

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority

Date of Meeting: 10 May 2005

Time of Meeting: 6:00 p.m.

Place of Meeting: City Council Chambers

1. CALL TO ORDER:

The Honorable Mayor Busch called the Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority Meeting to order.

6:05 p.m. Called to Order

2. ROLL CALL:

Council Members Present: Landers, Motte, Rogers, Yarbrough, Busch

All Council Members present.

Staff Members Present: City Manager Apodaca, City Attorney Dunn, Community Development Director Barnes, City Engineer Motlagh, Finance Director Carr, Public Works Director Ansari, Assistant to City Manager Madkin, and City Clerk Rey.

Staff Members Present

3. INVOCATION:

Pastor Russ Cullimore
Redeemer Lutheran
555 N. Perris Blvd.
Perris, CA

Pastor Cullimore of Redeemer Lutheran Church led the Invocation.

4. PLEDGE OF ALLEGIANCE:

Councilman Landers led the Pledge of Allegiance.

Councilman Landers led the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

Mayor Busch proclaimed May 2005 as Water Awareness Month and made a presentation to Betty Gibbel and Ron Sullivan of the Eastern Municipal Water District.

Mayor Busch proclaimed May 2005 as Water Awareness Month.

Mayor Busch proclaimed May 16-21, 2005, as Poppy Week in the City of Perris, making a presentation to Connie Foley of the American Legion.

Mayor Busch proclaimed May 16-21, 2005, as Poppy Week.

6. APPROVAL OF MINUTES:

A. Approval of the Minutes of the Special Meeting of the City Council held April 26, 2005, and approval of the Minutes of the Regular Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Utility Authority Meeting held April 26, 2005.

Approval of Minutes of the Special City Council Meeting and Regular Joint City Council, RDA, PPFA and PPUA Meeting of April 26, 2005.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Yarbrough) to approve the Minutes of the Special City Council Meeting and Regular Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority Meeting held on April 26, 2005, as presented.

Motion to approve the Minutes of April 26, 2005, as presented.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

7. CONSENT CALENDAR:

Mayor Busch called for any comments regarding Consent Calendar items only.

Mayor Busch called for comments regarding Consent Calendar only.

PUBLIC COMMENT: None

No Public Comment

Councilmember Yarbrough abstained from Items H and I and asked to have Item C pulled and continued.

Councilmember Yarbrough abstained from Items H and I and asked to have Item C pulled and continued.

A. To adopt Second Reading of Ordinance Number 1155 regarding Zone Change 04-0394, to convert 16.83 acres of property located at the northeast corner of Bradley Road and Rider Street from RR/A to R14. (Applicant: Barratt American, Inc.)

Adoption of Second Reading of Ordinance Number 1155 regarding ZC 04-0394, to convert 16.83 acres of property at the northeast corner of Bradley Road and Rider Street from RR/A to R14. (Barratt American, Inc.)

The Second Reading of Ordinance Number 1155 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2180) AND ZONE CHANGE (NUMBER 04-0394) TO CHANGE THE ZONING DISTRICT FROM RR/A RESIDENTIAL TO R14 RESIDENTIAL ON ROUGHLY 16.8 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF BRADLEY ROAD AND RIDER STREET AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance Number 1155 approving ND 2180 and ZC 04-0394 to change the zoning district from RR/A to R14 on roughly 16.8 acres at the northeast corner of Bradley Road and Rider Street.

- B. To adopt Second Reading of Ordinance Number 1156 regarding Zone Change 04-0428 and Tentative Tract Map 32793, to convert 12.8 acres of property located north of Nuevo Road, between Evans Road and El Nido Avenue in Planning Area 5 from CC Commercial Community to R7 Residential. Tentative Tract Map 32793 would then subdivide property into 54 single-family residential lots. (Applicant: Robert Watkins)

Adoption of Second Reading of Ordinance Number 1156 regarding ZC 04-0428 and TTM 32793, to convert 12.8 acres north of Nuevo Road, between Evans Road and El Nido Avenue in PA 5 from CC to R7, to then be subdivided into 54 single-family residential lots. (Robert Watkins)

The Second Reading of Ordinance Number 1156 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2174) AND ZONE CHANGE (NUMBER 04-0428) TO CHANGE THE ZONE DISTRICT FROM CC COMMERCIAL COMMUNITY TO R7 RESIDENTIAL ON ROUGHLY 12.8 ACRES OF LAND NORTH OF NUEVO ROAD BETWEEN EVANS ROAD AND EL NIDO AVENUE; AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance Number 1156 approving ND 2174 and ZC 04-0428 to change the zone district from CC to R7 on roughly 12.8 acres north of Nuevo Road between Evans Road and El Nido Avenue.

- C. To adopt Second Reading of Ordinance Number 1157 regarding Zone Change 04-0528, to change “P” (Public Semi-Public Facilities and Utilities) to “BP” (Business Park) on 58.2 acres of land located at the northeast corner of Trumble Road and Mapes Road. (Applicant: Eastern Municipal Water District).

Adoption of Second Reading of Ordinance Number 1157 regarding ZC 04-0528, to change “P” to “BP” on 58.2 acres at the northeast corner of Trumble Road and Mapes Road. (EMWD)

This item was pulled and continued to May 31st.

The Second Reading of Ordinance Number 1157 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2173) AND ZONE CHANGE (04-0528), TO CHANGE THE ZONE DISTRICT FROM “P” (PUBLIC, SEMI-PUBLIC FACILITIES AND UTILITIES) TO “BP” (BUSINESS PARK) ON 58.2 ACRES OF LAND AT THE NORTHEAST CORNER OF TRUMBLE ROAD AND MAPES ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF.

Proposed Ordinance Number 1157 approving ND 2173 and ZC 04-0528, to change the zone district from “P” to “BP” on 58.2 acres at the northeast corner of Trumble Road and Mapes Road.

- D. To adopt Second Reading of Ordinance Number 1158 regarding Zone Change 03-0333 and Tentative Parcel Map 31677 (03-0332), to change the zoning designation from Rural Residential/Agricultural (RR/A) to Commercial Neighborhood (CN) across the entire parcel map, and subdivide four lots into seven commercial lots totaling 6.02 net acres. The proposed Tentative Parcel Map has a minimum lot size of 36,083 sq. ft. and an average lot size of 37,449 sq. ft. The project also includes a total of 1.10 acre street dedication along Ramona Expressway and Webster Avenue, and a 30-foot-wide reciprocal access and drainage easement along the northern property line. (Applicant: Charles Ware).

Adoption of Second Reading of Ordinance Number 1158 regarding ZC 03-0333 and TPM 31677, to change the zoning designation from RR/A to CN across the entire parcel map, and subdivide four lots into seven commercial lots totaling 6.02 net acres. Project also includes a total of 1.10 acre street dedication along Ramona Expressway and Webster Avenue, and a 30-foot-wide reciprocal access and drainage easement along the northern property line. (Charles Ware)

The Second Reading of Ordinance Number 1158 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2177); ZONE CHANGE (03-0333) TO CHANGE THE ZONING DESIGNATION FROM RURAL RESIDENTIAL/AGRICULTURAL (RR/A) TO COMMERCIAL NEIGHBORHOOD (CN) ACROSS THE ENTIRE PARCEL CONSISTING OF 6.02 NET ACRES; AND TENTATIVE PARCEL MAP 31677 (03-0332) TO SUBDIVIDE FOUR (4) LOTS INTO SEVEN (7) COMMERCIAL LOTS TOTALING 6.02 NET ACRES, NORTH OF RAMONA EXPRESSWAY BETWEEN BRENNAN AVENUE AND WEBSTER AVENUE; AND MAKING FINDINGS IN SUPPORT THEREOF.

Second Reading of Ordinance Number 1158 approving ND 2177; ZC 03-0333 to change the zoning designation from RR/A to CN across the entire parcel consisting of 6.02 net acres; and TPM 31677 to subdivide 4 lots into 7 commercial lots totaling 6.02 acres, north of Ramona Expressway between Brennan Avenue and Webster Avenue.

- E. To adopt Second Reading of Ordinance Number 1159 relating to Ordinance Amendment 05-0081, amending the SFR sections of the PMC by renumbering, renaming and revising various provisions of Sections 19.22 RR/A, 19.24 R4, and 19.25 R7. (Applicant: City of Perris)

Adoption of Second Reading of Ordinance Number 1159 relating to Ordinance Amendment 04-0081, amending the SFR sections of the PMC by renumbering, renaming and revising various provisions of Sections 19.22 RR/A, 19.24 R4, and 19.25 R7. (City of Perris)

The Second Reading of Ordinance Number 1159 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE STATE OF CALIFORNIA, APPROVING ORDINANCE AMENDMENT 05-0081 REVISING CHAPTER 19 OF THE PERRIS MUNICIPAL CODE TO RENAME AND RENUMBER THE RESIDENTIAL ZONE DISTRICTS, INCLUDE REFERENCE TO THE CITY'S SINGLE-FAMILY RESIDENTIAL DESIGN GUIDELINES, REDUCE THE MINIMUM LOT DEPTH FOR CERTAIN LOTS, INCREASE THE REQUIRED LOT WIDTH FOR CORNER LOTS, AND ADJUST LOT COVERAGE RESTRICTIONS IN THE R7 (R-6,000) DISTRICT.

Ordinance Number 1159 approving Ordinance Amendment 05-0081 revising Chapter 19 of the PMC to rename and renumber the residential zone districts, include reference to the City's single-family residential design guidelines, reduce the minimum lot depth for certain lots, increase the required lot width for corner lots, and adjust lot coverage restrictions in the R7 (R-6000) district.

- F. To adopt Second Reading of Ordinance Number 1161, relating to Ordinance Amendments 05-0059 and 05-0060, amending Chapter 19 of the Perris Municipal Code to create Zone Districts and development standards for the R-8,400 and R-7,200 designations established in the General Plan. (Applicant: City of Perris).

Adoption of Second Reading of Ordinance Number 1161, relating to OA 05-0059 and 05-0060, amending Chapter 19 of the PMC to create zone districts and develop standards for the R-8,400 and R-7,200 designations established in the General Plan. (City of Perris)

The Second Reading of Ordinance Number 1161 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE STATE OF CALIFORNIA, APPROVING ORDINANCE AMENDMENTS 05-0059 AND 05-0060 AMENDING CHAPTER 19 OF THE PERRIS MUNICIPAL CODE TO PROVIDE USE AND DEVELOPMENT STANDARDS FOR TWO RESIDENTIAL ZONING DISTRICTS ESTABLISHED IN GENERAL PLAN 2030.

Ordinance Number 1161 approving OA 05-0059 and 05-0060 amending Chapter 19 of the PMC to provide use and development standards for two residential zoning districts

established in General Plan 2030.

- G. To adopt Second Reading of Ordinance Number 1160 relating to Community Facilities District 2001-3 (North Perris Public Safety) of the City of Perris – Annexation No. 4.

Adoption of Second Reading of Ordinance Number 1160 relating to CFD 2001-3 (North Perris Public Safety) – Annexation No. 4.

The Second Reading of Ordinance Number 1160 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN ANNEXATION NO. 4 TO SAID DISTRICT.

Ordinance Number 1160 of the City Council of the City of Perris acting in its capacity as the legislative body of CDF 2001-3 (North Perris Public Safety) authorizing the levy of a special tax within Annexation No. 4 to said district.

- H. Approval to amend Final Tract Map 22832 (05-0011), transferring Lot 28 to Tract Map 22833, within the Villages of Avalon Specific Plan, located at the northeast corner of Avalon Parkway and Rider Street. (Applicant: Barratt American, Inc.)

Approval to amend FTM 22832, transferring Lot 28 to TM 22833, within the Villages of Avalon Specific Plan, located at the northeast corner of Avalon Parkway and Rider Street. (Barratt American, Inc.)

- I. Approval to amend Final Tract Map 22833 (04-0497), within the Villages of Avalon Specific Plan, located at the northwest corner of Rider Street and Ramona Expressway. (Applicant: Barratt American, Inc.)

Approval to amend FTM 22833, within the Villages of Avalon Specific Plan, located at the northwest corner of Rider Street and Ramona Expressway. (Barratt American, Inc.)

- J. To approve Final Parcel Map 30630 (FPM 05-0087), a proposal to subdivide 9.12 gross acres into 15 industrial lots ranging in size from .48 acres to .87 acres at the southeast corner of Markham Street and Brennan Avenue in the Light Industrial (LI) Zone. (Owner: John K. Hoover)

Approval of FPM 30630, a proposal to subdivide 9.12 gross acres into 15 industrial lots ranging in size from .48 acres to .87 acres at the southeast corner of Markham Street and Brennan Avenue in the Light Industrial Zone. (John K. Hoover)

- K. To adopt Resolution Number 3400, regarding CFD No. 2001-3 (North Perris Public Safety), annexation of Tract Map Nos. 29425, 32041, 31659, 31660, 33227 and 30630, Annexation No. 6.

Adoption of Resolution Number 3400, regarding CFD 2001-3 (North Perris Public Safety), annexation of TM Nos. 29425, 32041, 31659, 31660, 33227 and 30630, Annexation No. 6.

Resolution Number 3400 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO (ANNEXATION NO. 6).

Resolution Number 3400 of the City Council acting as the legislative body of CFD 2001-3 (North Perris Public Safety) declaring its intention to

*annex certain territory thereto
(Annexation No. 6).*

- L. To adopt Second Reading of Ordinance Number 1154 regarding Community Facilities District No. 2005-1 (Perris Valley Vistas) of the City of Perris.

Adoption of Second Reading of Ordinance Number 1154 regarding CFD 2005-1 (Perris Valley Vistas).

The Second Reading of Ordinance Number 1154 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PERRIS VALLEY VISTAS) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN IMPROVEMENT AREA NOS. 1, 2, 3 AND 4 OF SAID DISTRICT.

Ordinance Number 1154 of the City Council acting as the legislative body of CFD 2005-1 (Perris Valley Vistas) authorizing the levy of special taxes within Improvement Area Nos. 1, 2, 3 and 4 of said district.

- M. To approve Contract for Services Agreement with Enforcement Technology, Inc. for ticket processing services.

Approval of Contract for Services Agreement with Enforcement Technology, Inc. for ticket processing services.

- N. Approval to adopt plans and specifications regarding Rider Street Box Culvert and Road Widening Project and authorization to proceed with construction advertisement.

Approval to adopt plans and specifications regarding Rider Street Box Culvert and Road Widening Plan and authorization to proceed with construction advertisement.

- O. Approval of Warrants.

Approval of Warrants

Mayor Busch called for a motion.

Mayor Busch called for a motion.

Councilmember Yarbrough abstained from Items H and I, due to conflict of interests because of residing in that area, and asked to have Item C pulled and continued.

Councilmember Yarbrough abstained from Items H and I, and asked to have Item C pulled and continued.

M/S/C: (Yarbrough/Landers) to approve the balance of the Consent Calendar, with Item C being pulled and continued to the May 31st Council Meeting.

Motion to approve the balance of the Consent Calendar, with Item C being pulled and continued to a future Council Meeting.

M/S/C: (Busch/Motte) to amend the previous motion and vote on Item C separately.

Motion to amend the previous motion and vote on Item C separately.

AYES: Motte, Busch
NOES: Landers, Rogers, Busch
ABSENT:
ABSTAIN:

*This motion was resolved.
Ayes: 2
Noes: 3*

As the second motion was resolved, a vote was taken on the original motion.

As the second motion was resolved, a vote was taken on the original motion.

AYES: Landers, Motte, Rogers (Items H & I)
Landers, Motte, Rogers, Yarbrough
(balance of items: A, B, D-G, J-O)
NOES: Busch
ABSENT:
ABSTAIN: Yarbrough (Items H & I)

*Items H & I
Approved: 4-0
(Councilmember Yarbrough
abstained)*

*Balance of Items
Approved: 5-0
(Item C continued to the May
31st City Council Meeting)*

8. PUBLIC HEARINGS:

A. Consideration to adopt Resolution Numbers 3401 and 3402 and First Reading of Ordinance Number 1162 regarding Annexation No. 1 to Community Facilities District No. 2001-2 (Villages of Avalon) of the City of Perris.

Adoption of Resolution Numbers 3401 and 3402 and First Reading of Ordinance Number 1162 regarding Annexation No. 1 to CFD 2001-2 (Villages of Avalon).

Councilmember Yarbrough abstained from this item due to the proximity of the project to his home, and excused himself from the Council Chambers.

Councilman Yarbrough abstained from this item and left the Chambers.

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn asked Bond Counsel Anita Luck to introduce the item and direct the proceedings. Ms. Luck explained this was the time for the Public Hearing and Special Election with respect to the annexation of an 11-acre project, consisting of 94 town homes, to the Villages of Avalon CFD. She noted that these town homes would be subject to the same special taxes as those in the original district, and that eventually the district would issue additional bonds secured by the same special taxes within the entire district, to refinance some public improvements and obligations.

City Attorney Dunn asked Bond Counsel Anita Luck to introduce this item. Ms. Luck explained that this was a Public Hearing and Special Election regarding the annexation of an 11-acre town home project to the Villages of Avalon CFD.

Mayor Busch opened the Public Hearing.

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: None

No Public Comment

Mayor Busch closed the Public Hearing.

Mayor Busch closed the Public Hearing.

Bond Counsel Luck read the following resolution:

Bond Counsel Luck read the following resolution:

Resolution Number 3401 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 1 TO SAID DISTRICT THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX AND ISSUANCE OF BONDED INDEBTEDNESS WITHIN THE DISTRICT.

Resolution Number 3401 of the City Council acting as the legislative body of CFD 2001-2 (Villages of Avalon), calling a Special Election to submit to the qualified electors within proposed Annexation No. 1 the questions of annexing such territory and levying of a special tax and issuance of bonded indebtedness within the district.

The Mayor called for a motion.

The Mayor called for a motion.

M/S/C: (Rogers/Motte) to adopt Resolution Number 3401 as read by Counsel.

Motion to adopt Resolution Number 3401 as read by Counsel.

AYES: Landers, Motte, Rogers, Busch
NOES:
ABSENT:
ABSTAIN: Yarbrough

*Approved: 4-0
(Councilmember Yarbrough abstained)*

ELECTION

ELECTION

The Mayor requested the Election results from the City Clerk.

The Mayor requested the Election results from the City Clerk.

City Clerk Rey announced that the ballot for Community Facilities District Number 2001-2 (Villages of Avalon), Annexation No.1, was indicated as “Yes”.

City Clerk Rey opened and read the ballot for CFD 2001-2 (Villages of Avalon), Annexation No. 1, which was indicated as “Yes”.

Bond Counsel Luck read the following resolution:

Bond Counsel Luck read the following resolution:

Resolution Number 3402 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION NO. 1; ORDERING THE ANNEXATION OF SUCH TERRITORY; THE LEVYING OF A SPECIAL TAX WITHIN ANNEXATION NO. 1; AUTHORIZING THE ISSUANCE OF BONDED INDEBTEDNESS; AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN.

Resolution Number 3402 of the City Council acting as the legislative body of CFD 2001-2 (Villages of Avalon), declaring the results of a Special Election relating to Annexation No. 1; ordering the annexation of such territory; the levying of a special tax within Annexation No. 1; authorizing the issuance of bonded indebtedness; and directing the recording of a Notice of Special Tax Lien.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Motte) to adopt Resolution Number 3402.

Motion to adopt Resolution Number 3402.

AYES: Landers, Motte, Rogers, Busch
NOES:
ABSENT:
ABSTAIN: Yarbrough

*Approved: 4-0
(Councilmember Yarbrough abstained)*

Bond Counsel Luck read the following Proposed Ordinance:

Bond Counsel Luck read the following Ordinance:

The First Reading of Ordinance Number 1162 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN THE AREA OF ANNEXATION NO. 1 TO SAID DISTRICT.

Ordinance of the City Council acting as the legislative body of CFD 2001-2 (Villages of Avalon) authorizing the levy of special taxes within the area of Annexation No. 1.

The Mayor called for a motion.

The Mayor called for a motion.

M/S/C: (Rogers/Motte) to introduce the First Reading of Ordinance Number 1162 as read by Counsel.

Motion to introduce the First Reading of Ordinance Number 1162 as read by Counsel.

AYES: Landers, Motte, Rogers, Busch
NOES:
ABSENT:
ABSTAIN: Yarbrough

*Approved: 4-0
(Councilmember Yarbrough abstained)*

Councilmember Yarbrough rejoined the Council.

Councilmember Yarbrough rejoined the Council.

B. Consideration to open the Public Hearing to form district and continue Public Hearing to May 31, 2005, regarding CFD No. 2005-2 (Harmony Grove) of the City of Perris.

Opening of Public Hearing to form district and continue Public Hearing to May 31, 2005, regarding CFD 2005-2 (Harmony Grove).

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn asked Bond Counsel Luck to explain the reasons for the request to continue this Public Hearing. Ms. Luck stated that the property owner had requested a continuation because they needed to enter into a joint community facilities agreement with the school district, prior to the formation of the district, regarding the use of the proceeds of the bonds. It was requested that the hearing be continued to the May 31st Council Meeting.

City Attorney Dunn asked Ms. Luck to explain the reasons for continuing this Public Hearing.

Mayor Busch opened the Public Hearing.

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: None

No Public Comment

The Mayor called for a motion to continue the Public Hearing.

The Mayor called for a motion to continue the Public Hearing.

M/S/C: (Landers/Rogers) to continue the Public Hearing to the May 31st Council Meeting.

Motion to continue the Public Hearing to the May 31st Council Meeting.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

- C. Consideration to adopt Resolution Number 3403 to establish the interim design guidelines and preferred alternative for improvements to San Jacinto River and Perris Valley Channel.

Adoption of Resolution Number 3403 to establish the interim design guidelines and preferred alternative for improvements to San Jacinto River and Perris Valley Channel.

Resolution Number 3403 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ADOPTING INTERIM DEVELOPMENT CRITERIA FOR THE SAN JACINTO RIVER PLAN PROJECT AREA AND DESIGNATING ALTERNATIVE 5 AS THE PREFERRED ALTERNATIVE FOR THE PROJECT.

Resolution Number 3403 adopting interim development criteria for the San Jacinto River Plan Project area and designating Alternative 5 as the preferred alternative for the project.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh stated that at the Work Session on March 29th, an extensive presentation and discussion had taken place regarding the San Jacinto River Project and all the requirements that would have to be satisfied before permits could be obtained to begin the work. At that meeting, Scott Hildebrandt of Albert A. Webb Associates had made a presentation regarding the project. Also addressing the Council that evening were representatives from Riverside County Flood Control District and Rick Hoffman of County Supervisor Ashley's office.

City Engineer Motlagh gave a background of events leading to the development of this resolution regarding interim development criteria for the San Jacinto River Plan Project and designation of Alternative 5 as the preferred alternative for the project.

Mr. Motlagh said that Mr. Hildebrandt and Mr. Hoffman were again present and wished to address the Council. He commented regarding the packet that had been distributed, which contained the City's version of the interim design criteria (slightly different from that adopted by the County). He also stated that one item had been deleted regarding the County's requirement that "no tentative map shall be considered by the Planning Commission for approval until the final draft alternate study for the Project has been submitted to the District and County for review." Based on Council's previous directions and policies, Staff did not recommend addition of this criterion, but they did recommend adoption of the resolution as presented.

Mr. Motlagh explained how the City's criteria different from the County's, and recommended adoption of the resolution as presented.

Scott Hildebrandt presented a report regarding the interim development criteria, giving pertinent background information on the project and reviewing the five alternatives. He also enumerated the points of the proposed resolution, defining whether each of the criteria was or was not consistent with the criteria adopted by Riverside County.

Scott Hildebrandt made a presentation regarding the interim development criteria and reviewed the five alternatives for the San Jacinto River Plan Project.

City Attorney Dunn said he had no problem with making an amendment to Point 5 as Mr. Hildebrandt had suggested.

City Attorney Dunn was favorable to making an amendment to Point 5 as suggested by Mr. Hildebrandt.

Rick Hoffman added a clarification regarding the condition that the final draft be in before the tentative maps went to the Planning Commission. He said it was because they would then have a closer idea of what the cost might be to levy against that project. But the County did not intend for anyone to have to wait for environmental approval. He said they understood that there would be minor differences between what the City

Rick Hoffman added a clarification regarding that condition that the final draft be in before the tentative maps went to the Planning Commission.

adopted and what the County adopted, and they were happy with that and recognized that it was certainly in the spirit of what they were trying to do.

PUBLIC COMMENT:

Ted Weggeland of Entrepreneurial-Sheffield, LLC, said they had two maps (in the northeastern part of Perris) before the Council at this meeting, and wanted to confirm that their two tracts would be excluded from the interim fee because they wanted to move forward and not have to wait to find out what the fee would be. He said the Specific Plan they would be working on after the approval of the maps would ultimately include more than 1,000 homes and the dedication of 65 acres to create the detention basins that are a critical part of the flood plan, as well as the widening of the Perris Valley Storm Drain. So their financial obligation would be taken care of through the actions that would be taken for their Specific Plan.

Gordon Craig, President of Classic Pacific Home Building Division, stated that the Council would be considering Tract Map 31926 proposing 333 residential units in the southwestern portion of the City. He said that as part of the Council's consideration of the project, Classic Pacific was willing to give 1,000 feet of dedicated right-of-way to the City as compensation for allowing the map to move forward. He said they had conferred with Staff and City consultants, who had expressed their support of this.

Regarding the issue raised by the two developers, City Engineer Motlagh stated that one of the interim criteria referred to "the fair share of costs", which is tied into the issuance of building permits. He said the dedication of rights-of-way was considered "in lieu" of fees. He said the City was not recommending eliminating or excluding any project at this time, but was asking for the option to work and make sure that rights-of-way, if dedicated, were considered as "in lieu" fee, and then they would work out the fee, hopefully within six months. If there was an issue, it would be brought to the Council for discussion. If the developers had credit due to them, it would be returned to them at some point in time.

Scott Hildebrandt said the three maps referred to made up only about 1% of the flood plain. The right-of-way between the two projects would be about 10% of the right-of-way needed. So 1% of the flood plain was basically telling them they were willing to give 10% of the right-of-way. He felt the dedication of the rights-of-way would be the best solution until such time as the fees were determined.

COUNCIL QUESTIONS AND DISCUSSION:

Councilmember Yarbrough asked for clarification regarding Entrepreneurial-Sheffield's request. John Abel replied that they

Public Comment

Ted Weggeland of Entrepreneurial-Sheffield wanted to confirm that their two tracts would be excluded from the interim fee so they could move forward. He said their financial obligation would be taken care of through actions that would be taken for their Specific Plan.

Gordon Craig of Classic Pacific said that as part of the Council's consideration of the project, Classic Pacific was willing to give 1,000 feet of dedicated right-of-way.

City Engineer Motlagh said the dedication of rights-of-way was considered "in lieu" of fees.

Scott Hildebrandt felt the dedication of rights-of-way would be the best solution until fees were determined.

Council Questions/Discussion

Councilmember Yarbrough asked for clarification

had worked closely with Staff and Council to let them know what their intentions were concerning dedicating rights-of-way. He said they had no problem with the dedication for these basins when determinations had been made regarding the alternative and the Ramona Expressway alignment. Their only concern was a delay of their project, which would be very critical in the widening of Evans Road. He said they were in support of the resolution the City Engineer had presented, but because of these issues, it was critical that they be allowed to continue with the entitlement and development of their property.

regarding their request. John Abel replied that they had no problem dedicating the right-of-way after the determination had been made regarding the Alternative and the Ramona Expressway, but it was critical that they be allowed to continue their project.

Councilmember Yarbrough asked City Attorney Dunn if there was enough flexibility in this resolution to make that happen for them. City Attorney Dunn responded that the resolution would just adopt a policy of putting in these guidelines; the actual conditions would be imposed during the tract maps. He said he believed that there was adequate flexibility.

Councilmember Yarbrough asked City Attorney Dunn if there was enough flexibility in the resolution to make that happen for them. Mr. Dunn responded that he believed there was.

Councilmember Yarbrough assured Mr. Abel that that the Council's intention was not to hold them up, because their project was critical to other things happening in that area.

Councilmember Yarbrough assured Mr. Abel that Council's intention was not to delay them.

Mayor Busch asked if it would be possible, if the developers were ahead of the projected schedule, to ask them to put up a bond to cover their requirements until the City knew what they were. Mr. Dunn said that would happen at the time of obtaining building permits, which would be some time out, and perhaps there would be a clearer estimate on fees by then. They could then pay a fair share, with the understanding that they were either going to get credits or would have to pay more at a later date. Mr. Dunn said his own opinion was that if they got to the point of pulling building permits, this issue was important enough to bring back to the Council at that time.

Mayor Busch inquired regarding asking developers to put up a bond to cover their requirements if they were ready to pull building permits before fees were established. It was Mr. Dunn's opinion that if they got to that point, the issue was important enough to bring back to Council at that time.

Councilmember Landers said he had no doubt the developers would do the right thing, and had no problem with approving it at this time.

Councilmember Landers was in favor of approving it.

Mayor Pro Tem Motte expressed his appreciation that the Council was being informed as well as they were prior to voting.

Mayor Pro Tem Motte expressed appreciation that the Council was being well informed prior to voting.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to adopt Resolution Number 3403 implementing the interim development criteria and designating Alternative 5 as the preferred alternative for the project, adding in the proposed amendment, as read, to the actual resolution.

Motion to adopt Resolution Number 3403 implementing the interim development criteria and designating Alternative 5 as the preferred alternative for the project, adding in the proposed amendment, as read, to the actual resolution.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

- D. Consideration to adopt Resolution Number 3404 and adopt First Reading of Ordinance Number 1163 relating to Zone Change 04-0504 and Tentative Tract Map 32707 (04-0480), to convert 36.8 acres of property located at the northeast corner of Evans Road and Nance Street from R4 Residential to R7. Tentative Tract Map 32707 would then subdivide property into 137 single-family residential lots. (Applicant: John Abel, Entrepreneurial-Sheffield, LLC).

Adoption of Resolution Number 3404 and First Reading of Ordinance Number 1163 relating to ZC 04-0504 and TTM 32707, to convert 36.8 acres at the northeast corner of Evans Road and Nance Street from R4 to R7, to then be subdivided into 137 single-family residential lots. (John Abel, Entrepreneurial-Sheffield, LLC)

(Continued from April 16, 2005 City Council Meeting)

Introduced by: Olivia Barnes, Community Development Director

Director Barnes stated that Planning Manager Belmudez would be introducing this item.

Director Barnes said Manager Belmudez would be introducing this item.

Since Items D and E were by the same applicant and for the same purpose, although separate applications, Mayor Busch asked if they could be presented as one and then voted on separately. City Attorney Dunn indicated that in this situation, because the Council's feeling on the items would be the same, he had no problem with that. Mayor Busch then introduced Item E.

Mayor Busch asked if Items D and E could be presented together and then voted on separately. City Attorney Dunn gave consent.

Resolution Number 3404 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2178) AND TENTATIVE TRACT MAP 32707 TO SUBDIVIDE ROUGHLY 36.8 ACRES OF LAND INTO 137 RESIDENTIAL LOTS LOCATED AT THE NORTHEAST CORNER OF EVANS ROAD AND NANCE BOULEVARD; AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3404 approving ND 2178 and TTM 32707 to subdivide roughly 36.8 acres into 137 residential lots at the northeast corner of Evans Road and Nance Boulevard.

The First Reading of Ordinance Number 1163 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2178) AND ZONE CHANGE (NUMBER 04-0504) TO CHANGE THE ZONE DISTRICT FROM R4 RESIDENTIAL TO R7 RESIDENTIAL ON ROUGHLY 36.8 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF EVANS ROAD AND NANCE STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.

First Reading of Ordinance Number 1163 approving ND 2178 and ZC 04-0504 to change the zone district from R4 to R7 on roughly 36.8 acres at the northeast corner of Evans Road and Nance Street.

- E. Consideration to adopt Resolution Number 3405 and adopt First Reading of Ordinance Number 1164 regarding Zone Change 04-0507 and Tentative Tract Map 32708 (04-0481), to convert 61.5 acres of property located at the southeast corner of Evans

Adoption of Resolution Number 3405 and First Reading of Ordinance Number 1164 regarding ZC 04-0507 and TTM 32708, to

Road and La Vina Street from R4 Residential to R7 Residential. Tentative Tract Map 32708 would then subdivide this property into 234 single-family residential lots. (Applicant: John Abel, Entrepreneurial-Sheffield, LLC)

convert 61.5 acres at the southeast corner of Evans Road and La Vina Street from R4 to R7, to then be subdivided into 234 single-family residential lots. (John Abel, Entrepreneurial-Sheffield, LLC)

(Continued from April 26, 2005 City Council Meeting)

Resolution Number 3405 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2179) AND TENTATIVE TRACT MAP 32708 TO SUBDIVIDE ROUGHLY 61.5 ACRES OF LAND INTO 234 RESIDENTIAL LOTS LOCATED AT THE NORTHEAST CORNER OF EVANS ROAD AND LA VINA STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3405 approving ND 2179 and TTM 32708 to subdivide roughly 6.15 acres into 234 residential lots at the northeast corner of Evans Road and La Vina Street.

The First Reading of Ordinance Number 1164 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2179) AND ZONE CHANGE (NUMBER 04-507) TO CHANGE THE ZONING DISTRICT FROM R4 RESIDENTIAL TO R7 RESIDENTIAL ON ROUGHLY 61.5 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF EVANS ROAD AND LA VINA STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance Number 1164 approving ND 2179 and ZC 04-507 to change the zoning district from R4 to R7 on roughly 6.15 acres at the southeast corner of Evans Road and La Vina Street.

Manager Belmudez, with the aid of a PowerPoint presentation, noted that the subject property was in the northeast section of Perris, just south of the high school in Moreno Valley and west of the County Fairgrounds and Lake Perris. Mr. Belmudez stated that the land use in the area had just changed with the General Plan, with most of the property in that area (the Stratford property) having been rezoned to a specific plan. However, the developer had requested that the property in Items D and E be changed to R7 before the General Plan was approved. Mr. Belmudez stated that TTM 32707 had a minimum lot size of 7,200 sq. ft., with the average lot size being 8,641 sq. ft. He said that access would be required off of Evans, and included in both maps would be the Evans Road improvements, with directions to proceed with that as soon as possible in order to alleviate the traffic conditions. The second access would be to the south, providing an entrance connecting the two tracts. TTM 32708 would also have a minimum lot size of 7,200, with the average being 8,131 sq. ft.

Manager Belmudez said the land use in the area had just changed with the General Plan; however, the developer had requested that the property in Items D and E be changed to R7 before the General Plan was approved. He said that TTM 32707 and 32708 would have a minimum lot size of 7,200 sq. ft., with average lot sizes well beyond that.

PUBLIC COMMENT:

Public Comment

Ted Weggeland stated that they were facing three challenges: the flood control issue; the Ramona Expressway, the northern alternative of which would go through the bottom 1/3 of their project; and Evans Road. He said they had been working with the City to allow them to begin building homes in this area as soon as possible. In regard to Condition #4, the condition relating to the Evans Road development, he was asking that the stipulation that the road be widened prior to the occupancy of

Regarding Ted Weggeland asked to have the condition regarding having to widen Evans Road prior to the occupancy of the first production road changed to "prior to the occupancy of the 100th production home."

the first production home be changed to “prior to the occupancy of the 100th production home”, due to the fact that significant work was going to have to be done on the road that would require some time. They wanted to begin part of the road improvements right away, but felt the main part, requiring closure of the road, would best be done during the summer while school was out.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Rogers asked if the “100th home” was for Item D and Item E. Mr. Weggeland responded that it would be a total for both tracts.

Councilmember Rogers had a question concerning the “100th home”. Mr. Weggeland responded.

Mayor Busch asked Staff to point out the relationship of the maps to the Perris Valley Storm Drain and Evans Road.

Mayor Busch asked Staff to point out the relationship of the maps to the Perris Valley Storm Drain and Evans Road.

Mr. Weggeland outlined the extensive improvements his company would have to make on Evans Road.

Mr. Weggeland outlined the extensive improvements his company would have to make on Evans Road.

Councilmember Yarbrough asked Mr. Abel about their schedule. Mr. Abel said they had started the final engineering and hoped to obtain a grading permit by the end of the third quarter of this year. He said they anticipated starting on the sites, and then, weather permitting, they would make the improvements to Evans Road.

Councilmember Yarbrough asked Mr. Abel about their schedule. Mr. Abel said they hoped to obtain a grading permit by the end of the third quarter of 2005. It was anticipated they would start on the sites, and then as weather permitted, make the improvements to Evans Road.

Mayor Pro Tem Motte asked if there was going to be a homeowners association. Mr. Abel said at that point they did not intend to have a homeowners association, as the landscaping was covered by the Landscape Maintenance District; but if the need should arise, they would address it then.

Mayor Pro Tem Motte asked if there would be a homeowners association. Mr. Abel replied that they did not intend to, at that point.

Councilmember Yarbrough asked where the schools would be located. The response was that the developers had not made that decision as they were waiting to see what would happen with Ramona and the Channel, but the most likely area would be in the middle of the development.

Councilmember Yarbrough asked about the location of the schools. The reply was that the mostly likely area would be in the middle of the development.

The Mayor called for a motion for Item D.

The Mayor called for a motion for Item D.

M/S/C: (Landers/Rogers) to adopt Resolution Number 3404 (Item D) and adopt the First Reading of Ordinance Number 1163 relating to Zone Change 04-0504), Tentative Tract Map 32707, to convert 36.8 acres of property located at the northeast corner of Evans Road and Nance Street from R4 to R7. Tentative Tract

Motion to adopt Resolution Number 3404 (Item D) and adopt the First Reading of Ordinance Number 1163 relating to ZC 04-0504, TTM 32707, converting 36.8 acres

Map 32707 would then divide property into 137 single-family residential lots. This would also amend the Engineer's condition regarding Evans Road to become effective "prior to occupancy of the 100th production home."

at the northeast corner of Evans Road and Nance Street from R4 to R7, to then be divided into 137 single-family residential lots; also amending the Engineer's condition to become effective "prior to the occupancy of the 100th production home."

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

The Mayor called for a motion for Item E.

The Mayor called for a motion for Item E.

M/S/C: (Landers/Rogers) to adopt Resolution Number 3405 and adopt the First Reading of Ordinance Number 1164 regarding Zone Change 04-0507, Tentative Tract Map 32708, to convert 61.5 acres of property located at the southeast corner of Evans Road and La Vina Street from R4 Residential to R7 Resident. Tentative Tract Map 32708 would then subdivide this property into 234 single-family residential lots. This would also amend the Engineer's condition regarding Evans Road to become effective "prior to occupancy of the 100th production home."

Motion to adopt Resolution Number 3405 and adopt the First Reading of Ordinance Number 1164 regarding ZC 04-0507, TTMP 32708, to convert 61.5 acres at the southeast corner of Evans Road and La Vina Street from R4 to R7, to then be subdivided into 234 single-family residential lots; also amending the Engineer's condition to become effective "prior to the occupancy of the 100th production home."

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

F. Consideration to adopt Resolution Number 3406 approving Tentative Tract Map 30800 to subdivide 7.06 acres into two industrial lots located at the southeast corner of Nandina and I-215. (Applicant: John Pulliam)

Adoption of Resolution Number 3406 approving TTM 30800 to subdivide 7.06 acres into two industrial lots at the southeast corner of Nandina and I-215. (John Pulliam)

Resolution Number 3406 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 30800 (02-0170) TO SUBDIVIDE A 7.06-ACRE SITE INTO TWO (2) INDUSTRIAL LOTS LOCATED AT THE SOUTHEAST CORNER OF NANDINA AVENUE AND INTERSTATE 215, AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3406 approving TPM 30800 to subdivide a 7.06-acre site into two industrial lots at the southeast corner of Nandina Avenue and I-215.

Introduced by: Olivia Barnes, Community Development Director

Director Barnes stated that Manager Belmudez would be introducing the project. Mr. Belmudez explained that this was a parcel map to subdivide

Director Barnes stated that Manager Belmudez would be

7+ acres into two industrial lots on the south side of Nandina, just next to the I-215. He said that the subject site, as well as the surrounding area, was light industrial and consistent with the new General Plan designation. He stated that the application was an implementation of a condition to a public use permit obtained earlier. On one of the lots, the existing store would remain, with construction/stock storage. On the other lot, a construction warehouse was proposed to be built. Mr. Belmudez said it was the Planning Commission's recommendation to approve the parcel map.

introducing the project. Mr. Belmudez related that this application to subdivide the parcel was an implementation of a condition to a PUP obtained earlier, and the Planning Commission had recommended approval of the parcel map.

PUBLIC COMMENT:

Public Comment

Gabriel Ybarra, representing John Pulliam, had a question regarding Condition #3 of the Engineer's letter regarding an 8" line future connection to sewer main, rather than 6". City Engineer Motlagh agreed that it should be 6" and consented to the change as requested.

Gabriel Ybarra, representing John Pulliam, questioned the reason for the conditioned 8" line. City Engineer Motlagh agreed that it should be 6", and consented to the requested change.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Motte) to adopt Resolution Number 3406 approving Tentative Parcel Map 30800 to subdivide 7.06 acres into two industrial lots located at the southeast corner of Nandina Avenue and the I-215.

Motion to adopt Resolution Number 3403 implementing the interim development criteria and designating Alternative 5 as the preferred alternative for the project, adding in the proposed amendment, as read, to the actual resolution.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

G. Consideration to adopt Resolution Number (next in order) regarding Tentative Tract Map (TTM) 32032 (04-0182) to subdivide 37.5 acres into 118 single-family residential lots located at the southwest corner of Ellis Avenue and "A" Street. (Applicant: Oliver Cagle, Providence Residential Development Group)

Consideration to adopt Resolution Number (next in order) regarding TTM 32032 to subdivide 37.5 acres into 118 single-family residential lots at the southwest corner of Ellis Avenue and "A" Street. (Oliver Cagle, Providence Residential Development Group)

Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DENYING A TENTATIVE TRACT MAP 32032 TO SUBDIVIDE ROUGHLY 37.5 ACRES OF LAND INTO 118 RESIDENTIAL LOTS LOCATED AT THE SOUTHWEST CORNER OF ELLIS AVENUE AND "A" STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number (next in order) denying a TTM 32032 to subdivide roughly 37.5 acres into 118 residential lots at the southwest corner of Ellis Avenue and "A" Street.

Introduced by: Olivia Barnes, Community Development Director

Director Barnes stated that the site was vacant property consisting of a lot of rock outcropping and hilly terrain. She said there was intent to preserve the boulders that were significant in size and nature. The parcel had been redesignated as NFR14. Surrounding land uses included vacant land to the north, residential to the east and south, and vacant land to the west. Originally the Parcel Map contained some lots that were less than 6,000 sq. ft., but had been revised to reflect an increase in the lot size and a decrease in the number of lots. While this map was consistent, for the most part, with development standards within the Zoning Ordinance and zone, the Planning Commission had expressed some concerns regarding the lot width and depth. Because of the long, narrow lots, it was indicated that it might be more difficult to place specific product types there than on a standard lot. The Planning Commission had also expressed concern that, given the topography of the site, a larger lot might be more appropriate in order to be able to place the product type on the lot, to preserve more of the topography, and to be more compatible with what would be to the south of the development, which consisted of 7,200 sq. ft. lots. Thus the Planning Commission had recommended that the Council adopt a resolution denying Tentative Tract Map 32032, based on findings by the Planning Commission.

Director Barnes presented a history of changes that had been made to Tentative Tract Map 32032, and related some of the concerns the Planning Commission had when they recommended denying the map.

PUBLIC COMMENT:

Public Comment

Developer Oliver Cagle pointed out that the largest lot they had was almost 67,000 sq. ft. and the smallest lot was 6,013 sq. ft. (gross); the largest net number was 12,967 sq. ft. and the smallest, 5,004 sq. ft., with 3,000+ sq. ft. lots to the north and east.

Developer Oliver Cagle pointed out the sizes of their largest and smallest lots.

Greg Lansing, developer, said his firm had waited many years to get this project started and had worked with the City in adjusting the lot count and sizes.

Greg Lansing said they had waited many years to get this project started.

Joseph Dapice expressed concern about the damage that could be caused by the dynamiting that would be necessary to prepare the property for this project.

Joseph Dapice expressed concern about the dynamiting that would be necessary.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Landers said he did not like the project because the lots were too long and narrow.

Councilmember Landers was not in favor of the project.

Councilmember Yarbrough said the Council had basically given their support on this project earlier and the applicant had made an effort to compromise on the project. He said he would hope that the Planning Commission's decisions would be reflective of what the Council was trying to accomplish in the City, as they are to be working at the pleasure of the Council. He said he thought the lot width and depth was workable, and he would not be supporting the resolution to deny the map.

Councilmember Yarbrough said the Council had basically given their support on this project and the applicant had made an effort to comply with requests. He said he would not be supporting the resolution to deny it.

Councilmember Rogers said she continued to support the overall project. She realized it was difficult terrain, but felt that the developers had a vision for this property and that it could work.

Councilmember Rogers continued to support the overall project.

Councilmember Landers asked Director Barnes what the recommendation of the Planning Department was. She responded that Staff had reviewed and processed the application and had made a recommendation of approval to the Planning Commission. They acknowledged that the developers now had the appropriate land use and zoning designations and had done their best to reach the standards of what is now the R6 designation. Mr. Landers said his only real problem with the project was the 50- and 60-foot-wide lots. He said he was trying hard to believe in it, as he knew the developers had worked hard on it, but had a problem with the dimensions.

Councilmember Landers asked Director Barnes what the Planning Department had recommended. She responded that they had recommended approval of the TTM. Mr. Landers was not in favor of the long, narrow lots.

Mayor Busch said he agreed with Mr. Landers. He said the developers had met some of the requirements, but not all of them, and he was not in favor of the project.

Mayor Busch agreed with Mr. Landers and was not in favor of the project.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to approve the project, rather than deny it.

Motion to approve the project, rather than deny it.

AYES: Rogers, Yarbrough
NOES: Landers, Busch
ABSENT:
ABSTAIN: Motte

*The motion was not approved.
Yes: Rogers, Yarbrough
No: Landers, Busch
Abstained: Motte*

9. BUSINESS ITEMS (not requiring a “Public Hearing”):

- A. Consideration to provide direction regarding Enchanted Heights Roadway Improvements.

Provision of direction regarding Enchanted Heights Roadway Improvements.

Introduced by: Ahmad Ansari, Public Works Director

Director Ansari gave a brief background on the Enchanted Heights roadway condition, stating that it had remained in major disrepair for many years, basically due to lack of adequate funding. He pointed out that primarily the sewer service in that area lies within EMWD jurisdiction, and Staff had worked with the City Engineer’s office to develop a preliminary cost estimate for an interim temporary pavement repair program for the area. The amount was \$500,000. Staff offered two alternatives: 1) In conjunction with a commitment and schedule for a sewer system placement by EMWD, develop a street reconstruction program; or 2) Approve an appropriation of \$500,000 for a temporary pavement repair program in Enchanted Heights.

Director Ansari gave a brief background on the Enchanted Heights roadway condition and offered two alternatives.

PUBLIC COMMENT:

Ron Sullivan of EMWD stated that in 2000-2001 they had funded an engineering study to see what it would cost to install the sewers, so that they could apply for a grant. The study was completed in 2003 and they applied for a federal grant and were denied. They updated the cost estimate again in 2004 and were informed that they needed a statement of emergency from the City, County and the State Water Quality Control Board. Mr. Sullivan said they had initiated discussions with Supervisor Ashley and the County Health Department to have them write a letter attesting that there was an emergency and health hazard in the Enchanted Heights area. EMWD's cost estimate for just putting in the sewer and the laterals, not including road improvements and the abandonment of existing septic systems, was approximately \$5 million. Mr. Sullivan emphasized that they were trying to get state and federal funds for the project, and said that if they could get a commitment that the application for funds was going to go forward, he assumed the district would probably fund it in advance, knowing they would be reimbursed. He said this would probably take at least a year.

Public Comment

Ron Sullivan of EMWD said they had previously applied for a grant to install the sewers but were denied. They were informed they would have to have letters from the City, County and State attesting that there was an emergency and health hazard in that area. Mr. Sullivan said they were attempting to get state and federal funds for the project.

COUNCIL QUESTIONS AND DISCUSSION:

Councilmember Yarbrough felt that something needed to be done about the sewers and streets immediately, and that the EMWD and the City should do whatever was necessary to help move this process along.

Council Questions/Discussion

Councilmember Yarbrough felt that something needed to be done about the sewers and streets immediately.

Councilmember Landers echoed Mr. Yarbrough's sentiments and said he would do whatever it took, passing a motion or whatever, to get some help with the unhealthy situation in that area as soon as possible. He said it did not make sense to repair the roads and then have them torn up; the sewers should be put in first, and then the road repairs made.

Councilmember Landers said the sewers should take high priority so that the road repairs could be done.

Mayor Pro Tem Motte asked if at least the areas shown on the map in pink and green, needing immediate repair, could be done. He asked EMWD if they could possibly form an assessment district and have the property owners pay a little more in their sewer bills to help offset the costs.

Mayor Pro Tem Motte asked about repairing the roads with the most critical need, and also suggested forming an assessment district.

Mr. Sullivan replied that it made it very difficult and time consuming to create an assessment district, because each property owner would have a vote. He said that if they were going to be assessed, say, \$5,000 and they didn't have it, it could make it very difficult. He said EMWD felt the best way to handle this would be with an overriding federal grant and supplemental funds from the State, lessening the burden on each individual homeowner.

Mr. Sullivan replied that creating an assessment district would be difficult and time consuming and would put an extra burden on property owners; a federal grant with supplemental state funds would be more ideal.

Mayor Busch asked if it was time to enlist Congressman Issa's assistance with this matter. Mr. Sullivan replied affirmatively.

Mayor Busch asked about enlisting Congressman Issa's assistance.

Councilmember Rogers asked what criteria EMWD would need for making the initial investment on the sewers pending grant fund reimbursement.

Councilmember Rogers asked EMWD's criteria for making the initial investments on the sewers.

Mr. Sullivan replied that if they got a commitment from the federal government that the grant was going to go forward and it just required a couple of months for obtaining signatures, EMWD would probably go ahead and start.

Mr. Sullivan replied that they would probably start when they had received a commitment from the federal government.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to provide direction regarding Enchanted Heights Roadway Improvement.

Motion to provide direction regarding Enchanted Heights Roadway Improvement.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

B. Consideration to adopt the General Fund Reserve Policy (CCP 2005-01).

Adoption of the General Fund Reserve Policy (CCP 2005-01).

Introduced by: Ron Carr, Finance Director

Director Carr explained the difference between a reserve fund balance (non-spendable) and an unreserved fund balance (spendable). He said what was presently being considered was the unreserved fund balance, or money available to the Council to appropriate. Mr. Carr said a fund balance policy adds fiscal stability to the City's finances: 1) Amounts in excess of the minimum level are automatically designated for Council priorities; 2) It provides explicit policy guidance in budgeting; 3) It can be used to meet revenue shortfalls and unexpected expenditures such as natural disasters and catastrophes; 4) It is a positive factor in an assessment of the City's credit rating; 5) It makes longer-term, higher-yielding investments possible; 6) It will serve to stabilize the City's ability to provide a consistent level of service during periods of fluctuating revenue.

Director Carr explained that the unreserved fund balance is money available to Council to appropriate; funds not committed to meet the City's liabilities. He listed various reasons for having a fund balance policy.

Mr. Carr stated that there is no "right amount" that should be in the fund balance; it depends on what the collective Council's comfort fund level is. The proposed policy sets a target of an unreserved fund balance of 45-55% of annual General Fund revenues. If it falls below that, Staff needs to bring a corrective action plan to the Council. If it's above 55%, the money automatically goes to fund Council priorities.

Mr. Carr stated that there is no "right amount" to be in a fund balance, but the proposed policy sets a target of an unreserved fund balance of 45-55% of annual General Fund revenues.

Mr. Carr gave a brief example of how the policy would work.

Mr. Carr gave a brief example of how the policy would work.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Landers complimented Mr. Carr on the excellent job he was doing in keeping the Council updated on the City's financial position.

Councilmember Landers complimented Mr. Carr's competence in keeping the Council updated.

Mayor Pro Tem Motte felt the reserve policy would greatly stabilize the interest made by the City each year.

Mayor Pro Tem Motte felt the reserve policy would greatly stabilize interest earned each year by the City.

Councilmember Rogers asked what amount the City had available for this fund at the present time. Mr. Carr estimated that at the end of the current fiscal year there would be about \$11 million dollars available (55% level).

Councilmember Rogers asked how much was currently available for this fund. Mr. Carr estimated \$11 million at the end of the current FY.

Councilmember Yarbrough asked what the numbers would look like if the Council were to adopt this based on the current budget. Mr. Carr projected a \$20 million revenue and an \$11,000 reserve (55%).

Councilmember Yarbrough asked what the numbers would be, based on the current budget. Mr. Carr responded.

Councilmember Yarbrough asked if they could discuss priorities at a later date if they were to approve the reserve policy now. Mr. Carr stated that there would be budget sessions coming up in the next couple of Council Meetings, which would be a good time to discuss priorities.

Councilmember Yarbrough asked if they could approve the policy now and discuss the priorities at a later time. Mr. Carr said the upcoming budget sessions would be a good time for discussing priorities.

Councilmember Rogers expressed concern about setting the fund levels before seeing the new budget and knowing what the requests were for the next fiscal year. She said she would like to set it at the same time the budget was set.

Councilmember Rogers expressed concern about setting the fund levels before reviewing the new budget.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Motte/Landers) to adopt the General Fund Reserve Policy (CCP 2005-01) as presented.

Motion to adopt the General Fund Reserve Policy as presented.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

A. John Lyons, Perris resident, expressed issues about being charged too much for utilities.

John Lyons objected to being charged too much for utilities.

B. Kenneth Metts, resident of the Stonegate community, spoke concerning road problems on Trumble Road.

Kenneth Metts was concerned about road problems on Trumble Road.

- C. Dave Stuart, Operations Manager of the Perris Valley Chamber of Commerce, gave an update on community events. *Dave Stuart gave an update on community events.*

11. COUNCIL COMMUNICATIONS:

None

No Council Communications

12. CITY MANAGER'S REPORT:

- A. City Manager Apodaca reported that design plans were underway for the following streets: Perris, Ramona, Murrieta, "A" Street, Goetz, Clayton, and after tonight's action, streets in the Enchanted Heights area. *City Manager Apodaca reported on design plans for street improvements.*

City Manager Apodaca stated that RDA had closed escrow on the gas station at "D" Street and San Jacinto, with tentative plans to use it for training for Fire Department operations. He said that eventually it would be demolished and worked in, in conjunction with the future Downtown Rehabilitation Project. *Mr. Apodaca stated that RDA had closed escrow on the gas station at "D" and San Jacinto, tentatively to be used for Fire Department training.*

13. CLOSED SESSION:

There was no Closed Session.

No Closed Session

14. ADJOURNMENT:

By unanimous consent, the Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned at 9:00 p.m. *9:00 p.m. Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned.*

Respectfully Submitted,

Margaret Rey, City Clerk