of product
46 was, let's say for sale maybe in the same fashion, is that something that you

1 know you would be for even though they might look like apartments but they are
2 more condos? Is it the “for rent” that is the concern?

3
4 **SPEAKER ESTELLA HERNANDEZ-PATEL** – I think that would bring balance
5 in my opinion to the community because people will take pride in their homes, in
6 their house, of their property versus apartments possibly not.

7
8 **COMMISSIONER GONZALEZ** – Thank you.

9
10 **CHAIR LOWELL** – Thank you very much.

11
12 **SPEAKER ESTELLA HERNANDEZ-PATEL** – Thank you for your time.

13
14 **CHAIR LOWELL** – Mr. Rafael Brugueras.

15
16 **SPEAKER RAFAEL BRUGUERAS** – Good evening, Chair, Commissioner,
17 Staff, guests, and residents. I drove by there yesterday, and I looked at that lot
18 very well. I got out of my car and all that’s there is dirt, old trees, branches,
19 garbage bags, stray cats. Now, I understand what she means because I know
20 Hemlock from Heacock to Frederick, and I know that they are all apartments that
21 have been there for a long time, and we have residents that don’t care. But, by
22 looking at this display, this model, the new building going up in that particular
23 area will brighten it up because, when you go from Heacock to Frederick at night,
24 it’s dark. There is nothing there, nothing but the houses that she mentioned with
25 one light. If you build something what we just saw right here, it will lighten up the
26 whole neighborhood. It won’t be dark anymore going into the street. Second of
27 all, there are a lot of three-bedroom apartments. I know there are a lot of people
28 who probably would like to move out of those old neighborhoods or those old
29 apartments into something new. Now, it would be nice if it was not Section 8 and
30 everybody would work. I hope the owner will work on that first before he
31 converts it into Section 8 if he has to, and the only way that happens is if nobody
32 rents because it’s too high. Then, that’s when Section 8 comes in. But, if you
33 can keep it like the one we have right here around Walmart in Moreno Beach, E
34 Trail, I used to live there in those apartments. If you keep them like that,
35 because that’s a nice building, those are nice apartments. They make that
36 corner look good. This project can make this corner look good, and I understand
37 what she is saying. Okay? But I believe that this project can help that
38 neighborhood a lot more than not. Okay, so look at it. They are doing everything
39 they can. They are providing a lot of parking so people can park inside instead of
40 outside. They are going to have a manager on site, so they will be able to control
41 what goes on onsite. Okay? They are going to have recreation, pool, gym; more
42 than probably the other ones have. So we need to consider this project for that
43 neighborhood so it can enhance that part of the street, especially heading
44 towards more Heacock. If you go there at night, it’s dark. It gets nicer when you
45 head towards not Jack-In-The-Box but In-N-Out. That’s where everybody is at.
46 That’s where all the lights are at. On this side of town, there are no lights. By

1 adding this project and looking at it, look at it well, it's well built, well designed.
2 And, if it can be well managed, it can help their community, and hopefully it will
3 bring up their value of their neighborhood. So consider what we want to do, and I
4 do have respect for her for coming up here and mentioning everything that goes
5 on in that neighborhood because I know that neighborhood. Now, can it get
6 better? Yes. If we do our part, then the rest of the neighborhood can probably
7 get better. So I do want that neighborhood, I would love to see that
8 neighborhood enhanced as so, especially in District 5. Okay, District 5 also
9 needs help. It's an old part of town that needs a new face.

10
11 **CHAIR LOWELL** – Thank you Rafael. I have Shiv Talwar, but I'm assuming you
12 already spoke. So, unless you want to come up again, I'm going to skip you up
13 to Liz Berry.

14
15 **SPEAKER LIZ BERRY** – Good evening everyone. My name is Liz.

16
17 **CHAIR LOWELL** – The microphone you can pull down if you want. There you
18 go.

19
20 **SPEAKER LIZ BERRY** – I'm not used to this.

21
22 **CHAIR LOWELL** – No worries.

23
24 **SPEAKER LIZ BERRY** – Thank you. Good evening everyone. My name is
25 Elizabeth Berry, and I have lived in Moreno Valley (Sunnymead) since 1947.
26 And, yes, I've seen a lot of changes. You have brought a lot of good changes
27 and not so good changes to the area. I agree with this young lady on a lot of
28 things that she said. I understand where she wants things more family than
29 apartments and everything, but I'm in favor of these apartments. The only thing
30 I'm not in favor of is the one way in, one way out. That is a disaster waiting to
31 happen. But I may be able to help him with that dilemma. We own property. We
32 own quite a bit of property. Absolutely no Section 8. Absolutely. I'm not against
33 the poor, but no Section 8. And, once you start it, you'll never be out of it. You
34 are locked into it. I agree with the parking on the inside because we have so
35 many problems with parking up and down the street, and that's just ridiculous.
36 And I agree with the gentleman saying that this is just a vacant lot. It is. It's just
37 a plain old dirt lot, and this would be a nice thing to bring to the neighborhood.
38 Like I say, I'm in favor of it. There isn't, oh, I agree with the condos. I think that
39 would be a plus rather than apartments because people are more apt to take
40 better care of something that belongs to them rather than renting something that
41 belongs to someone else. So that is something interesting to think about.
42 Anyway, I met the gentleman tonight and, like I told him, I'm in favor of the
43 apartments. I think it will be nice. And thank you very much for your time.

44
45 **CHAIR LOWELL** – I have a question for you before you step down. One of the
46 first things you said was you didn't like the idea of having a single point of

1 access, and that there was something that you could do to help them because
2 you own a lot of property. What did you mean by that?

3
4 **SPEAKER LIZ BERRY** – Oh, we own property at the back of where he wants to
5 build. We own half that at the back. My nephew does, and he lives in
6 Washington, and I am representing him tonight. And I came to talk to the man
7 that was doing this.

8
9 **CHAIR LOWELL** – Are you talking about you own property facing the knuckle
10 on what is it, Poutous?

11
12 **COMMISSIONER NICKEL** – On that map?

13
14 **CHAIR LOWELL** – I'm just curious.

15
16 **COMMISSIONER GONZALEZ** – That map up front.

17
18 **CHAIR LOWELL** – It's up on the big TV, yeah, correct. So you're proposing that
19 you're going to talk to them about having an additional entrance off to the east?

20
21 **SPEAKER LIZ BERRY** – Yes.

22
23 **CHAIR LOWELL** – Okay. Thank you very much. I appreciate it. Okay.

24
25 **SPEAKER LIZ BERRY** – Swegles Street.

26
27 **CHAIR LOWELL** – Swegles Street.

28
29 **SPEAKER LIZ BERRY** – and Ironwood.

30
31 **CHAIR LOWELL** – Thank you very much. With that, I don't see anymore
32 speakers. Does anybody else want to speak on this before we close the Public
33 Comments? Nope. Okay, Public Comments are now closed. Moving on, let's
34 get out of this. Okay.

35
36 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman.

37
38 **CHAIR LOWELL** – Yes.

39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – Typically, it's customary to invite
41 the Applicant back up if they want to rebut any of the Public Comments.

42
43 **CHAIR LOWELL** – I was moving to that. With that said, would you like to come
44 up and rebut anything you heard or?

45
46 **APPLICANT SHIV TALWAR** – No.

1
2 **CHAIR LOWELL** – Okay. Thank you very much. Okay, so we're moving on
3 now to Commissioner Discussion. Does anybody have any questions or
4 comments?

5
6 **COMMISSIONER SIMS** – I think it's a....I think the concept of the project is nice,
7 but I do have concerns about single in, single out. You have 108, it's going to be
8 provided with 109 spaces, and there's going to be que times in the mornings and
9 evenings and whatnot where it's just going to be a cluster and anybody that's
10 trying to get in and out of building C will be stymied to get in and out of their....
11 you know, it's going to be a parking lot in front of probably all of building C. I
12 also, I couldn't find this section. I'd like to understand what's going on on the
13 east side or the west side of building A and building B in relationship to the
14 access to the three lots that are on adjoining contiguous to the back part of the
15 property. So, anyhow, for my first question I guess I'd like to understand from a
16 transportation standpoint, you know, there is no traffic signal or anything in and
17 out of this. With this single access, it just seems like there would be a significant
18 amount of time with queuing in and out of this, and there is no stacking coming
19 off of Hemlock into the property. So I just was wondering from a transportation
20 standpoint, did they do a Traffic Analysis to understand kind of the morning and
21 afternoon peak traffic?

22
23 **LAND DEVELOPMENT DIVISION MANAGER MICHAEL LLOYD** – Michael
24 Lloyd with Public Works. This project was not required to do a Traffic Study.
25 The number of units did not justify a Traffic Study given the traffic projections.

26
27 **COMMISSIONER SIMS** – Okay so is there other, I mean, is there other like type
28 density with single access? It seems like if any blockage happens in that single
29 access, emergency vehicles, whether cops or ambulatory or whatnot, would be
30 stymied to be able to have access to any of this.

31
32 **LAND DEVELOPMENT DIVISION MANAGER MICHAEL LLOYD** – Generally
33 speaking, the number of access points is driven by emergency response as
34 you're indicating. So we typically rely upon fire department input and so I would
35 defer to Paul, if you would, to indicate the number of units per access point.

36
37 **FIRE SAFETY SUPERVISOR/ASSISTANT FIRE MARSHALL PAUL**
38 **VILLALOBOS** – Yes this particular project, Paul Villalobos from the Fire
39 Department. This project meets the threshold for a single access point. We
40 have enhanced fire protection features such as fire sprinklers. We have two
41 private hydrants on site. We have good circulation. Our Fire Department
42 operations could also be conducted across the street there. There is a fire
43 hydrant directly across the street from this project on Hemlock. So, unless there
44 was a larger density or a larger number of units, we would not require the
45 developer or the contractor to add another access point for us. So, and then with

1 the fire lanes being clearly marked and enforced by the property management
2 there, that would be something we would rely on to maintain that access.

3
4 **COMMISSIONER SIMS** – Can I, Chairman.

5
6 **CHAIR LOWELL** – Yes Sir.

7
8 **COMMISSIONER SIMS** – While I'm on a roll?

9
10 **CHAIR LOWELL** – Keep going you got the light.

11
12 **COMMISSIONER SIMS** – Alright. Then can somebody explain what is the
13 property boundary treatment on the east side of the property or west side of the
14 property adjacent buildings A and B? Is that masonry wall? Is that solid or is
15 that access where....it looks like there is an attempt to have an access easement
16 going back to the three houses that are on the west side of this property.

17
18 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Yes, all three sides are going
19 to have decorative block walls. There is that access easement right there on the
20 west to the three single-family homes that exist in the back. It was decided that it
21 was not in the best interest of this project to have entrance or exit off the
22 easement. Originally, when this project came in as an 18-unit condo project, the
23 entrance and exit were off the easement. But, when the project came in in 2014
24 with the request for more units, it was found that it would be more....it was better
25 for the site to have the single entry in the center of the site.

26
27 **COMMISSIONER SIMS** – So just to make sure I understand it, there is going to
28 be a block wall all along the west property line?

29
30 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Yes.

31
32 **COMMISSIONER SIMS** – And the easement that's back there, is that, what kind
33 of improvement is that going to be? Is that just a dirt road or what would
34 it....what is that?

35
36 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – It remains the dirt road in the
37 same existing condition as it is now.

38
39 **COMMISSIONER SIMS** – Is there any.....I didn't see any conditions for any
40 improvements along Hemlock. There's no stacking. There's no right turn in or
41 anything. Yeah, I personally have real problems with it. There's a small throat
42 and entrance into this, but anyhow I'm not a transportation engineer. I just, I just
43 get a sense that there is going to be real clusters and angst among the residents
44 that are in there. I could, you know, I think the project is great absent building C.
45 If building C wasn't there or half of building C wasn't there where you could have
46 a stack, a turn lane, or a wider throat to get in and out of this thing. You know, it

1 might be more convenient long-term, but anyhow let's listen to the rest of the
2 Commissioner's concerns.

3
4 **CHAIR LOWELL** – Any other questions? Commissioner Nickels.

5
6 **COMMISSIONER NICKELS** – Yes. One of the things I noticed was your
7 carport, which is wonderful for apartments, but the first thing that stood out was
8 we could have solar panels. Then, when I read through your specs, it says that's
9 for the future. My concern is, if you're relying on it that way, it will never get
10 done. So I don't know why that approach was taken. I also didn't see.....I know
11 there was one parking space over, if I'm correct, and no parking space
12 designated for a charging station for anybody's car. Is that going to be rotated
13 throughout whoever has electric cars their time to charge their car? And then my
14 other concern was, how many of the units are designated for disabled? I didn't
15 see that. So those are my same concerns. I do share the same concern
16 Commissioner Sims has in regards to traffic as well.

17
18 **CHAIR LOWELL** – I have a question. There is a lot of talk here tonight and
19 some other projects going around the city as to whether they've got Section 8
20 Housing. Could you guys give me a brief description or a better understanding of
21 what exactly Section 8 is and is a project designated Section 8 or can people
22 apply for Section 8 funding for a specific residence?

23
24 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Alright, so the basic overview,
25 Section 8 Housing is a HUD subsidized voucher that people apply for. There are
26 very, very long in the order of years or decades waiting lists to obtain those
27 vouchers. There's a very limited number of them. Once a family obtains such a
28 voucher, they then use that take any housing that they want to that will accept it,
29 and they pay part of the rent and the voucher will pick up a fixed amount as well.
30 In California, currently, landlords have the ability to reject Section 8 Housing.
31 They are allowed to discriminate basically and say we don't take Section 8
32 Housing. However, there is a bill that is currently in committee in Sacramento
33 that would prohibit that. A number of states do prohibit that and would force
34 landlords to accept it. In many cases, especially with nicer units such as this,
35 jurisdictions will see Section 8 Housing as a benefit because it has a number of
36 other stern requirements with it. Can't have any criminal activity, people with
37 felonies in the house, so it does add a certain element of enforcement also to
38 protect against difficult tenants. But, it is strictly at this point, at the discretion of
39 the property owner whether or not to accept those vouchers or not.

40
41 **CHAIR LOWELL** – In clarifying, the apartment complex itself would not be
42 designated Section 8 Housing.

43
44 **ASSISTANT CITY ATTORNEY PAUL EARLY** – I'm not aware of any such
45 designation. There are designations where properties will come in to get certain
46 tax incentives by setting aside a certain number of their units for certain low-

1 income qualified tenants who may or may not also be Section 8 recipients. So
2 that may be the confusion. That may be what people are thinking of when you're
3 saying Section 8 Housing. From my understanding, this is not a low-income
4 housing project that has certain quotas for low-income qualified tenants.

5
6 **CHAIR LOWELL** – The development company and the management agency
7 don't have to apply for some special approval or license to become Section 8
8 accepting?

9
10 **ASSISTANT CITY ATTORNEY PAUL EARLY** – No.

11
12 **CHAIR LOWELL** – So anybody can come into any apartment complex,
13 residential rental unit, whatever, and say hey I have a Section 8 Funding Voucher
14 and I want to rent this building? It doesn't matter?

15
16 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Correct. HUD does have
17 to.....HUD has their own inspection process and approval to make sure that the
18 property is not substandard.

19
20 **CHAIR LOWELL** – Correct.

21
22 **ASSISTANT CITY ATTORNEY PAUL EARLY** – So a property could be
23 disqualified from accepting Section 8 by HUD or the local Housing Authority, but
24 it's not a prequalifying circumstance as far as I'm aware.

25
26 **CHAIR LOWELL** – Okay, that explains a lot. I was at a community gathering a
27 couple of weeks ago and a lot of people were concerned about Section 8
28 Housing, and I was uneducated on it and now I know a lot more. I appreciate it.
29 Thank you. One of the other questions I have is LD7, their talking about BMP's
30 and water quality management, that's, I read a lot of the WQMP's, and I don't
31 see any water quality management feature on this property. I see a little open
32 area that is not paved, and I'm assuming that's where some BMP is going to be
33 installed, but how is this project going to address water quality concerns?

34
35 **ASSOCIATE ENGINEER VINCE GIRON** – Good evening, Vince Giron with the
36 Land Development Division. To answer your question Chair Lowell, there are
37 two....there are several BMP's throughout the site. The two major ones are
38 going to be infiltration trenches and the larger, they are both similar in size, but
39 one will be in between building B and D in the landscaped area. The other one
40 will be just north of building C in the landscaped area. And they also have a few
41 other types of fossil filters throughout the site, and I believe a couple more gravel
42 infiltration pits as approved with the PWQMP.

43
44 **CHAIR LOWELL** – Okay and then my final question is, is the driveway
45 easement to the west, I believe that is an easement that's on the neighboring

1 property allowing the neighboring properties access to their property and it's not
2 on this specific property?

3
4 **ASSOCIATE ENGINEER VINCE GIRON** – You know, it looks from the Site Plan
5 that it's actually part of this property that grants it to those homes. I'd have to
6 look at the file in more detail.

7
8 **CHAIR LOWELL** – Well the question I had is, that I was leading towards is, I'm
9 also slightly concerned with only having a single point of access. If the southern
10 portion of the project was mirrored and building C was on the west and building
11 A, B, and D were on the east, it would gain the ability to have secondary access
12 to that driveway easement. And it's not a make or break situation. The Fire
13 Department seems to be okay with it but, in the past, we've turned down projects
14 because they didn't have more than one point of access. It does pose a traffic
15 issue in the morning and, in the evening, people are coming in and out in an
16 unmetered intersection with a lot of cars coming in and out in the morning. Plus,
17 if somebody crashes or breaks down, you're blocking half the road. It's not good.

18
19 **ASSOCIATE ENGINEER VINCE GIRON** – You know, one of the challenges
20 with the site early on, the constraints, was the width and the circulation on site.
21 And, you know, we went round and round internally trying to come up with a
22 good circulation, which is why it was suggested if the additional properties could
23 be purchased. And one of the challenges with access through that easement on
24 the west side is there's that, if you will, that right degree, two rights by building B
25 where it's a 90 degree angle, two of them. So it was posing a challenge to get
26 emergency vehicles through that and negotiate those turns with a viable Site
27 Plan. So it posed a challenge.

28
29 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may add just a little bit. With
30 regard to the site design, you talked about the BMP's already and where the
31 water quality treatment areas would be located. If you flip flop the design,
32 because of the drainage on the site and the topography on the site, they may not
33 be able to achieve the same sort of BMP. So there are a lot of moving parts
34 when it gets to that. We could ask the architect to come up, but that would be
35 one of the obvious challenges that I'm seeing.

36
37 **CHAIR LOWELL** – Alright, and I know I said last question, but this is my last
38 question. We have handicapped parking, and we have a lot of other parking
39 stalls. Do we have electric vehicle charging stations here? Do we have any
40 other designated parking for low emissions/natural gas. I know CALGreen
41 requires a certain amount of those parking stalls be designated as such.

42
43 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – Currently, the standards are
44 for commercial projects, so as a residential this project wasn't required to have
45 either a charging station or the low emission spots designated.

1 **CHAIR LOWELL** – Okay that answers my question. I didn't realize that
2 CALGreen didn't apply to residential. I'm learning a lot tonight. Thank you very
3 much, and we have a couple more speakers. Commissioner Gonzalez.

4
5 **COMMISSIONER GONZALEZ** – Hi. I just want to add to Paul's comment on
6 Section 8. My day job is, I work for the Housing Authority, so I'm fully aware of
7 there's family seniors that are voucher holders right now and right now it's a
8 landlords market. They are being turned away because the economy has
9 improved and people can pay high rent, so it's not easy, and again it's a choice
10 that landlords have. And they do their screening. Our inspectors do housing
11 quality standards inspections, and it's a partnership between the Housing
12 Authority, the family, the tenant, and the landlord. So I would be more than
13 willing to have, you know, maybe a presentation if the Planning Commission
14 would like or even the City Council to do a little bit more education on Section 8
15 Housing.

16
17 **COMMISSIONER NICKEL** – Yes because the governor has declared an
18 affordable housing shortage, and that we may not have much choice or say at
19 the local level in dealing with the issue. A lot of bills are pushing through the
20 legislature right now, which is separate from Section 8 Housing.

21
22 **CHAIR LOWELL** – Any other comments?

23
24 **COMMISSIONER GONZALEZ** – I just want to add a few things. As far as, you
25 know the single point of access or two points of access, I'm concerned if these
26 type of smaller projects that don't quite meet the threshold don't require two
27 points of access. We just got to make sure that we're not, you know, that we're
28 meeting the standard requirements and not customizing every single project. If
29 not, maybe we need to revisit what is required for two points of access to make it
30 safe or make it make more sense. I just want to make sure that we don't...that
31 our experts, our Fire Department and transportation experts, don't require it. If
32 not, maybe that is something we need to revisit and see if these type of multi-
33 family projects require additional points of access so it makes more sense. So
34 just want to put that out there.

35
36 **CHAIR LOWELL** – Commissioner Sims.

37
38 **COMMISSIONER SIMS** – I mean the analogy for me on this is, and I appreciate
39 the comments from the Fire Department that this meets the threshold, and I don't
40 know the minimum threshold for that. So I don't know if it got just squeaked over,
41 but I would have likened this to having a big truck trying to go up Chiriaco
42 Summit. And, yeah, you can get up the hill. But you went five miles an hour, and
43 you caused aggravation and angst for every other driver on the road. So, you
44 know, yeah it got up to the top of the hill. So, long story short for me is, I like the
45 project. I don't like building C. I think it could be modified for 31 units rather than
46 39 units, and you could improve the ingress and egress. I still think it would be

1 marginal at that, but I think a person should be able to develop their property and
2 it's the right zoning for this. I just think but not every project should be optimized
3 or maximized for number of units at the expense of safety and convenience and
4 usability, so I personally will be voting no on this as is so.

5
6 **CHAIR LOWELL** – Any other questions or comments? I don't see any hands
7 going up. Would anybody like to make a motion? Everybody jump up at once.
8 Wow, stalemate over here. Let me get my paperwork out. I would like to motion
9 to approve Resolution No. 2016-19 and thereby certify that this item is exempt
10 from the provisions of the California Environmental Quality Act (CEQA) as a
11 Class 32 Categorical Exemption CEQA Guidelines Section 15332 for In-Fill
12 Development and (#2) approve Plot Plan PA14-0027 based on the findings
13 contained in the Resolution and subject to the Conditions of Approval included as
14 Exhibit A of the Resolution. Do we have a second?

15
16 **COMMISSIONER BAKER** – I'll second.

17
18 **CHAIR LOWELL** – I have a motion. Commissioner Baker, could you hit the
19 second button? We have a motion and a second. Please cast your vote.

20
21 **COMMISSIONER SIMS** – Wait is there still an opportunity to talk before we
22 vote?

23
24 **CHAIR LOWELL** – We have a motion and a second. The vote is on the table. I
25 guess, if you really wanted to talk, I could let you. But is it earth shattering?

26
27 **COMMISSIONER SIMS** – I just as is, like I said, my vote will be no, so that's for
28 that. But I do.....I don't know where everybody else is at, but we just heard that
29 there was not a Traffic Study done for this for whatever reason. It didn't meet the
30 minimum threshold for that. Instead of a vote, and I don't know where the vote
31 is. We could certainly proceed on and go with that, but a potential could be is to
32 continue this and allow a transportation study to be done to see what the actual
33 real deal is on this instead of speculating and come back with a little bit more
34 information and see what we have.

35
36 **CHAIR LOWELL** – We have a motion and a second on the table, so if
37 you....let's see how the vote comes out and, if it doesn't pass, then we'll make
38 some other motions. Waiting on Commissioner Nickels. All votes have been
39 cast. The motion passes 5-2. Do we have a Staff wrap-up on this item please?

40
41
42 Opposed – 2

43
44
45 **Motion carries 5 – 2**

1
2 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes this is an item that is
3 appealable. If there is anybody that is interested in appealing the project, they
4 can file an appeal through the Community Development Director to the City
5 Council within 15 days of this action, and that item would be scheduled for a City
6 Council Hearing within 30 days of the appeal.

7
8 **CHAIR LOWELL** – Thank you very much. That moves us onto the second item
9 tonight, which is PA16-0013 Tentative Parcel Map. The owner is Catherine
10 Kormos, and the Case Planner is Mr. Gabriel Diaz.

11
12
13
14 2. Case: PA16-0013 Tentative Parcel Map
15
16 Applicant: LGS Engineering, Inc.
17
18 Owner: Catherine Kormos
19
20 Representative: Loren Sandberg
21
22 Location: Northeast corner of Jeranella Court and
23 Alessandro Boulevard
24
25 Case Planner: Gabriel Diaz
26
27 Council District: 3
28
29 Proposal: PA16-0013 Tentative Parcel Map 37104
30

31
32 **STAFF RECOMMENDATION**

33
34 Staff recommends that the Planning Commission **APPROVE** Resolution No.
35 2016-20, and thereby:

- 36
37 1. **CERTIFY** that PA16-0013 Tentative Parcel Map 37104 qualifies as an
38 exemption in accordance with the California Environmental Quality Act
39 Guidelines, Section 15315 (Minor Land Divisions); and
40
41 2. **APPROVE** PA16-0013 Tentative Parcel Map 37104 subject to the
42 Conditions of Approval included as Exhibit A to Resolution No. 2016-
43 20.
44
45
46

1 **PLANNING OFFICIAL RICK SANDZIMIER** – We’re trying to get our IT folks to
2 put the image up for Item No. 2.

3
4 **ASSOCIATE PLANNER GABRIEL DIAZ** – Thank you Commissioner and
5 Chairman. Gabriel Diaz here, Associate Planner with the City. We’re here to
6 review case PA16-0013 (Tentative Parcel Map 37104). The project is located at
7 the northeast corner of Jeranella Court and Alessandro Boulevard. It’s within
8 Council District 3. The zone is Residential 3, R3. The Applicant representative is
9 Loren Sandberg, and I believe Loren is here today. He is the project engineer.
10 The owner is Catherine Kormos. LGS Engineering, Inc is providing Tentative
11 Parcel Map 37104, which we see up there. Here is an aerial photo. Back to the
12 map. It’s going to subdivide one legal parcel into two parcels on 1.1 gross acres
13 of land. The property does have two separate assessor parcels currently. Parcel
14 one and parcel two were established prior to 1972 prior to the Subdivision Map
15 Act. Sometime thereafter this occurred, the two parcels were transferred by
16 grant deed to the current owner. This essentially established the two parcels into
17 one legal parcel. So you can see that at the northeast corner of Jeranella Court,
18 there are two parcels on our Land Use Map here, and there are two separate
19 assessor parcel numbers, but legally it is one parcel. So the proposed map is
20 intended to formalize the subdivision. The project site has been improved and
21 includes four existing family homes on the aerial there. The areas surrounding
22 the project to the north, east, south, and west are zoned single-family residential
23 (R3). There are existing single-family homes to the west and east. To the north
24 and south are empty lots. Alessandro Boulevard and Jeranella Court are the two
25 main access roads to the Parcel Map. All four of the existing homes have
26 existing onsite parking. No new development is being proposed with this
27 proposal. The lots proposed are consistent with the City Development Standards
28 for lot size, lot depth, lot width within the R3 zone. Public notice was sent to all
29 property owners within 300 feet. The notice was published in the paper, Press
30 Enterprise, on August 13th. The project site was posted onsite on August 12th.
31 Environmentally, this project has been reviewed, and it has been determined that
32 it will not have a significant effect on the environment and qualifies for an
33 exemption under the provisions of CEQA as a Class 15 Categorical Exemption
34 Section 15315 for Minor Land Divisions. It’s one parcel becoming two parcels.
35 Staff recommendation is that the Planning Commission certify that PA16-0013
36 (Tentative Parcel Map 37104) qualifies as an exemption in accordance with the
37 California Environmental Quality Act Guidelines Section 15315 Minor Land
38 Divisions and approve Case No. PA16-0013 Tentative Parcel Map 37104 subject
39 to the Conditions of Approval and attached Resolution. This concludes Staff
40 presentation. Do you have any questions?

41
42 **CHAIR LOWELL** – Thank you very much. Do we have any questions for Staff?
43 Commissioner Gonzalez.

44
45 **COMMISSIONER GONZALEZ** – Mr. Diaz, I just want to make sure that parcel
46 one, based on the existing structures, will still be nonconforming correct?

1
2 **ASSOCIATE PLANNER GABRIEL DIAZ** – Correct.

3
4 **COMMISSIONER GONZALEZ** – I just wanted to put that out there.

5
6 **CHAIR LOWELL** – Any other questions for Staff? Perfect. Let's move onto the
7 Applicant. Would the Applicant like to say anything?

8
9 **APPLICANT LOREN SANDBERG** – Good evening. Loren Sandberg with LGS
10 Engineering. I really don't have anything to say. I'm just here to answer any of
11 your questions that you may have.

12
13 **CHAIR LOWELL** – Thank you. Any questions for the Applicant? Moving right
14 along. Any Public Comment Speaker Slips on this one?

15
16 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – No.

17
18 **CHAIR LOWELL** – Then keeping moving right along. Would the Applicant like
19 to reply to anything they heard from the Public Speakers? Okay, Public
20 Comments is now closed. Let's move onto the Commissioner Discussion. Do
21 we have any questions or concerns? I don't see anybodies hands going up. Is
22 Jeranella Court going to have any improvements included with this subdivision?

23
24 **ASSOCIATE PLANNER GABRIEL DIAZ** – No.

25
26 **CHAIR LOWELL** – I'm looking on the tentative, and it shows corner cutback
27 dedication, future curb and gutter and sidewalk and median on Alessandro.

28
29 **ASSOCIATE PLANNER GABRIEL DIAZ** – Correct.

30
31 **CHAIR LOWELL** – That's not part of this subdivision?

32
33 **ASSOCIATE PLANNER GABRIEL DIAZ** – No. I think it is part of the dedication
34 at a future point.

35
36 **CHAIR LOWELL** – As far as the actual improvements go?

37
38 **ASSOCIATE PLANNER GABRIEL DIAZ** – Yeah, but no actual improvements
39 are being done at this time.

40
41 **CHAIR LOWELL** – Okay and, on parcel one, there are three single-family
42 residences. Are they all the same owner and occupier like mom, kid, grandma
43 that kind of thing or is it separate families, and is that legally allowed on this
44 project?

1 **ASSOCIATE PLANNER GABRIEL DIAZ** – I’m not sure what the, whose in each
2 building, but I believe they are just grandfathered in. They were built sometime
3 long ago. They each seem to have their own yard. I went out there and took a
4 look as closely as I could to some of these properties, but I didn’t walk onsite,
5 and I didn’t speak to any of the resident’s onsite.

6
7 **CHAIR LOWELL** – Alright.

8
9 **ASSOCIATE PLANNER GABRIEL DIAZ** – But I believe the owner that owns all
10 of them, I’m not too sure if they live onsite but is trying sell off one of the parcels
11 so.

12
13 **CHAIR LOWELL** – That was leading into my next question is who is pursuing
14 this land split, and you said it was the owner so....

15
16 **ASSOCIATE PLANNER GABRIEL DIAZ** – Yes. It was, I’m obviously the
17 planner on here. But, when I took this project in, I was like well what’s going on.
18 When you look at the aerial GIS, there’s two parcels and why is this in, and it’s
19 just I think throughout the years the grant deeds made it one legal parcel with
20 one owner. But the two parcels are on the GIS and assessed by the county as
21 two separate.

22
23 **CHAIR LOWELL** – Well if you look at that and try to hold that for fact, if you look
24 at Mountain View, there is a cul-de-sac in a neighborhood on top of Mountain
25 View.

26
27 **ASSOCIATE PLANNER GABRIEL DIAZ** – Yeah.

28
29 **CHAIR LOWELL** – Which I think is kind of hilarious. Okay, thank you. We
30 have another Commissioner waving, Commissioner Sims.

31
32 **COMMISSIONER SIMS** – Yeah, thank you. What was the zoning, the
33 underlying zoning?

34
35 **ASSOCIATE PLANNER GABRIEL DIAZ** – R3.

36
37 **COMMISSIONER SIMS** – So that would mean three units to the acre?

38
39 **ASSOCIATE PLANNER GABRIEL DIAZ** – Correct, net acre.

40
41 **COMMISSIONER SIMS** – Net acre. And what will the Parcel Map create for
42 each lot, a half acre?

43
44 **ASSOCIATE PLANNER GABRIEL DIAZ** – No. They’ll meet the zoning
45 requirements for the R3 zone.

1 **PLANNING OFFICIAL RICK SANDZIMIER** – The minimum lot size for an R3 is
2 10,000 square feet, so we will have two sites that are meeting the acreage
3 requirement or the square footage requirement. The number of units on parcel
4 one would have three units, which would be outside of the requirements, so it
5 would be legal nonconforming. And then the setback on parcel one for the home
6 in the rear will be substandard, which it already is.

7
8 **COMMISSIONER SIMS** – Okay my second question is, are all the units on the
9 property in the before and then in the two parcel condition, are they all on sewer
10 or are they all on septic?

11
12 **CHAIR LOWELL** – I don't believe there is any sewer out there. I think it's all
13 septic. That's just my assumption.

14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – We don't have that information.

16
17 **COMMISSIONER SIMS** – Yeah I'm not even sure that this is even legal that you
18 can create a lot and have, I know you can't have more than one home on a half
19 acre on septic. That is just not allowed. So I don't know what this puts from a
20 State Water Resource Control Board. If you went to the regional board, this
21 would be strictly disallowed. So I think we're creating.....I personally don't have a
22 problem with the split if this is, you know, if it's preexisting but this is perpetuating
23 something that.....

24
25 **CHAIR LOWELL** – Making the problem worse.

26
27 **COMMISSIONER SIMS** – It's just making the problem worse, exactly.

28
29 **CHAIR LOWELL** – The one thing I would like to know is, if they are on septic,
30 do the three buildings on parcel two share the same leach fields or do they all
31 have their own leach fields and septic tanks?

32
33 **PLANNING OFFICIAL RICK SANDZIMIER** – I apologize. I don't have the
34 answer for that tonight. If this is an important issue, my recommendation would
35 be to continue the item until we can get those answers for you, but there is
36 nobody here who can answer that question.

37
38 **CHAIR LOWELL** – My advice....

39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – Unless the Applicant's engineer
41 could.

42
43 **CHAIR LOWELL** – My assumption is that the single-family residence that is to
44 the north end of parcel one, my assumption from an engineering standpoint is
45 that the leach field is off to the east. And, by putting this line in, my assumption
46 would be that the leach field would be disconnected from the property. I think

1 that is something we need to answer before we can make any kind of educated
2 decision.

3
4 **APPLICANT LOREN SANDBERG** – The only reason I know about the leach
5 field is my original intent was to subdivide on the parcel lines without knowing
6 anything else. In talking with the owner, the fence was actually moved five feet
7 easterly, which is where the lot line is now proposed to facilitate the leach field for
8 that back house. So the leach field is within the fence and will be within the
9 property. I just don't know if it's one leach field for those three houses or three.

10
11 **ASSOCIATE PLANNER GABRIEL DIAZ** – Could I add to that? The way the
12 north/south new parcel lines subdivide this, that line does meet the setback
13 requirements for the two homes to the east and west. Maybe it just came out like
14 that by luck, but that is something we did review.

15
16 **COMMISSIONER SIMS** – Well from a septic system and leach fields, the tank,
17 there are certain minimum requirements for the septic tank proper plus the leach
18 field from property lines and from because, you know, you don't want the leach
19 field to fail and it goes into your neighbors yard. And so I would suggest that we
20 at least understand what that situation is because that could be a big deal.

21
22 **CHAIR LOWELL** – Commissioner Gonzalez

23
24 **COMMISSIONER GONZALEZ** – Yeah I just want to add, I did some single-
25 family development in Jurupa Valley with a similar situation. It was new
26 development, though, and my understanding was that for new development a
27 septic system it's half acre minimum so parcel two would be okay. Parcel one,
28 that's where we need more information. If it's just grandfathered in, you know,
29 they might be okay. But I know for new development, if you want to put in a
30 septic system, you need a minimum of a half acre.

31
32 **CHAIR LOWELL** – Any other questions? I have a feeling Commissioner Sims
33 would like to make a different type of motion tonight. I'm okay with continuing the
34 item to get a little bit more information just to be on the safe side out of caution. I
35 know that's not what the Applicant wants to hear tonight, but I'm okay with
36 continuing it just to get that extra little bit of information.

37
38 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, just for the Applicant's
39 benefit, we do have another Special Meeting that is going to take place on
40 September 8th. We will do everything we can to try and get back by September
41 8th to answer this question if that's okay with the Commission, but I did want to let
42 you know that so you don't have to wait a whole month.

43
44 **APPLICANT LOREN SANDBERG** – Okay.

45

1 **CHAIR LOWELL** – On its face, I don't think anybody here has a problem with
2 subdividing land. There are just some technical things we want to make sure we
3 dot every I and cross every T.

4
5 **APPLICANT LOREN SANDBERG** – Good. I don't know if we'll be able to find
6 out where the systems are but.....

7
8 **CHAIR LOWELL** – You can't just snap your fingers and make it happen?

9
10 **PLANNING OFFICIAL RICK SANDZIMIER** – And, if that's the case if we
11 don't....if we do need more time, we'll let you know but we'll need to get the
12 answer.

13
14 **COMMISSIONER SIMS** – Well I think for clarity for my sake, is just I think the
15 answer is it's on septic and maybe you could verify if there....I think it would be a
16 simple call to Eastern Municipal Water District to see if there is sewer. And, if
17 there is, if any of the homes are connected, if the units are connected on there.
18 Then, I think Staff should call Santa Ana Regional Water Quality Control Board
19 and/or Riverside County Health Department and find out what the minimum
20 requirements are on this.

21
22 **CHAIR LOWELL** – I'm going to lean on the guy from Eastern Municipal Water
23 District, his opinion.

24
25 **COMMISSIONER NICKEL** – Yeah.

26
27 **CHAIR LOWELL** – Okay, with that said, do you recommend continuing to
28 September 8th?

29
30 **PLANNING OFFICIAL RICK SANDZIMIER** – That would be my
31 recommendation, yes.

32
33 **CHAIR LOWELL** – Then I would like to make a motion to continue this item until
34 the next regular meeting on September 8th, 2016. Do we have a second?

35
36 **COMMISSIONER BAKER** – I'll second that.

37
38 **COMMISSIONER NICKEL** – Second.

39
40 **CHAIR LOWELL** – Go to this item, vote. I made the motion. Who seconded it?

41
42 **COMMISSIONER BAKER** – I did, well.....

43
44 **COMMISSIONER NICKEL** – You can, either one.

45
46 **COMMISSIONER BAKER** – I'll jump in on it.

1
2 **CHAIR LOWELL** – Somebody jump in on it. Perfect, now let's cast your votes.

3
4 **CHAIR LOWELL** – Commissioner Sims, Commissioner Baker, perfect. The
5 motion passes 7-0. This item is continued to the next regular meeting on
6 September 8th, 2016. Do we have a Staff wrap-up on that item for continuation?
7

8 **PLANNING OFFICIAL RICK SANDZIMIER** – It's just continued.
9

10
11 Opposed – 0
12

13
14 **Motion carries 7 – 0**
15

16
17 **OTHER COMMISSION BUSINESS**
18

19 **CHAIR LOWELL** – Perfect. One of the things that I forgot to do before the
20 meeting even started, I was going to do this right at the front, but today was the
21 State of the City Address. And I wanted to give tremendous thanks, even though
22 I wasn't part of the State of the City events, I had nothing to do with it. I was just
23 an onlooker. I wanted to give thanks to the media staff. They did a bang-up job.
24 I know moving everything all the equipment from Council Chambers over to the
25 ballroom and then back for tonight's meeting that they had everything set up was
26 unreal. So I'd like to thank Tim Carroll, Rob Roseen, Bob Lorch, Larry Jaime,
27 Steven Morrell, and Chris Devoe. They did a bang-up job, and they are doing a
28 great job every night, and I really appreciate everything they do for us. Thank
29 you guys. Any Commissioner Wrap-ups or Comments?
30

31
32 **PLANNING COMMISSIONER COMMENTS**
33

34
35 **COMMISSIONER NICKEL** – Yes. As I told you in the past, I've been
36 participating with the League of California Cities Planning Committee Members. I
37 attended a meeting up in Sacramento to plan the Planning Commissioners
38 Academy for 2017, so it was a really good event. I'll share it with Erlan to see
39 what he likes that we're putting forward in classes. One thing was determined
40 from our academy that we went to that it was geared more too much towards
41 Planning Staff and not Planning Commissioners, so we're rectifying that.
42

43 **CHAIR LOWELL** – One of the things I'd like to see in that meeting, if you do
44 have more time to give input on it, is giving the Planning Commissions
45 themselves a rundown of how the meetings run and how things work.
46

1 **COMMISSIONER NICKEL** – Yep.

2
3 **CHAIR LOWELL** – Because when we went up there, he was telling us about
4 CEQA and the finer points of deciding what is CEQA exempt, what isn't CEQA
5 exempt but really didn't give you any education on how to.....

6
7 **COMMISSIONER NICKEL** – Yeah.

8
9 **CHAIR LOWELL** – Academy.

10
11 **COMMISSIONER NICKEL** – We got that covered.

12
13 **CHAIR LOWELL** – The mechanics behind it.

14
15 **COMMISSIONER NICKEL** – We got that covered.

16
17 **CHAIR LOWELL** – Alright. I would like to just give a little mention to
18 Commissioner Jeff Barnes. He is going through some serious family issues
19 lately. I just want him to know that my thoughts and prayers are with him, and I
20 think everybody up here shares those sentiments. I wish him and his family all
21 the best and a speedy recovery.

22
23 **CHAIR LOWELL** – Do we have any other Staff Comments or Commissioner
24 Comments before we adjourn tonight? No I don't see anything.

25
26
27 **ADJOURNMENT**

28
29 **CHAIR LOWELL** – I would like to adjourn tonight's meeting to the next Regular
30 Meeting of the Planning Commission on September 8th, 2016, at 7:00 PM right
31 here in City Council Chambers. Thank you very much, and have a great night.

32
33
34 **NEXT MEETING**

35 *Next Meeting: Planning Commission Regular Meeting, September 8th, 2016 at*
36 *7:00 PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick*
37 *Street, Moreno Valley, CA 92553.*

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Richard J. Sandzimier
Planning Official
Approved

Date

Brian R. Lowell
Chair

Date