



MINUTES
CITY OF NORCO
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
SEPTEMBER 21, 2011

CALL TO ORDER: Mayor Hanna called the meeting to order at 6:00 p.m.

ROLL CALL: Mayor Berwin Hanna, **Present**
Mayor Pro Tem Kevin Bash, **Present**
Council Member Kathy Azevedo, **Present**
Council Member Greg Newton, **Present**
Council Member Harvey C. Sullivan, **Present**

Staff Present: Bryan, Cooper, Groves, Jacobs, King, Okoro, Petree and Thompson

City Attorney Harper – **Present**

THE CITY COUNCIL/CRA RECESSED TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS (Council Member Sullivan recused himself from participating in the Closed Session discussion):

Section 54956.9 – Conference with Legal Counsel – Existing Litigation

Case Name: Robbin Koziel vs City of Norco
Case Number: RIC 522773

RECONVENE PUBLIC SESSION: Mayor Hanna reconvened the meeting at 7:00 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1): **City Attorney Harper stated that there were no reportable actions resulting from the item discussed in Closed Session.**

PLEDGE OF ALLEGIANCE: Council Member Sullivan

INVOCATION: Grace Fellowship Church
Pastor Vernie Fletcher

PROCLAMATION: 40th Anniversary of Stater Bros in Norco

Mayor Hanna presented a proclamation to representatives from Stater Bros in recognition of the 40th Anniversary of Stater Bros in Norco. Brief comments were made by the representatives from Stater Bros, noting that it is a pleasure serving the residents of Norco.

REGULAR COMMUNITY REDEVELOPMENT AGENCY (CRA) AGENDA AS FOLLOWS:

1. CRA CONSENT CALENDAR ITEMS:

M/S Sullivan/Bash to adopt the items as recommended on the CRA Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- A. CRA Minutes:
Regular Meeting of September 7, 2011
Recommended Action: Approve the CRA Minutes (City Clerk)

2. OTHER CRA MATTERS: No other CRA matters.

ADJOURNMENT OF CRA: Chairman Hanna adjourned the CRA at 7:14 p.m.

REGULAR CITY COUNCIL AGENDA AS FOLLOWS:

3. CITY COUNCIL CONSENT CALENDAR ITEMS:

M/S Azevedo/Sullivan to adopt the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, NEWTON, SULLIVAN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- A. City Council Minutes:
Special Meeting of September 7, 2011
Regular Meeting of September 7, 2011
Recommended Action: Approve the City Council Minutes (City Clerk)
- B. Recap of Actions Taken at the Planning Commission Special Meeting of September 6, 2011 and Regular Meeting of September 14, 2011.
Recommended Action: Receive and File (Planning Director)
- C. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)
- D. Approval of a Supplemental Agreement for the 2011-2012 Community Development Block Grant Program Year. **Recommended Action: Approval (Housing Manager)**

4. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR: **No items pulled for discussion**

5. CITY COUNCIL PUBLIC HEARING:

A. City-Initiated Proposal for a Zone Change and a Change in the Corresponding General Plan Land Use Designation to Apply the Hospitality Development Zone on: 1) Approximately 6.75 Acres on the Southwest Corner of Valley View Avenue and Second Street; 2) Approximately 3.34 Acres between Valley View Avenue and the I-15 Freeway North of Second Street; and 3) Approximately 2.18 Acres South of Hidden Valley Parkway and East of Hamner Avenue Adjacent to the I-15 Freeway (APNs 125-100-036, -012, -013, -014, -015, -016; 125-180-010, -007)

This project was initiated by the City based on direction received from the City Council to review zone changes in key locations to attract desirable commercial development and foster economic growth. A goal from the City's Strategic Plan with subsequent direction from a City Council Study Session in March of 2010 was the basis for initiating this action.

The proposed zone changes are for properties on the northwest and southwest corners of Second Street and Valley View Avenue (ref. Exhibit "A" – Location Map) changing the zoning from A-1-20 (Agricultural Low Density) to H-D (Hospitality Development). This requires a change to the General Plan Land Use designation as well from R-A (Residential Agricultural) to C-C (Commercial Community). These sites were specifically identified in the March 2010 Study Session as potential zone change sites.

The project also includes a zone change for property located south of Hidden Valley Parkway and east of Hamner Avenue adjacent to the I-15 Freeway from SP (Specific Plan) to H-D with a corresponding change to the General Plan Designation from SP to C-C. The Planning Commission recommended denial of the zone change at all three sites.

Recommended Action: On August 31, 2011, the Planning Commission recommended denial of the proposed zone changes and corresponding general plan amendments. Per the Norco Municipal Code, zone changes require action by the City Council.

The recommended actions for City Council approval are:

Motion 1: Adopt a Negative Declaration

Motion 2: Adopt Ordinance No. ___ for first reading to change existing zoning and apply the Hospitality Development zone with the related General Plan Amendments to change the land use designations as follows:

- 1) **Change the A-1-20 (Agricultural Low Density) zone to H-D (Hospitality Development) and change the General Plan Land Use designation from R-A (Residential Agricultural) to C-C (Commercial Community) on 6.75 acres on the southwest corner of Second Street and Valley View Avenue.**
- 2) **Change the A-1-20 zone to H-D and change the General Plan Land Use designation from R-A to C-C on 3.34 acres on the northwest corner of Second Street and Valley View Avenue.**
- 3) **Change the SP (Specific Plan) zone to H-D and change the General Plan Land Use designation from SP (Specific Plan) to C-C on 2.18 acres south of Hidden Valley Parkway and east of Hamner Avenue adjacent to the I-15 Freeway.**

(Planning Director)

City Manager Groves introduced the public hearing item, noting that the Planning Commission recommended denial of the proposed zone changes and corresponding general plan amendments.

Planning Director King presented information on the three areas proposed for the zone changes as referenced in the staff report presented for review to the City Council.

Council Member Sullivan inquired about the existing houses that would remain and asked if they would be issued a Rebuild Letter as they would now be non-conforming. Planning Director King responded that the criteria for the issuance of a Rebuild Letter would be discussed by the Planning Commission and they each would be handled individually per request by the property owner.

Mayor Hanna inquired if the current storage units take up the entire area as described in Site 3. Planning Director King responded that yes, they do encompass the entire site.

Mayor Hanna OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Richard MacInnes. Mr. MacInnes commented on his opposition to the proposed zone change, noting that he moved to Norco 23 years ago in order to live a quiet life. He added that he is opposed because of noise, trash problems and traffic congestion.

Kathleen Dougherty. Ms. Dougherty stated her opposition to the proposed zone change, noting her concerns for being able to continue using the horse trails, concerns about the trash, and the concerns regarding the possibility of a large drive-through restaurant built in front of her home.

Jodie Atchley. Ms. Atchley stated her opposition to the proposed zone change, noting that she wants to continue using the horse trails.

David Henderson. Mr. Henderson commented on his concerns that there was no discussion included in the staff report he read online regarding the Planning Commission's discussion and reasons for recommendation of the denial of the zone changes.

Rob Was. Mr. Was stated that he is the property manager of the homes located in Site 2. He noted the problems caused by the residents that live in those homes and the continued response from the Sheriff's Department to that area. He commented on the need for added tax dollars and revenue to the City, noting that there is a need for a good sit-down restaurant in Norco.

Theo Zoetemelk. Mr. Zoetemelk stated his opposition to the proposed zone change, noting that he lives on Second Street and does not want Norco to change on that side of the freeway. He commented on his concerns regarding the additional traffic that would result from commercial development on Sites 1 and 2.

Larry Cusimano. Mr. Cusimano stated his opposition to the proposed zone change, noting that he is against getting rid of any A-1-20 property, as it is already too hard to come by.

Vern Showalter. Mr. Showalter stated he is in favor of the zone changes, noting that Site 1 is the most premier area in the City for development. He commented on the need to find areas in the City for development and further commented on his concerns over the City's financial condition.

Brian McCormick. Mr. McCormick stated that he is the person that would have to live by this development, adding that he is adamantly opposed to the zone changes.

John Kort. Mr. Kort stated his opposition to the proposed zone change, noting that he lives adjacent to the property. He commented on the need to protect the lifestyle promised east of the 15 Freeway.

Debbie Duffin. Ms. Duffin stated her opposition to the proposed zone change, noting that her neighborhood does not want this zone change. She further encouraged development of vacant land located on Hamner Avenue.

Pat Overstreet. Ms. Overstreet stated that she remembered being promised no commercial development east of the 15 Freeway. She added that she would like to possibly see some ranch homes built in the future on Site 1 and further commented that the City should not give up any A-1-20 zone areas.

Sharon Higman. Ms. Higman stated her opposition to the proposed zone change, noting that this is zoned residential and eventually there could be some nice homes built.

Wendie Stevens Rodriguez. Ms. Rodriguez commented that she agrees with all of the statements made in opposition of the zone changes.

Linda Dixon. Ms. Dixon stated she stands behind the Planning Commission decision. She noted that the individual that purchased the property on Site 1 was aware that it was zoned A-1-20. She further noted that she likes the Hospitality Zoning, but its intent was for sites on Hamner Avenue.

Mayor Hanna CLOSED the public hearing.

Council Member Sullivan commented on the public comments heard, noting that he agrees with some and not with others. He further commented on the draft Planning Commission Minutes attached to the staff report, noting the comments made by Commission Member Henderson. Council Member Sullivan commented on issues he has with some of the statements made; noting that the City is going broke and further stated that a tax should be placed on the ballot to bring in revenue to the City. He also noted that all of the issues mentioned (noise, trash, etc.) could be mitigated to allow for a development on Sites 1 and 2, noting that the City is not selling out its lifestyle.

Council Member Azevedo commented on the many “positives” that she sees happening in the City; noting the proposed Housing Element, the current balanced budget with reserves, the proposed CalFIRE contract, Silverlakes and the discussions being held to secure financial assistance for the widening of the Hamner Avenue Bridge. She stated that she would like to have a joint City Council/Planning Commission meeting held to discuss the Hospitality Zone, noting her concerns with the sites proposed for rezoning. Council Member Azevedo stated that all of Valley View would be residential, and that is the only way she would consider this.

Mayor Pro Tem Bash asked if there is a current proposal for nine restaurants on Site 1. Planning Director King responded that no proposal has been received. Mayor Pro Tem Bash commented on the need to preserve Norco’s lifestyle and also the need to find a way to generate income. He stated that the Council would not be doing its due diligence if it did not look at this rezoning proposal. He further stated that he wants to see a proposed project before rezoning the sites to see if it is conducive to the neighborhood.

Council Member Newton inquired about the traffic impact analysis completed and asked if there would be required signalization if the zone changed. Planning Director King responded that if it was re-zoned, there would probably be a signal required on Valley View and Second Street, adding that generally the developer would pay for it if that development caused the full traffic impact. Council Member Newton commented on his concerns if these zone changes were approved and where to draw the line for future zone change requests. Planning Director King stated that property owners are always free to submit a request for a zone change, noting that all zone changes need to be consistent with the General Plan. Council Member Newton asked what permissive uses could be added to Site 3. Planning Director King responded that all commercial uses would need to be consistent with the Gateway Specific Plan. Council Member Newton stated that he does not want to change any A-1-20 zoning and cannot support the zone changes at this time.

Mayor Hanna noted that when he moved to Norco, he thought the Site 1 property would be great for a ranch, but after the freeway was built, it became a horrible place for animals and homes. He stated that he agreed with Council Member Azevedo to look at building A-1-20-zoned homes on Valley View and then later look at what can go on the freeway side. He further stated that he does not support changing the zone at this time, noting that there needs to be further impact studies completed.

Council Member Newton commented on the ordinance findings, more specifically the first finding where it stated that “the proposed zoning is consistent with the General Plan Land Use designations”, and asked how those findings were made. Planning Director King responded that in order to do a zone change, a General Plan amendment is also approved, which makes it consistent.

Further discussion ensued among the Council Members.

M/S Bash/Azevedo to deny the Negative Declaration. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, NEWTON
NOES: SULLIVAN
ABSENT: NONE
ABSTAIN: NONE

M/S Bash/Hanna to deny the zone changes as proposed. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, NEWTON
NOES: SULLIVAN
ABSENT: NONE
ABSTAIN: NONE

6. PUBLIC COMMENTS:

Vern Showalter. Mr. Showalter commented on the rules regarding political signs located in the public right-of-way, noting that they should be removed.

John Feringa. Mr. Feringa commented on the contract signed by his mother for assistance through one of the City’s housing assistance programs. He noted concerns with the contractor being paid prior to receiving permits. He asked that this City department be investigated, further noting his concerns with other work that was completed and not signed off by the City.

John Kort. Mr. Kort stated that Norco is a unique entity where people want to live. He recommended that the City apply for some grants to help maintain the roads. He also commented on the need to broaden the spectrum for notification in order to receive more input from residents.

7. OTHER MATTERS – COUNCIL:

Council Member Newton:

 Commented on the information being put together regarding commercial hospitality opportunities in Norco and asked the City Manager to further expound on this. City Manager Groves noted that the materials are part of an economic outreach designed specifically for hospitality and destination uses. She added that this one is designed specifically for guest ranches, noting that this is a part of a larger package that is being created for the City’s website.

- ✚ Reminded the public that there is open riding at the Ingalls Arena on Tuesdays from 10 a.m. – 3 p.m.

Mayor Pro Tem Bash:

- ✚ Commented on the Jr. ROTC Program at Norco High School, noting that he is in the process of creating a George Alan Ingalls Memorial Scholarship to be given to one senior each year graduating through the ROTC Program. He added that he is looking for others to assist and is also trying to create a \$10,000 endowment fund for this purpose.

Council Member Azevedo:

- ✚ Stated that R.J. Brandes will be speaking at the RURAL meeting on Thursday, September 22nd at 7 p.m. at the Food Connection and will be providing an update on the Silverlakes Project.
- ✚ Commented on her desire for a joint meeting with the Planning Commission to further discuss the Hospitality Zone areas. In response, City Manager Groves stated that a strategic planning-structured meeting could be planned after the New Year to include this discussion.

Mayor Hanna:

- ✚ Stated that he, along with two other Council Members and the City Manager, attended the ribbon cutting ceremony at the new fire station in Eastvale.
- ✚ Commented on the 40th Birthday Celebration to be held at Stater Bros on Hamner Avenue on Friday, September 30th at 9 a.m., noting that City Council Members would be present.

8. OTHER MATTERS – STAFF:

City Manager Groves:

- ✚ Displayed the multi-purpose bags with the Horsetown USA Logo on them that will be sold at City Hall for \$2.

Public Works Director Thompson:

- ✚ Briefly commented on the nitrates reported found in the water for a short period of time in a select area of the City and the notifications delivered to the affected residents. He added that the Health Department cleared the water for drinking.

9. ADJOURNMENT: There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 8:50 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK