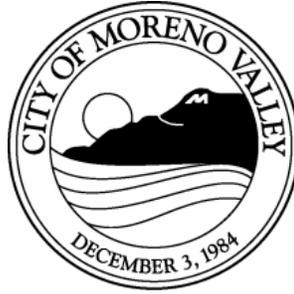

PLANNING COMMISSIONERS

BRIAN LOWELL
Chair

JEFFREY BARNES
Vice-Chair

RAY L. BAKER
Commissioner



JEFFREY SIMS
Commissioner

CARLOS RAMIREZ
Commissioner

PATRICIA KORZEC
Commissioner

VACANT
Commissioner

PLANNING COMMISSION

Regular Meeting

Agenda

Thursday, February 23, 2017 at 7:00 PM
City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Approval of Agenda

CONSENT CALENDAR

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

APPROVAL OF MINUTES

Planning Commission - Regular Meeting - Jan 26, 2017 7:00 PM

Approved as submitted.

PUBLIC COMMENTS PROCEDURE

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

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.

NON-PUBLIC HEARING ITEMS

PUBLIC HEARING ITEMS

1. Case: PEN16-0123 (PA14-0028 Plot Plan)
Applicant: MV Bella Vista GP, LLC
Owner: MV Bella Vista LP
Representative: Paul Onufer
Location: Northeast corner of Lasselle Street and Cactus Avenue
Case Planner: Gabriel Diaz
Council District: 3

Proposal: PEN16-0123 (PA14-0028 Plot Plan)

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2017-23 and thereby:

1. **ADOPT** an Addendum to the Environmental Impact Report for the prior Specific Plan for Plot Plan PEN16-0123 (PA14-0028), pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
 2. **APPROVE** Plot Plan PEN16-0123 (PA14-0028), subject to conditions of approval included as Exhibit A.
-
2. Case: PEN16-0028 An Amended Conditional Use Permit for expansion of the Resource Center for the Alta Vista Public Charter School
Applicant: Alta Vista Public Charter School
Owner: Southpointe Center, Ltd.

Representative: Kyle Knowland

Location: 24021 Alessandro Boulevard #116-119A; Southeast corner of Alessandro Boulevard and Heacock Street (APN: 482-481-034)

Case Planner: Julia Descoteax

Council District: 3

Proposal: PEN16-0028 Amended Conditional Use Permit for expansion of the Resource Center for the Alta Vista Public Charter School

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2017-13, and thereby:

1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities; and
2. **APPROVE** PEN16-0028 (P16-112) Amended Conditional Use Permit (Existing Structure) subject to the attached Conditions of Approval included as Exhibit A.

OTHER COMMISSION BUSINESS

3. Public Notice Requirements (Report of: Planning Commission)
4. Planning Commission Rules of Procedure (Report of: Planning Commission)

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Next Meeting: Planning commission Regular Meeting, March 9, 2017 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

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

5 **Thursday, January 26th, 2017 at 7:00 PM**

6
7
8 **CALL TO ORDER**
9

10 **CHAIR LOWELL** – Good evening ladies and gentlemen. I apologize for the
11 delay, but I would like to call to order tonight’s meeting of the Planning
12 Commission to order. Today is Thursday, January 26th, 2017. The time is
13 around 7:11PM. I would like to call the meeting to order. Could we have roll call
14 please?
15

16
17 **ROLL CALL**
18

19 Commissioners Present:

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

28
29
30 Staff Present:

- 31 Rick Sandzimier, Planning Official
- 32 Paul Early, Assistant City Attorney
- 33 Darisa Vargas, Senior Administrative Specialist
- 34 Mark Gross, Senior Planner
- 35 Gabriel Diaz, Case Planner
- 36 Jeff Bradshaw, Case Planner
- 37 Claudia Manrique, Case Planner
- 38 Michael Lloyd, Traffic Engineer
- 39 Vince Giron, Associate Engineer
- 40 Eric Lewis, City Traffic Engineer
- 41 Chris Ormsby, Senior Planner

- 1 Speakers:
- 2 Roy Bleckert
- 3 Rafael Brugueras
- 4 George Hague
- 5 Kathleen Dale
- 6 Rochelle Ruth
- 7 Carole Nagengast
- 8 Susan Zeitz
- 9 Marcia Narog
- 10 Barbara McCarthy
- 11 Kimberly Crow
- 12 Barbara Baxter
- 13 Damon Allen
- 14 Robert Then
- 15 David Carlson
- 16 Madeline Blua
- 17 Joe Lockhart
- 18 Jack Ergish
- 19 Don Wilson
- 20 David Zeitz
- 21 Shelly Lindekugel
- 22 Deborah Johnson
- 23 Glen Jacobs
- 24 Lindsey Robin
- 25 Tom Jerele, Sr.
- 26 David Cortez
- 27 Huda Kaoud
- 28 John Myers
- 29 Thomas Ross
- 30 Allison Gee
- 31 Daisy Franco

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CHAIR LOWELL – Before we go too much further, I am noticing the TV, we have a live feed but, on the outgoing screen, it just says Moreno Valley, California Planning Commission. Is that something that IT knows about? There we go. Sorry. We were just having a little technical difficulty. Can you guys hear me okay back there? I will scream my guts out. Okay, what I was saying was, I would like to welcome you all to the Planning Commission tonight. We had a little technical difficulty, which is why we started a little bit late. The meeting is called to order. We have had the Pledge of Allegiance.....we have had roll call, and now it is the Pledge of Allegiance. Could you guys please stand and join me in the Pledge of Allegiance, please? Put your hand over your heart, ready, begin.

1 **PLEDGE OF ALLEGIANCE**

2
3 **CHAIR LOWELL** – Thank you very much. For tonight, would anybody like to
4 make a motion to approve tonight’s Agenda?
5

6
7 **APPROVAL OF THE AGENDA**

8
9
10 **COMMISSIONER BAKER** – I so move.

11
12 **CHAIR LOWELL** – We have a motion by Commissioner Baker. Do we have a
13 second? We have a second by Commissioner Korzec. All in favor, say aye.

14
15 **COMMISSIONER KORZEC** – Aye.

16
17 **COMMISSIONER BAKER** – Aye.

18
19 **COMMISSIONER SIMS** – Aye.

20
21 **COMMISSIONER NICKEL** – Aye.

22
23 **VICE CHAIR BARNES** – Aye.

24
25 **CHAIR LOWELL** – Aye.

26
27 **CHAIR LOWELL** – All opposed, say nay.

28
29
30 Opposed – 0

31
32
33 **Motion carries 6 – 0**

34
35
36 **CHAIR LOWELL** – The motion passes 6-0. Tonight’s Agenda is approved.
37 That moves us onto our Consent Calendar, which we only have one item on the
38 Consent Calendar tonight, which is approval of Minutes from December 15,
39 2016, which was a Special Meeting. Do we have any comments on the Minutes,
40 or are we set to motion to approve them as presented?
41

42
43 **CONSENT CALENDAR**

44
45 *All matters listed under Consent Calendar are considered to be routine and all*
46 *will be enacted by one rollcall vote. There will be no discussion of these items*

1 unless Members of the Planning Commission request specific items be removed
2 from the Consent Calendar for separate action.

3
4
5
6 **APPROVAL OF MINUTES**

7
8 Planning Commission - Special Meeting - December 15th, 2016 at 7:00PM

9
10 Approve as submitted.

11
12
13
14 **COMMISSIONER NICKEL** – I'll move to approve.

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

17
18 **CHAIR LOWELL** – We have a motion and a second. Any last comments? No?
19 All in favor, say aye.

20
21 **COMMISSIONER BAKER** – Aye.

22
23 **COMMISSIONER SIMS** – Aye.

24
25 **COMMISSIONER NICKEL** – Aye.

26
27 **VICE CHAIR BARNES** – Aye.

28
29 **CHAIR LOWELL** – Aye.

30
31 **CHAIR LOWELL** – All opposed, say nay. Anybody abstaining?

32
33 **COMMISSIONER KORZEC** – I'm abstaining.

34
35 **CHAIR LOWELL** – Perfect, so motion passes 5-0 with one abstention. The
36 Minutes are approved. Man, we are just booking right along.

37
38
39 Opposed – 0

40
41
42 **Motion carries 5 – 0 – 1 with one abstention**

43
44
45
46 **PUBLIC COMMENTS PROCEDURE**

1
2 Any person wishing to address the Commission on any matter, either under
3 Public Comments section of the Agenda or scheduled items or public hearings,
4 must fill out a "Request to Speak" form available at the door. The completed
5 form must be submitted to the Secretary prior to the Agenda item being called by
6 the Chairperson. In speaking to the Commission, member of the public may be
7 limited to three minutes per person, except for the applicant for entitlement. The
8 Commission may establish an overall time limit for comments on a particular
9 Agenda item. Members of the public must direct their questions to the
10 Chairperson of the Commission and not to other members of the Commission,
11 the applicant, the Staff, or the audience. Additionally, there is an ADA note.
12 Upon request, this Agenda will be made available in appropriate alternative
13 formats to persons with disabilities in compliance with the Americans with
14 Disabilities Act of 1990. Any person with a disability who requires a modification
15 or accommodation in order to participate in a meeting should direct their request
16 to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 48 hours prior to
17 the meeting. The 48-hour notification will enable the City to make reasonable
18 arrangements to ensure accessibility to this meeting.
19
20

21 **CHAIR LOWELL** – Do we have any Non-Public Hearing Items tonight?

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – We do.

24
25 **CHAIR LOWELL** – Which is a General Plan Amendment. Do we have a Staff
26 Report today?
27

28 **PLANNING OFFICIAL RICK SANDZIMIER** – It's actually not a General Plan
29 Amendment. It is a General Plan Annual Report and giving the Staff
30 presentation this evening would be Senior Planner, Mark Gross.
31

32
33 **NON-PUBLIC HEARING ITEMS**

34
35 General Plan Annual Report (Report of: Community Development)

36
37 Case: General Plan Annual Report
38
39 Applicant: City of Moreno Valley
40
41 Owner: N/A
42
43 Representative: N/A
44
45 Location: City-wide
46

1 Case Planner: Mark Gross

2
3 Council District: N/A

4
5
6
7 **SENIOR PLANNER MARK GROSS** – Thank you very much and good evening
8 Chair Lowell and Members of the Planning Commission. Tonight we are going to
9 talk just a little bit about the General Plan Annual Report. The California State
10 Law requires local jurisdictions to adopt a comprehensive General Plan. The
11 document is a blueprint for the future and is the basis for all land-use-related
12 decisions that we make. Now, the Government Code requires the Planning
13 Commission provide an annual Progress Report to City Council on the
14 implementation status of the City’s General Plan, and that includes the progress
15 in meeting our share of regional housing needs. Now, this year’s General Plan
16 Annual Report contains development projects. Actually, a number of different
17 items, general projects or development projects, General Plan Amendments,
18 Municipal Code Amendments all.....not every project but major projects, and that
19 is all included.....Actually, it includes between January 2015 and up to
20 December 2016. Now, that also includes housing occupancy from 2014 through
21 2016. General Plan Annual Reports are completed by City Legislature Review,
22 and they are reported on an annual basis, and we have to provide these reports
23 to the State Office of Planning and Research and the State Office of Housing and
24 Community Development. Now, in addition to State Law, Moreno Valley recently
25 approved a strategic plan that I am sure a number of you are aware of that is
26 called Momentum MoVal, and in that particular plan, initiatives 1.9.1 and 1.9.2
27 require completion of the General Plan Annual Report prior to April 1st. Now, that
28 is consistent with the State Law requirements. That is what State Law would
29 require as well. Now, the initiatives require formation of a working group of key
30 City Staff to research and evaluate the current 2006 General Plan prior to
31 initiating a comprehensive General Plan update, which we are moving forward
32 towards in the next three years. Staff has been fully engaged with this working
33 group since October, and we have conducted actually four meetings. What you
34 see in the Staff Report, in fact a number of the attachments, especially Appendix
35 A, do relate to a lot of hard work that has been provided by the Staff, key
36 members of Staff, to go through and to look at every one of our goals, policies,
37 and programs in our General Plan. Now, I just want to talk a little bit about what
38 you’re going to see in the Annual Report. It includes (number one) a status of
39 General Plan in progress in its implementation. So I talked a little bit about
40 Appendix A, and that it was completed by the working group, and it is providing a
41 thorough assessment of how current land use decisions relate to the goals and
42 objectives, policies and programs, and implementation measures that are
43 included in the General Plan itself. Now, in addition to providing a synopsis of
44 items and how each are tied to their Municipal Code Sections or maybe
45 programs that we have, Appendix A is also providing information in bold text on
46 General Plan course adjustments for the working group that will be evaluating

1 these items as we move forward in completing a comprehensive General Plan.
2 The second item in the Annual Report is a report of progress in meeting our
3 share of the regional housing needs pursuant to Section 65584, the government
4 code. Now, Appendix B to the Annual Report, that is also a section or an
5 attachment to the Staff Report. It documents housing types that were both
6 constructed and occupied since the housing element was updated, and our
7 housing element was updated back in 2014. Now, the only housing constructed
8 and occupied in the City during this reviewing window has been single-family
9 tract homes. Actually, 315 occupancies to be exact, which count toward the
10 City's required regional housing needs assessment for above moderate income
11 level housing. Now, as housing numbers only reflect occupancy of single-family
12 dwellings, there have been more diverse housing types such as planned unit
13 developments and apartment complexes that the Planning Commission has been
14 involved in and these projects have been approved back in 2015 and 2016.
15 Likely, these housing tables will reflect this diversity in construction and
16 occupancy and provide for additional housing types. Now, in conclusion, the
17 General Plan continues to serve as an effective guide for both orderly growth and
18 development, as well as preservation and conservation of open space and
19 natural resources. As stated in the Annual Report, projects and amendments are
20 in full conformance with the seven mandated elements and document the City's
21 commitment to achieving these goals and objectives provided in the General
22 Plan. Staff now recommends that the Planning Commission forward the item to
23 City Council for final consideration. That concludes our report on the General
24 Plan Annual Report. Thank you very much.

25
26 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chairman, if I may, just as an
27 order of business on the Agenda, you did skip over the Public Comments on
28 Non-Agenda matters. If you're going to take comments on this item, you can do
29 that and then you can go back to the Public Comments on Non-Agenda Items.
30 Or, if you'd like, you can take the comments on Non-Agenda Items and then
31 come back and take comments on this if you're inclined to do so. However,
32 you'd like to do it. I just wanted to point out that we do want to give anybody, the
33 public, an opportunity to speak on Non-Agenda Items tonight.

34
35 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And I would recommend
36 completing this item.

37
38 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.

39
40 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And then going back.

41
42 **CHAIR LOWELL** – That's what I was going to go with. Okay, so what we have
43 to do now is.....do we have any questions or comments for Staff?
44

45 **COMMISSIONER NICKEL** – Well I have one. There needs to be a correction in
46 regards to the listing of the names on the Planning Commissioners. On Erlan

1 Gonzalez, the expiration of his term is the same as mine. The two alternate
2 terms expire at the same time. That's all.

3
4 **SENIOR PLANNER MARK GROSS** – I will definitely look into that. Thank you
5 very much.

6
7 **COMMISSIONER NICKEL** – Yeah, I talked to Marie.

8
9 **CHAIR LOWELL** – Any comments or questions on the General Plan Annual
10 Report? I don't see anybody speaking up, so we just motion we received it,
11 acknowledged it.

12
13 **ASSISTANT CITY ATTORNEY PAUL EARLY** – No. You can take Public
14 Comment on this item.

15
16 **CHAIR LOWELL** – Okay. I'm sorry. I don't have any Speaker Slips. Is
17 anybody wanting to speak on this item?

18
19 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – We have one
20 speaker.

21
22 **CHAIR LOWELL** – Okay, who would that be?

23
24 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Roy Bleckert.

25
26 **CHAIR LOWELL** – Mr. Bleckert, come on up.

27
28 **SPEAKER ROY BLECKERT** – Yes, speaking on the General Plan. That is one
29 thing that this City really needs. You should update it every 10 years. It has not
30 been updated since 2006. Its way overdue. It's something, I mean, we've went
31 with Hillside Ordinance Zoning. We have an issue here tonight. The overall plan
32 of the City really needs to be looked over. Again, I've asked the question many
33 times. Where is downtown Moreno Valley? Nobody has an answer for that
34 because there is not one. We need to have a comprehensive plan in the City
35 that is going to make things look and work and make sense. The one we have
36 now is just a hodge-podge of a city that has been built for 30 years. The
37 Planning Commission, the Staff, the Council all should be working together to put
38 a comprehensive General Plan in place so when projects come up here they sail
39 right through because we have the plan in place, and we know what we're going
40 to do. We don't have to spend all this time in staff and resources rehashing and
41 redoing things. We know where this goes. We know where that goes. We know
42 what's here. Let's work to where we streamline the system where it makes the
43 city more business friendly, more development friendly all across the board, and
44 we can maybe avoid situations like you may have tonight. Good luck with Item 4.

45

1 **CHAIR LOWELL** – Thank you. Anybody else wishing to speak on the General
2 Plan Annual Report? I don't hear anybody else or see anybody else raising their
3 hands. I don't think we have any more Speaker Slips do we, Ms. Vargas?

4
5 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – No, we do
6 not.

7
8 **CHAIR LOWELL** – And then the action on this, Rick is just?

9
10 **PLANNING OFFICIAL RICK SANDZIMIER** – Go ahead, Mark. Go ahead and
11 give him the recommended actions.

12
13 **CHAIR LOWELL** – So we would just motion to approve the Resolution?

14
15 **SENIOR PLANNER MARK GROSS** – Yeah, there's two things, and we can kind
16 of go through it. First of all, you're, if I can get to my section here.....

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – You're going to be certifying.....

19
20 **SENIOR PLANNER MARK GROSS** – Yeah, certifying that it qualifies for an
21 exemption in accordance with California Environmental Quality Act, Section
22 15313, no that shouldn't be it. I got the wrong one here. I'm sorry. I don't know
23 where, yeah.....

24
25 **PLANNING OFFICIAL RICK SANDZIMIER** – Let me take a quick shot. You're
26 going to be approving the Resolution basically recommended to the City Council
27 that the Annual Report qualifies for an exemption under CEQA and you
28 recommend to the City Council that they consider the item before they submit it
29 to the Office of Planning and Research. Just one resolution here.

30
31 **COMMISSIONER SIMS** – I can make the motion. Do you want me to make the
32 motion?

33
34 **CHAIR LOWELL** – By all means. Ms. Vargas, do we have the vote option up
35 here? I don't see it.

36
37 **COMMISSIONER NICKEL** – I'll second.

38
39 **CHAIR LOWELL** – We could just do a roll call vote. We'll just do a roll call vote.
40 So we have a motion by Commissioner Sims, and we have a second by
41 Commissioner Nickel.

42
43 **COMMISSIONER SIMS** – Just for clarity, I'm recommending Staff's
44 recommendation as recommended in the report.

45

1 **CHAIR LOWELL** – So just read that then. You’re recommending to approve the
2 resolution to.....

3
4 **COMMISSIONER SIMS** – Yeah, I, okay. Formally, so.....

5
6 **CHAIR LOWELL** – It’s January. We’re a little rusty.

7
8 **COMMISSIONER SIMS** – It’s January. We’re off to a good start here. I make a
9 motion that the Planning Commission approve Resolution No. 2017-03 and (1)
10 certify that the proposed General Plan Annual Report qualifies as an exemption
11 in accordance with Section 15061 of the California Environmental Quality Act
12 Guidelines; and (2) that we recommend that the City Council that the January
13 2015 through December 2016 General Plan Annual Report presented is
14 consistent with the requirements of Government Code Section 64000 with regard
15 to reporting on the status of the City General Plan progress and its
16 implementation and is ready to be submitted to the Office of Planning and
17 Research and the Department of Housing and Community Development by April
18 1, 2017.

19
20 **CHAIR LOWELL** – We have a motion by Commissioner Sims, and we have a
21 second by Commissioner Nickel. Can we have a roll call vote, please?

22
23 **COMMISSIONER KORZEC** – Yes.

24
25 **COMMISSIONER BAKER** – Yes.

26
27 **COMMISSIONER SIMS** – Yes.

28
29 **COMMISSIONER NICKEL** – Yes.

30
31 **VICE CHAIR BARNES** – Yes.

32
33 **CHAIR LOWELL** – Did you get Commissioner Korzec?

34
35 **SENIOR ADMINISTRATIVE ASSISTANT DARISA VARGAS** – I did.

36
37 **CHAIR LOWELL** – Yes. The motion passes 6-0. The motion is approved. Do
38 we have any additional wrap-up on the General Plan Annual Report?

39
40
41 Opposed – 0

42
43
44 **Motion carries 6 – 0**

1 **PLANNING OFFICIAL RICK SANDZIMIER** – This item will be taken to the City
2 Council at an upcoming meeting prior to the required submittal date of April 1,
3 2017.

4
5 **CHAIR LOWELL** – Okay, now do we.....I want to go back and open up the
6 Public Comments on any items not on the Agenda tonight. Is anybody wishing to
7 speak on any item that is not on the Agenda tonight? Do we have any Speaker
8 Slips?
9

10 **SENIOR ADMINISTRATIVE ASSISTANT DARISA VARGAS** – We have three.

11
12 **CHAIR LOWELL** – Perfect. We have Rafael Brugueras, Mr. George Hague,
13 and Ms. Kathleen Dale. Rafael, come on up. I apologize for the mixup. Also,
14 since we're taking a momentary pause, anybody who would like to speak on any
15 of the items tonight, if you haven't done so already, please fill out a green slip.
16 It's on the back corner by the door, or the front corner by the door. And please
17 turn it into Mr. Eric Lewis right here to save you from walking all the way up front.
18 I'll remind everybody before the item is called, and I will put in a little bit of a
19 grace period once the item is called to make sure everybody has the opportunity
20 to speak who wants to speak. With that said, Mr. Rafael Brugueras.

21
22 **SPEAKER RAFAEL BRUGUERAS** – Good evening, Chair, Commissioners,
23 Staff, residents, and guests. I came to talk about what our president mentioned
24 in a speech to dream; to go back to dreaming again or dream bigger. That
25 wasn't done for a long, long time through many presidents and now that we have
26 a man that is not a republican or democrat or independent or libertarian but a
27 man for the people of this country because he wants to make the country proper
28 again. And I believe everybody that sits in this room wants that for their own
29 selves, their neighbors, their sons and daughters, even their grandsons and
30 children. We want that. See that's something that I grew up with in New York to
31 give everyone an opportunity to dream. We have dreamers here. We have
32 developers. We have planners. We have construction people. We've got
33 finance people that are here tonight to invest in our city because they found
34 something that we had that they need, so it works hand to hand to help each
35 other and to become and stay business friendly. Roy mentioned it well. We
36 need to update the General Plan because somehow George, part of the Sierra
37 Club, thinks it's unconstitutional and I got his email. It's not unconstitutional. It's
38 a plan that can be changed according to the times that we live in today. No one
39 in this room when that plan was made is still wearing the same clothes. Okay?
40 Today we have cellphones, laptops, smart cars, better medicine in the hospitals
41 because I know there are a lot of people here that are deeply grateful that they
42 got smart doctors that can help them with better medicine and, if we didn't have
43 that technology and plans to change, we'd be living in the old days. We cannot
44 live in the old days. We must change with the times and, as we go through our
45 cases, I'll explain what I mean by those changes. So George should have been
46 a better communicator with the members of the Sierra Club and tell the entire

1 truth why they are here, not just follow a club and think that the person that is the
2 head of the club is telling the whole truth. He is not telling the whole truth.

3
4 **CHAIR LOWELL** – Thank you, Rafael. Okay, Tom Jerele. Would you like a
5 chair? We have a couple extras up here.

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – Mr. Chair, we are using a timer if
8 you didn't notice on the screen.

9
10 **CHAIR LOWELL** – Yeah, I just.....I'll just go down here too.

11
12 **SPEAKER TOM JERELE, SR.** – No. I'm okay. Thank you though.

13
14 **PLANNING OFFICIAL RICK SANDZIMIER** – Okay.

15
16 **CHAIR LOWELL** – And then, in an effort to expedite, we also have Ms.
17 Kathleen Dale next and then Susan Zeitz.

18
19 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – No. That's an
20 error.

21
22 **CHAIR LOWELL** – Okay.

23
24 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – I'm sorry.

25
26 **CHAIR LOWELL** – Mr. Jerele, go for it.

27
28 **SPEAKER TOM JERELE, SR.** – I'm sure you realize that the Planning
29 Department serves as your Staff to provide you information to provide informed
30 decisions. You should feel comfortable directing them to provide you and the
31 public enough time to review and seriously consider any and all projects that
32 come before you. In fact, I hope you will direct them to make sure on all future
33 agendas that you have this section listed, which it hasn't for a year or more.
34 Anytime you're given an Agenda, along with a Staff Report of more than 4000
35 pages, you need to speak up for yourself and the public and direct your Staff that
36 this is not appropriate. Any project which has more than 2000 to 3000 pages
37 report that the public needs to read to make full comment should be given more
38 than one week to review. Whenever this happens, you need to continue the
39 project and keep the Public Hearing open to allow the public, as well as yourself,
40 the time to become informed by reading the entire project. And Staff receives
41 many letters on a project. It might be wise to have them forward to you instead
42 of handing you a big pile the day of your meeting. You should think of them as
43 public testimony and read each one before any vote. When you're considering
44 an Environmental Impact Report, you're giving the comments that the public
45 makes on the document. When you're given a Mitigated Negative Declaration,
46 however, you're not provided those comments made on the document, but you

1 can direct Staff to make them available to you, and you should prior to any vote,
2 especially when they include comments from attorneys, as well as the public.
3 Please make sure you let the public know you have had communication with
4 anyone connected to a project you're voting on and their relationship to the
5 project prior to your vote and/or if you've received any money from those
6 connected to the project. You should never say to yourself that there are
7 thousands of pages of reading. I must do and therefore they must have covered
8 everything required of them. Please, never approve the project because of the
9 number of pages that only after thoroughly reading and analyzing everything
10 before you and that includes all of the public comments that you have received
11 both tonight, what has been sent into City Staff, and every place else that is
12 available to you prior to your vote. I thank you very much.

13
14 **CHAIR LOWELL** – Thank you, Tom. Ms. Kathleen Dale.

15
16 **SPEAKER KATHLEEN DALE** – Good evening. I wanted to talk to you about
17 three general issues related to the rules and regulations that this body is
18 supposed to work under. First one is I wanted to make sure that you're aware
19 that the City actually has its own rules and regulations for the implementation of
20 CEQA and, all of the documents that become before you, are supposed to be
21 prepared under those regulations, as well as the CEQA Statute and Guidelines.
22 That's not been the case in the past nor with the items that are before you
23 tonight. Public Comments are being submitted in response to Environmental
24 Document reviews and Public Hearing Notices that are not being shared with
25 you, and Staff and the Planning Department is making themselves the arbitrator
26 of what comments are valid and which ones you should see. That is simply not
27 acceptable. The third thing I want to talk to you about is your ethics rules, and I
28 wanted to remind you about the training that you've received from the City
29 regarding ethics and regarding disqualifications and particularly a recent training
30 example involving a scenario where an appointed Commissioner who had an
31 unsuccessful bid for a Council seat received monetary contributions from a
32 developer and the guidance that was given was that individual, if the contribution
33 was more than \$250.00, needs to recuse themselves from any items involving
34 that contributor for a period of one year. And you should know who you are, but
35 one of you up there does fall under that circumstance regarding an item that is on
36 the Agenda tonight. Thank you.

37
38 **CHAIR LOWELL** – And what was your comment about that last little bit that I
39 don't.....

40
41 **SPEAKER KATHLEEN DALE** – Pardon me?

42
43 **CHAIR LOWELL** – You said that I was given advice, but you were hinting
44 towards the advice not being correct. Is that advice accurate?
45

1 **SPEAKER KATHLEEN DALE** – Well, I’m assuming the attorney gave correct
2 advice. I’m just putting on the record that you all have been given advice. I
3 didn’t say who it was.

4
5 **CHAIR LOWELL** – I was just trying to clarify your statement. That’s all. And, if
6 anybody is curious, it is me. I received a contribution, and I will be recusing
7 myself from an item later on tonight. But we will cross that bridge later. Ms.
8 Vargas, is this last speaker not accurate?

9
10 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – That’s correct.

11
12 **CHAIR LOWELL** – Okay. Any other Public Comments on Non-Public, on Non-
13 Agenda Items tonight? Anybody else wishing to speak on something that is not
14 on the Agenda? Going once, going twice....the Non-Public Hearing Items, well
15 the Non-Agenda Items Public Comments are now closed. Moving onto our
16 Public Hearing Items. Our first item tonight is Case PEN16-0103 (PA16-0013)
17 Tentative Parcel Map. The Applicant is LGS Engineering, Inc. The Case
18 Planner is Mr. Gabriel Diaz. Do we have a Staff Report on this Item?

19
20
21 **PUBLIC HEARING ITEMS**

- 22
23 1. Case: PEN16-0103 (PA16-0013) Tentative Parcel Map
24
25 Applicant: LGS Engineering, Inc.
26
27 Owner: Catherine Kormos
28
29 Representative: David Knell
30
31 Location: Northeast corner of Jeranell Court and Alessandro
32 Boulevard
33
34 Case Planner: Gabriel Diaz
35
36 Council District: 3
37
38 Proposal: PEN16-0103 (PA16-0013) Tentative Parcel Map
39 37104
40
41

42 **STAFF RECOMMENDATION**

43
44 Staff recommends that the Planning Commission APPROVE Resolution No.
45 2017-04, and thereby:
46

- 1 1. **CERTIFY** that PEN16-0103 (PA16-0013) Tentative Parcel Map 37104
2 qualifies as an exemption in accordance with the California Environmental
3 Quality Act Guidelines, Section 15315 (Minor Land Divisions); and
4
- 5 2. **APPROVE** PEN16-0103 (PA16-0013) Tentative Parcel Map 37104
6 subject to the Conditions of Approval included as Exhibit A to Resolution
7 No. 2017-04.
8
9

10
11 **CASE PLANNER GABRIEL DIAZ** – Yes. Thank you, Chairman and
12 Commissioners. This is regarding.....the reason there are the two case numbers
13 is we're going from a new computer system. That is why we have the PEN16,
14 and the PA16 is the old case number. This project is located on the northeast
15 corner of Jeranell Court and Alessandro Boulevard. It is within Council District 3.
16 The Zone is Residential 3. The Applicant Representative is David Knell. The
17 Applicant is proposing to subdivide one legal parcel into two legal parcels on 1.1
18 gross acres of land. The property is presently developed with four existing
19 single-family homes, and we have the aerial there to demonstrate that. We have
20 three homes on the west parcel and one home on the east parcel. This is an
21 aerial photograph of the map, the proposed map. It is photographs of the site,
22 and this is the revised map. This project was heard before the Planning
23 Commission on August 25, 2016 at the Public Hearing Meeting where the
24 Planning Commission requested additional information regarding sewer or septic
25 tank systems on the property, and the item was continued. The Applicant, since
26 then, has done research and revised the map to show the locations of the septic
27 tanks, which he has provided up there, and he has also provided a preliminary
28 clearance letter from the County of Riverside Department of Environmental
29 Health. That is part of your packet. In working with the requirements for the
30 County of Riverside Department of Environmental Health, the map has been
31 revised so that each lot meets the half-acre minimum for properties with septic
32 tank systems. The surrounding areas of the project site to the north, east, south,
33 and west are all zoned Single-Family Residential 3. There are existing single-
34 family homes to the west, east, and empty lots to the north and south. No new
35 development is being proposed. The site is already developed. The proposed
36 Parcel Map is consistent with the City's development standards for lot size, lot
37 depth, and lot width within the R3 Zone. Public Notice was sent to all property
38 owners within 300 feet of the project on 1/12/2017. In addition a Public Hearing
39 Notice for the project was posted on the project site on 1/13/2017 and published
40 in the Press Enterprise Newspaper on 1/15/2017. Planning Staff has reviewed
41 the proposed project and determined that the item will not have a significant
42 impact on the environment and qualifies for an exemption under the provisions of
43 CEQA as a Class 15 Categorical Exemption, CEQA Guidelines Section 15315,
44 for Minor Land Divisions. Therefore, Staff recommends that the Planning
45 Commission certify that PEN16-0103 Tentative Parcel Map 37104 qualifies as an
46 exemption in accordance with CEQA Guidelines and approve PEN16-0103

1 Tentative Parcel Map 37104 subject to the Conditions of Approval. This
2 concludes Staff presentation. Thank you.

3
4 **CHAIR LOWELL** – Thank you, Mr. Diaz. Do we have any clarifications from
5 Staff or can we move? Okay, I would like to invite the Applicant up if they would
6 like to speak.

7
8 **APPLICANT DAVID KNELL** – Good evening. I am David Knell, the
9 representative for the owners. I just want to reiterate there is no new building
10 planned here. Sorry. Can you hear me now? Thank you. Thanks. Okay guys,
11 you heard it, and ladies. I just want to remind you that there is no new
12 development planned as Gabriel had stated. This action is strictly the result of a
13 title company issue. For years, the properties have been treated as two separate
14 lots. They have been conveyed separately. They have been taxed separately,
15 but it was not a legal subdivision. What we’re doing here is going through a
16 subdivision process to legally divide this into two parcels as it has always been
17 treated. Questions from the board?

18
19 **CHAIR LOWELL** – No. I don’t have any questions. Anybody have questions for
20 the Applicant? Commissioner Sims.

21
22 **COMMISSIONER SIMS** – Not a question. I just want to thank you for the
23 additional work. I know that came up in August on the issue about the septic
24 tanks and whatnot so I appreciate the additional effort you guys did.

25
26 **APPLICANT DAVID KNELL** – I had no knowledge of septic tanks before now,
27 but now I probably know too much.

28
29 **COMMISSIONER SIMS** – More than you ever wanted to know about them. The
30 only thing you really want to know is that they work.

31
32 **APPLICANT DAVID KNELL** – Yeah.

33
34 **CHAIR LOWELL** – Okay, anybody waiting to speak on this item?

35
36 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – No, we do not.

37
38 **CHAIR LOWELL** – Okay and, since we have a very full house, then I am just
39 double checking, being an abundance of caution, anybody wishing to speak on
40 this item, speak now or forever hold your piece. Going once, going
41 twice....Public Comments are opened. Public Comments are now closed. Okay,
42 thank you. Any Commissioner questions? Okay. Well, I appreciate the extra
43 work that has been put into this project. I know we had a couple of questions
44 pertaining to the septic tanks last time, and that was the only issue holding up the
45 vote on this item. With that said, I feel comfortable making a motion on this item.
46 I would like to make a motion to approve Resolution No. 2017-04 and thereby

1 certifying that PEN16-0103 (formerly PA16-0013) Tentative Parcel Map 37104
2 qualifies as an exemption in accordance with the California Environmental
3 Quality Act Guidelines, Section 15315, a Minor Land Division; and (#2) approve
4 PEN16-0103 (formerly PA16-0013) Tentative Parcel Map 137104 subject to the
5 Conditions of Approval included as Exhibit A to Resolution No. 2017-04. Does
6 anybody want to make a second? There we go. I have a motion, seconded by
7 Commissioner Sims. Please cast your votes. And Commissioner Gonzalez isn't
8 here. The motion passes 6-0 with no abstentions and no no's.

9
10
11 Opposed – 0

12
13
14 **Motion carries 6 – 0**

15
16
17 **CHAIR LOWELL** – Do we have a Staff wrap-up on this item?

18
19 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes. This is a subdivision, and it
20 is a decision of the Planning Commission that is appealable to City Council. If
21 any affected person would like to appeal this decision, they have 10 days to
22 appeal that decision through a letter to the Director of Community Development.
23 If we receive a letter, we will be coordinating through our City Clerk's Office to
24 schedule a hearing with the City Council within 30 days.

25
26 **CHAIR LOWELL** – Thank you very much, Mr. Sandzimier. That moves us onto
27 the next item on the Agenda, which is Case PEN16-0119, Plot Plan, and PEN16-
28 0120, Tentative Map 35429. The Case Planner, once again, is Mr. Gabriel Diaz.

- 29
- 30
- 31
- 32
- 33 2. Case: PEN16-0119 Plot Plan &
- 34 PEN16-0120 Tentative Tract Map 35429
- 35
- 36 Applicant: Creative Design Associates
- 37
- 38 Owner: ENR Resources, LLC.
- 39
- 40 Representative: Creative Design Associates
- 41
- 42 Location: Northwest corner of Alessandro Boulevard and Chara
- 43 Street
- 44
- 45 Case Planner: Gabriel Diaz
- 46

1 Council District: 3
2
3 Proposal: PEN16-0119 Plot Plan & PEN16-0120 Tentative Tract
4 Map 35429
5
6

7 **STAFF RECOMMENDATION**
8

9 Staff recommends that the Planning Commission APPROVE Resolution No.
10 2017-01 and Resolution No. 2017-02, and thereby:
11

- 12 1. **CERTIFY** that PEN16-0119 (PA13-0061) Plot Plan and PEN16-0120
13 (PA13-0062) Tentative Tract Map 35429 qualifies as an exemption in
14 accordance with California Environmental Quality Act Guidelines, Section
15 15332 (In-Fill Developments). The project is within the city limits, on a
16 project site of no more than five acres substantially surrounded by urban
17 uses, and consistent with all applicable general plan and zoning
18 designations; and
19
- 20 2. **APPROVE** Resolution No. 2017-01 and thereby APPROVE Plot Plan
21 PEN16-0119 (PA13-0061), subject to the attached conditions of approval
22 included as Exhibit B; and
23
- 24 3. **APPROVE** Resolution No. 2017-02 and thereby APPROVE Tentative
25 Tract Map PEN16-0020 (PA13-0062), subject to the attached conditions of
26 approval included as Exhibit B.
27
28

29 **SENIOR PLANNER GABRIEL DIAZ** – Thank you Chairman and
30 Commissioners. This project is located on the northwest corner of Alessandro
31 Boulevard and Chara Street. It is within Council District 3. The Zoning is R15-
32 Residential. The Applicant is Creative Design Associates, and the owner is ENR
33 Resources, LLC. The proposal is to develop 58 multi-family condominium units
34 with common open space on 4.8 acres. The site is relatively flat with no
35 buildings onsite. It has been routinely disked for weed abatement over the years.
36 There are some older trees and some tree stumps with older stock pilings of dirt.
37 Per the Municipal Code, a Conditional of Approval has been placed on the
38 project to ensure relocation or replacement of the existing trees. The project
39 does include a total of 22 buildings. There are 14 buildings with three units, and
40 there are eight buildings with two units. All units have three-bedroom floor plans.
41 Buildings are two stories in height all with enclosed garages. The two-story
42 buildings are set back a minimum of 57 feet from the east property line adjacent
43 to the single-family residential homes. The unit size ranges from 1,518 square
44 feet to 1656 square feet. The project is providing common open space on the
45 northern and southern portions of the site, and each unit meets the minimum
46 requirements of 150 square feet of private open space. Here is a map of the R15

1 Zoning for the project site. Here is the Tentative Tract Map. This project, as
2 designed and conditioned, conforms to all development standards of the R15
3 Zone and Design Guidelines. The design of the building includes a variety of
4 color and architectural features. Let me show you some of these buildings. This
5 is the conceptual grading of the units onsite. Here is what the product looks like
6 in black and white. Okay. There are some colored elevations. The design of the
7 buildings includes a variety of color and architectural features. The architectural
8 design include stucco exterior with architectural features around the windows and
9 entrances to the building to break up the massing and add focal points to the
10 building. Other features also include concrete roof tiles, wood trim and shutters,
11 wood siding, wood trellises, wrought iron guardrails, covered balconies, and
12 stone veneer. The building elevations along Alessandro Boulevard have been
13 enhanced to provide visual interest from the street view. This includes the
14 addition of stone veneer to the façade. The proposed wall along Alessandro
15 Boulevard is being upgraded also with a combination of tubular fence on top of a
16 decorative block wall. Surrounding the area, the site is bounded to the north by a
17 concrete storm channel and single-family homes zoned R5. The existing single-
18 family homes zoned R5 are located to the east. To the south of the site is
19 Alessandro Boulevard and a mobile home park zoned R15. To the west is
20 Moreno Valley Unified School District Offices zoned O for Office. Let me go back
21 to the Grading Plan. Access to the project site will be from two driveways located
22 on Timo Street and from Chara Street. Both driveways are located on the
23 Eastern Boundary of the project. There is no access from Alessandro Boulevard.
24 Timo Street currently dead-ends to the project and will now become a private cul-
25 de-sac at the property line, which leads to the internal circulation of the units.
26 The project, as designed, provides a total of 158 parking spaces including 116
27 garages and 42 open parking spaces for residents and guests. Based on the
28 Municipal Code, the project requires a total of 145 parking spaces of which 116
29 must be covered. The project, as designed, satisfies all parking requirements of
30 the City’s Municipal Code. Notification: A Public Hearing Notice for this project
31 was posted in the local newspaper on 1/15/2017. Public Notice was sent to all
32 properties within record of 300 feet on 1/12/2017. The Public Hearing Notice
33 was posted onsite on 1/13/2017. There was one call on the project, and there
34 were concerns with traffic on Timo. Obviously, currently, Timo is a dead-end
35 street and adding this project will increase the traffic on Timo, but no Traffic
36 Study was required for the project. Environmentally, Planning Staff has reviewed
37 the project and determined that the project qualifies for an exemption under
38 provisions of CEQA as a Class 32 Categorical Exemption, CEQA Guidelines
39 15332 for In-Fill Development projects. The project is within the city limits on a
40 project site of no more than five acres substantially surrounded by urban uses
41 and consistent with all applicable General Plan and Zoning Regulations.
42 Therefore, Staff recommendation is that the Planning Commission certify that
43 PEN16-0119, Plot Plan, and PEN16-0120, Tentative Parcel Map 35429, qualify
44 as an exemption in accordance with the California Environmental Quality Act
45 Guidelines Section 15332, In-Fill Developments; and approve Resolution No.
46 2017-01 and thereby approve Plot Plan PEN16-0119; and approve Resolution

1 No. 2017-02 and thereby approve Tentative Tract Map PEN16-0020 subject to
2 the attached Conditions of Approval. This concludes Staff presentation.

3
4 **CHAIR LOWELL** – Thank you, Mr. Diaz.

5
6 **SENIOR PLANNER GABRIEL DIAZ** – Thank you.

7
8 **CHAIR LOWELL** – Any clarifications from Staff? Vice Chair Barnes.

9
10 **VICE CHAIR BARNES** – I have a question. Did you say that the extension of
11 Timo was private?

12
13 **SENIOR PLANNER GABRIEL DIAZ** – Yes.

14
15 **VICE CHAIR BARNES** – Okay. The purpose of that is?

16
17 **SENIOR PLANNER GABRIEL DIAZ** – We do have Transportation here to talk
18 about that but.....

19
20 **VICE CHAIR BARNES** – Did we not want that to be public?

21
22 **SENIOR PLANNER GABRIEL DIAZ** – There is no fence or anything. It is open
23 but, yeah, the condominium would have to maintain the road.

24
25 **CHAIR LOWELL** – There is no perimeter fencing on the project?

26
27 **SENIOR PLANNER GABRIEL DIAZ** – Yeah, but it is not a private community.

28
29 **PLANNING OFFICIAL RICK SANDZIMIER** – If I could have our Land
30 Development Staff add some input on this, I would appreciate it.

31
32 **TRAFFIC ENGINEER MICHAEL LLOYD** – Good evening Commissioners,
33 Michael Lloyd with Land Development. To make it a little more clear, not to
34 contradict what Gabriel was saying, but the extension of Timo, the cul-de-sac,
35 there would be a public street so it would fall within public right-of-way and
36 ultimately the City would accept it for maintenance as long as it meets our
37 standards.

38
39 **VICE CHAIR BARNES** – Okay, very good. Thank you.

40
41 **CHAIR LOWELL** – Any other clarifications? Okay, I would like to invite the
42 Applicant up.

43
44 **APPLICANT ERIC CHEN** – Good evening Chairman, Vice Chair, and
45 Commissioners. My name is Eric Chen. This is my colleague, Rick Wang.
46 We're with Creative Design Associates, which is the design firm for the project.

1 We don't have much to add to the pretty complete report, but we're here to
2 answer any questions that you may have.

3
4 **CHAIR LOWELL** – If you don't have anything else, I appreciate it. Thank you.
5 Any questions for the Applicant before we go now? No? Okay, thank you very
6 much. It looks like we have a couple speakers ready to speak. Mr. Rafael
7 Brugueras followed by Ms. Rochelle Ruth.

8
9 **PLANNING OFFICIAL RICK SANDZIMIER** – You may just want to say we're
10 opening the Public Hearing and then, when it's done, closing the Public Hearing.

11
12 **CHAIR LOWELL** – I would like to open the Public Hearing. Rafael, please.

13
14 **SPEAKER RAFAEL BRUGUERAS** – Good evening once again Chair,
15 Commissioners, Staff, residents, and guests. I have made the Planning
16 Commission part of my life now as a retiree to make an effort to come to these
17 meetings to know what the City is bringing in and to help development and job
18 creation for our city and for those that want to work. Even if you're a retiree, if
19 you're not making ends meet, there are opportunities in this city to do that. This
20 is what I do. This is what I want to do until the day the lord calls me home.
21 That's my goal. My goal is to go through every case every month when the
22 Agenda comes out, so I'm talking to the residents now. This is to the residents. I
23 want you to sign up at morenovalley.org so you can get your Agendas 12 days in
24 advance so you can know what's going on for yourself and be your own human
25 being and know what's going on in the city without having to hear it from
26 someone else so you can be informed and educated like a lot of people are like
27 myself who become that. I go to these places to visualize what the developer is
28 trying to do for our city because they don't have to pick our city. They can go to
29 anywhere they want and invest their money, but we want to stop them in our city
30 so our city can have these empty lots, these big lands filled with houses, projects
31 of jobs, manufacturing jobs, places where people can live in Moreno Valley and
32 go work. I went to this place, and I couldn't believe it as I headed towards Perris
33 looking at where it was because I missed it so I had to go around and look for it.
34 And it was hiding behind the trees because it's behind the trees if you went and
35 looked. This is why I asked you to get the agenda, residents, so you can go for
36 yourself and look at the board because the agenda does not tell you the whole
37 story what's being built on these projects and how they profit the City of Moreno
38 Valley and the County because everybody makes a little income. The county
39 makes taxes, and we make revenues, and we have families that go to churches
40 and all these stores that are here in Moreno Valley. This is what we want to do.
41 We want to keep them in our city, okay? And that's how they become your
42 neighbors and friends. So I went to the site and, behold, I looked across the
43 street like Mr. Diaz mentioned, the mobile homes. I said that would be an
44 improvement for across the street for something that has been there for quite a
45 while. Then, I looked over to my left. I stood there, and I saw the School Board
46 Building. That needs an improvement with new site. See, this is not where

1 people are going to rent. This is where people are going to buy condominiums,
2 people that are going to live there and take care of it. This is why I support this
3 development to help District 3 in that area that needs improvement. And many of
4 you that live in District 3 ride down Alessandro Boulevard heading towards Perris
5 and you know what I mean.

6
7 **CHAIR LOWELL** – Thank you, Rafael. Thank you. Rochelle Ruth please.

8
9 **PLANNING OFFICIAL RICK SANDZIMIER** – I have asked our media folks to
10 keep the clock running up there but somehow it keeps switching off, but they are
11 using it.

12
13 **CHAIR LOWELL** – Three minutes.

14
15 **SPEAKER ROCHELLE RUTH** – I understand what he's speaking at. I stay on
16 Chara and Timo. My question is, I have no problem with them building, but my
17 problem is why are they having the entry on Timo? Why can't the entry of this
18 unit be on Alessandro? The community is a very good area over there, but is this
19 going to be a secured building that they are building? Is it going to
20 have....because my house is right in the back of where they are building. Are
21 they going to change our backyard fence to brick? I don't know what they are
22 bringing into the neighborhood as far as how many condos or whatever the case
23 may be, but I just think that's the wrong approach to have the entry of the
24 building that they are trying to build on Timo. It should be on Alessandro. So
25 that's my question of the people that are building. Where are they going to have
26 the entry? Why is the entry going to be on Timo? Why can't it be on
27 Alessandro? We have.....it's going to be too much traffic right there for our
28 community. You're talking about a lot of condos there. I have no problem with
29 them building and also the paper that you guys sent out to all the owners of the
30 homes over in that area. I can count how many people received this. I don't
31 think it's fair. I think everybody in that area that they are building these units,
32 they need this so they can come and have their input of what they are building
33 there. I have been there for 20 years, and I don't think it's fair for some people to
34 receive this letter and some did not receive this letter. So I have questions about
35 that. I have questions....are these...is this condo....are they going to be for rent,
36 for sale? What is that? I need, we need to know that in that area. I mean, it's
37 beautiful that they want to build but our concern.....we have a lot of concerns.
38 Thank you.

39
40 **CHAIR LOWELL** – Thank you very much, Ms. Ruth. Anybody else wishing to
41 speak on this item before I close the Public Comments? Going once, going
42 twice....okay Public Comments are closed. Would the Applicant like to respond
43 to anything they heard?

44
45 **APPLICANT ERIC CHEN** – Hi, yeah, I know...I think the question is regarding
46 Timo access. Actually, that is one of the things that the fire department requires

1 to access and actually Timo is not going to be the major access. Probably, most
2 of the people would still be coming from Alessandro. The thing that is good there
3 actually is good for the, I think the street, is that we're actually providing a
4 turnaround. If it were up to us, we actually prefer not to have anything there, but
5 I think it is good for the community to have the turnaround right there. And, also,
6 I know it sounds like a lot of units. Actually, the units that, I mean, the traffic
7 count that is generated by the residents is relatively low and, with the design, if
8 you.....truthfully, most of the people would go in and out from Alessandro, the
9 Chara Street, not the Timo.

10
11 **SPEAKER ROCHELLE RUTH** – No you don't live there. I've been living there
12 for 22 years. What I'm saying is Timo is four houses right there on Timo and
13 there is Alessandro, I mean Chara.

14
15 **APPLICANT ERIC CHEN** – Right.

16
17 **SPEAKER ROCHELLE RUTH** – So when you turn on Chara going to Timo,
18 there are only four homes right there. It is a very quiet area.

19
20 **CHAIR LOWELL** – Ma'am. You had your couple moments. We have your
21 questions. We will answer them for you.

22
23 **APPLICANT ERIC CHEN** – Okay, alright, I think that's it. Thank you.

24
25 **CHAIR LOWELL** – Thank you.

26
27 **COMMISSIONER SIMS** – There were additional questions that we would like to
28 have answered.

29
30 **CHAIR LOWELL** – I forgot your name. Could you come back up? We had a
31 question for you, Sir.

32
33 **APPLICANT ERIC CHEN** – Yes. Eric Chen is my name.

34
35 **CHAIR LOWELL** – Go ahead Mr. Sims.

36
37 **COMMISSIONER SIMS** – Thank you. So one of the other questions that came
38 up was are these units going to be rentals or are they going to be for sale?

39
40 **APPLICANT ERIC CHEN** – For sale.

41
42 **COMMISSIONER SIMS** – Okay. The other is what is going to be the perimeter
43 fencing treatment along the Easterly Boundary?

44
45 **APPLICANT ERIC CHEN** – We're proposing a six foot decorative block.
46

1 **CHAIR LOWELL** – Would that be sandwiched on top of the existing fence or
2 would the existing fences be removed and replaced?

3
4 **APPLICANT ERIC CHEN** – We probably could talk to the....we will build it so
5 we could talk to the neighbor if they are welcome to remove theirs.

6
7 **CHAIR LOWELL** – So a lot by lot basis?

8
9 **APPLICANT ERIC CHEN** – Yeah. Oh no, we will build.....

10
11 **CHAIR LOWELL** – As far as like coordinating with the various neighbors to get
12 theirs removed, but there will be a wall the entire length but.....

13
14 **APPLICANT ERIC CHEN** – Right, yeah.

15
16 **CHAIR LOWELL** – Okay, and I had a question for Staff. Anybody else for the
17 Applicant? Thank you, Mr. Chen. Sorry about that.

18
19 **APPLICANT ERIC CHEN** – Thank you.

20
21 **CHAIR LOWELL** – One of the other questions Ms. Ruth had was the
22 notifications. That has kind of been a question that I have had for a while. I think
23 that we should expand the notification radius. I know, currently, we're doing 300
24 feet.

25
26 **PLANNING OFFICIAL RICK SANDZIMIER** – We do 300 feet. That's by our
27 Municipal Code standard. That's pretty standard from agency to agency. If we
28 follow that rule, if we draw the 300 foot line, there is always going to be
29 somebody just outside of that 300 foot line, but at least we're being consistent
30 form project to project.

31
32 **CHAIR LOWELL** – Correct and what I was thinking of was, for future reference,
33 maybe talking to City Council about amending it to the notification radius being
34 specific to the size of the project. So, if you have a large project like we have
35 had in the past, the notification radius could be extended to 1000 feet or whatnot.
36 Or, if it is a little tiny monopalm, it could stay with the 300 foot radius. It is just
37 something to maybe bring up to City Council moving forward.

38
39 **PLANNING OFFICIAL RICK SANDZIMIER** – I'm happy to do that. I just also
40 want to point out that, in addition to the 300 foot notification, all of our Public
41 Notices are put in a newspaper of general circulation. We also go through the
42 effort to put the sign on the site. Most of that posting with the signs on the site
43 are very large so that people driving by are notified. Doing all three of those
44 notifications is above and beyond what the requirements are so I just wanted to
45 make sure you're aware of that.

1 **CHAIR LOWELL** – I completely agree, and I know that you guys do go above
2 and beyond as far as notification goes. But, as far as publishing in the
3 newspaper, I don't know how many people in this room actually get the
4 newspaper anymore so it's just something to look at moving forward.

5
6 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, just one last thing on this.
7 We have a fee schedule that is set up that we do a Nexus Study to figure out
8 what the cost of development processing is. The Applicant's do pay a fee for the
9 Public Noticing and for the posting of the signs, so there's a cost involved. If we
10 did increase the radius, that is something that would have to be addressed in the
11 fee resolution. So it's not just a simple change. There's lots of things that go
12 with it.

13
14 **CHAIR LOWELL** – I think it's at least worth a look.

15
16 **COMMISSIONER NICKEL** – Could I interject here? In the project that went up
17 behind my home, and you use the 300 foot, we only have 42 houses in that tract.
18 So only half the houses half way up my street got the notification, so it kind of
19 impacts that whole area so that's something else to consider.

20
21 **CHAIR LOWELL** – Vice Chair Sims, I'm sorry, Commissioner Sims.

22
23 **COMMISSIONER SIMS** – I've been demoted.

24
25 **CHAIR LOWELL** – He said he had a comment but I looked at Jeff so I was like
26 wait a minute.

27
28 **COMMISSIONER SIMS** – So I have a question of Staff on the...kind of to
29 address a little bit of this issue about access off of Alessandro because
30 somebody asked what is the street classification for Alessandro?

31
32 **CITY TRAFFIC ENGINEER ERIC LEWIS** – Good evening, Eric Lewis from City
33 Traffic Engineering. The street designation for Alessandro is a divided major
34 arterial.

35
36 **COMMISSIONER SIMS** – So in looking at the Tract Map, it is about 285 feet
37 frontage on Alessandro, so for City Design Standards, would it even be possible
38 to have another intersection off Alessandro within the lot frontage on...for this
39 property?

40
41 **CITY TRAFFIC ENGINEER ERIC LEWIS** – Per current Design Guidelines, no, it
42 would not be enough street frontage to accommodate another entrance based on
43 the street classification.

44
45 **COMMISSIONER SIMS** – Thank you.

46

1 **CHAIR LOWELL** – Now Vice Chair Barnes.

2
3 **VICE CHAIR BARNES** – That was also going to be my question whether
4 technically they could fit a driveway in and, per the Ordinance, they could not.
5 Regarding the mail-out issue, is it possible to publish the addresses that they get
6 sent to because I know there is a lot of confusion as to who gets and who
7 doesn't, but we never seem to know who was mailed notifications. If the list were
8 included, you know, a lot of people just throw out junk mail. It just goes in the
9 trash. So, if at least there was a record in the Project Report of what addresses
10 received it, then I think that would clarify for a lot of people.

11
12 **PLANNING OFFICIAL RICK SANDZIMIER** – I know that the Applicant's do
13 provide that information to us because we have to know who we're mailing it to.
14 We'll take a look at it in terms of what information we could send out. It may just
15 be the address. We want to be sensitive to the names of individuals and giving
16 out information.

17
18 **VICE CHAIR BARNES** – Right. I say strike the name and just identify the
19 properties that received the mail just so there is, at least, no confusion on who
20 got it and who did not get it.

21
22 **PLANNING OFFICIAL RICK SANDZIMIER** – We'd be happy to look into that.

23
24 **VICE CHAIR BARNES** – I think that would help in a lot of these cases.

25
26 **CHAIR LOWELL** – Any other questions or clarifications?

27
28 **VICE CHAIR BARNES** – Yeah, I actually have a couple of questions from the
29 conditions. P15, regarding landscaping in the median, says timing of the
30 installation shall be determined by Special Districts. That seems a little vague.
31 Can they just come back in three years and say okay you need to spend
32 \$100,000 and put in the landscaping or what's the point of that?

33
34 **SENIOR PLANNER GABRIEL DIAZ** – Yeah, this is just a standard Condition of
35 Approval, and it defers to Special Districts on the median. They are the ones that
36 would maintain it or have the design on the median.

37
38 **VICE CHAIR BARNES** – Well doesn't it seem a little burdensome on the
39 developer to have that hanging over them potentially for years? Shouldn't there
40 be some type of determination as to what drives that?

41
42 **SENIOR PLANNER GABRIEL DIAZ** – Yeah, it's prior to Grading Permits.

43
44 **VICE CHAIR BARNES** – Oh, okay. Well, they can't install it prior to Grading
45 Permits. That can't happen.

1 **CHAIR LOWELL** – No. It says prior to approval of the Grading Permits. The
2 plan should be submitted but installation is to be determined.

3
4 **VICE CHAIR BARNES** – Right. So my question is, is it appropriate that we
5 leave installation indeterminant time?
6

7 **CHAIR LOWELL** – Is the median landscape installation done by the Special
8 Districts or is it done by the developer?
9

10 **SENIOR PLANNER CHRIS ORMSBY** – Typically, it would be done by the
11 developer, but we’re going to have to get an answer from Land Development.
12

13 **CHAIR LOWELL** – Okay.
14

15 **VICE CHAIR BARNES** – I didn’t know it would be such a tough one.
16

17 **ASSOCIATE ENGINEER VINCE GIRON** – Yes, good evening, Commissioner
18 Barnes and fellow Commissioners. Vince Giron with the Land Development
19 Division. We do have in our conditions the requirement to construct the median.
20 I believe it is under LD59A. The requirement to construct the median is in Land
21 Development’s Conditions. All public improvements will be required to be
22 completed prior to the first occupancy. So we coordinate with the Special
23 Districts Division to have landscape plans submitted to them for review.
24

25 **PLANNING OFFICIAL RICK SANDZIMIER** – So the answer is it is not an
26 indefinite period of time because, before they are going to sign off and get CO’s,
27 all these improvements are going to have to be done so it’s going to be done
28 during the course of the project implementation, but it’s not specifically identified
29 until the other.....
30

31 **CHAIR LOWELL** – Your microphone is off.
32

33 **PLANNING OFFICIAL RICK SANDZIMIER** – The landscaping would be put in
34 prior to CO, but the requirement to look at the plans, what this condition is calling
35 for, is prior to the.....
36

37 **CHAIR LOWELL** – Grading Permit.
38

39 **PLANNING OFFICIAL RICK SANDZIMIER** – Grading Permit.
40

41 **VICE CHAIR BARNES** – Right.
42

43 **PLANNING OFFICIAL RICK SANDZIMIER** – So we’re looking at what the
44 landscape is going to be at an early stage, but the actual installation goes in....
45

46 **VICE CHAIR BARNES** – Prior to Certificate of Occupancy.

1
2 **PLANNING OFFICIAL RICK SANDZIMIER** – Prior to Certificate of Occupancy.

3
4 **VICE CHAIR BARNES** – And the condition just says they will be installed prior
5 to Certificate of Occupancy?

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – We can work on that modification.

8
9 **VICE CHAIR BARNES** – It just seems more appropriate. That was my only
10 question.

11
12 **CHAIR LOWELL** – Any other questions or clarifications? I don't see anybody
13 raising their hand. Would anybody like to make a motion?

14
15 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Chair, if it helps because I
16 know there are a lot of subparts to this, it is okay to just make a motion to
17 approve the Resolution. It's not required that you read what those resolutions do
18 on every one. You can, but it's not required.

19
20 **CHAIR LOWELL** – Nobody is chomping at the bit to make a motion. Let me get
21 to the right page on this one also. Oh, we have a motion.

22
23 **VICE CHAIR BARNES** – I make said motion.

24
25 **COMMISSIONER SIMS** – I'll second it. I'll second the motion.

26
27 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Is that a motion to approve
28 Resolutions 2017-01 and 2017-02?

29
30 **VICE CHAIR BARNES** – Yes.

31
32 **CHAIR LOWELL** – So we have a motion by Vice Chair Barnes and a second by
33 Commissioner Sims. All in favor, say yes. All opposed, cast your vote nay; any
34 abstentions. Commissioner Baker, and Carlos Ramirez is absent. So going
35 once, going twice.....the motion passes 6-0. Do we have any Staff wrap-up on
36 this item?

37
38
39 Opposed – 0

40
41
42 **Motion carries 6 – 0**

43
44
45 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes. There are two items that
46 you've approved with the two separate resolutions, one is the Tentative Map and

1 one is the Plot Plan. Both of those decisions are appealable to the City Council.
2 If any interested party wanted to appeal, there are two separate timeframes
3 though. I want to make it clear that, if anybody wants to appeal the action on the
4 Tentative Map, there is a 10-day appeal period. That appeal would be filed to the
5 Director of Community Development and, if such one is received, it will be
6 coordinated through the City Clerk for a Hearing within 30 days before the City
7 Council. If anybody is interested in appealing the Plot Plan, the appeal period is
8 15 days also submitted through a letter to the Director of Community
9 Development, and then we will coordinate with the City Clerk to have it on the
10 Agenda with the City Council within 30 days.

11
12 **CHAIR LOWELL** – Thank you very much. Sorry, I'm trying to get myself
13 organized up here. Okay, that moves us on....oh, I heard somebody say take a
14 break. Anybody want to take a break? Can we take a 5 minute break? What?
15 Just 5 minutes.

16
17
18 **BREAK**

19
20 **CHAIR LOWELL** – Okay welcome back ladies and gentlemen. Sorry about that
21 break. I would like to begin with the next item, which is Case PEN16-0092
22 (formerly PA16-0018) General Plan Amendment; PEN16-0093 (also PA16-0019)
23 Zone Change; PEN-0094 (PA14-0052), which is a Conditional Use Permit; and
24 finally PEN16-0095, which was also PA14-0052, Tentative Tract Map 36760.
25 The Applicant is Mission Pacific Land Company, and the Case Planner is Mr. Jeff
26 Bradshaw. Do we have a Staff Report on this item?
27
28
29

- 30 3. Case: PEN16-0092 (PA16-0018) - General Plan
- 31 Amendment
- 32 PEN16-0093 (PA16-0019) - Zone Change
- 33 PEN16-0094 (PA14-0052) - Conditional Use Permit
- 34 PEN16-0095 (PA14-0052) Tentative Tract Map 36760
- 35
- 36 Applicant: Mission Pacific Land Company
- 37
- 38 Owner: MPLC Legacy 75 Associates, LP.
- 39
- 40 Representative: Rick Engineering Company
- 41
- 42 Location: Southeast corner of Indian Street and Gentian
- 43 Avenue
- 44
- 45 Case Planner: Jeff Bradshaw
- 46

1 Council District: 4
2
3 Proposal: Legacy Park Project
4
5

6 **STAFF RECOMMENDATION**
7

8 Staff recommends that the Planning Commission:
9

- 10
11 1. **APPROVE** Resolution No. 2017-08 and thereby RECOMMEND that the City
12 Council:
- 13
 - 14 • **ADOPT** a Mitigated Negative Declaration for General Plan Amendment
15 application PEN16-0092, pursuant to California Environmental Quality
16 Act (CEQA) Guidelines; and
17
 - 18 • **APPROVE** General Plan Amendment application PEN16-0092 based
19 on the findings contained in this resolution, and as shown on the
20 attachment included as Exhibit A.
21
- 22
- 23 2. **APPROVE** Resolution No. 2017-09 and thereby RECOMMEND that the City
24 Council:
- 25
 - 26 • **ADOPT** a Mitigated Negative Declaration for Zone Change application
27 PEN16-0093, pursuant to the California Environmental Quality Act
28 (CEQA) Guidelines; and
29
 - 30 • **APPROVE** Zone Change application PEN16-0093 based on the
31 findings contained in this resolution, and as shown on the attachment
32 included as Exhibit A.
33
- 34
- 35 3. **APPROVE** Resolution No. 2017-10 and thereby RECOMMEND that the City
36 Council:
- 37
 - 38 • **ADOPT** a Mitigated Negative Declaration for Conditional Use Permit
39 application PEN16-0094, pursuant to the California Environmental
40 Quality Act (CEQA) Guidelines; and
41
 - 42 • **APPROVE** the Mitigated Monitoring and Reporting Program prepared
43 for Conditional Use Permit PEN16-0094 pursuant to the California
44 Environmental Quality Act (CEQA) Guidelines, included as Exhibit A;
45 and
46

Minutes Acceptance: Minutes of Jan 26, 2017 7:00 PM (APPROVAL OF MINUTES)

- 1 • **APPROVE** Conditional Use Permit application PEN16-0094 based on
2 the findings contained in this resolution, and subject to the attached
3 conditions of approval included as Exhibit A.

4
5
6 4. **APPROVE** Resolution No. 2017-11 and thereby RECOMMEND that the City
7 Council:

- 8
9 • **ADOPT** a Mitigated Negative Declaration for Tentative Tract Map
10 36760 (PEN16-0095), pursuant to the California Environmental Quality
11 Act (CEQA) Guidelines; and
- 12
13 • **APPROVE** the Mitigation Monitoring and Reporting Program prepared
14 for Tentative Tract Map 36760 (PEN16-0095) pursuant to the
15 California Environmental Quality Act (CEQA) Guidelines, included as
16 Exhibit A; and
- 17
18 • **APPROVE** Tentative Tract Map 36760 (PEN16-0095) based on the
19 findings contained in this resolution, and subject to the attached
20 conditions of approval included as Exhibit A.

21
22
23 **CASE PLANNER JEFF BRADSHAW** – Thank you. Good evening Chair Lowell
24 and Members of the Planning Commission. The Applicant has proposed a
25 project they refer to as the Legacy Park Project. The concept there would be to
26 develop 221 single-family residential lots in a Planned Unit Development on
27 approximately 53 acres located at the southeast corner of Gentian and Indian on
28 the west side of the California Aqueduct. The project, as presented, will require
29 legislative actions by the City Council in their adoption of a General Plan
30 Amendment and Zone Change in order to change the Land Use Designation for
31 the 15 acre portion of the project that’s located on the east side along the
32 Aqueduct. The proposal there would be to change from Residential 30 to
33 Residential 5 or R30 to R5. They are also seeking approval of a Tentative Tract
34 Map and a Conditional Use Permit to create a Planned Unit Development. The
35 Planned Unit Development would guide the neighborhood design, it would
36 establish or guide the lot configurations, create park and open space, and also
37 provide a set of design guidelines for the project. As you noticed, Chair Lowell,
38 the project has two sets of case numbers. The project has been around long
39 enough that it is being tracked under two systems. Ultimately, when the project
40 is approved, we will referring to the PEN numbers as the case numbers for this
41 project.

42
43 **CHAIR LOWELL** – And, for clarification, the PEN stands for Planning
44 Entitlement Number? I’m getting a nod.

45
46 **SENIOR PLANNER CHRIS ORMSBY** – That is correct, yes.

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CASE PLANNER JEFF BRADSHAW – I have also learned something new then. I didn't know what that was. The design of the project includes some park amenities and so consistent with General Plan Policies, our City's Master Plan of Trails and Master Plan of Parks. The project will do two things. One will be to complete the segment of the Juan Bautista de Anza Trail, which is a trail system within the California Aqueduct. That will be constructed by the developer and then conveyed to the City for maintenance. The project is also responsible for constructing and conveying to the City a 2.8 acre size park, a public park, with amenities that would include play equipment, a picnic shelter, a gazebo, barbecues, picnic tables, benches, concrete walkways, and a decomposed granite walking path through the park. The public park is located on the south property line of the project site immediately adjacent to some ball fields that were developed on the middle school site in cooperation with the City. The Planned Unit Development for this project will establish minimum lot sizes of 4000 and 5000 square feet based on the layout and lot mix of the two conceptual lot sizes. The average lot size for the whole project would be approximately 5800 square feet. The Design Guidelines for the project, as proposed, would provide site development standards. It was establish architectural styles for the future residential development that would occur there, and they would also provide criteria for community walls, fences, landscape, some of the hardscape elements, and also identify the common amenities within the project, which includes some passive recreation areas, pocket parks, and pathways and paseos within the project. An initial study was prepared for this project to examine the potential of this project to have impacts on the environment. The study provides information in support of and also findings for a Mitigated Negative Declaration for this project. The result of that initial study is that the project will not have a significant effect on the environment with the implementation of mitigation. The technical studies prepared for this project included an Air Quality Study, Greenhouse Gas Analysis, Traffic Study, Cultural Resource Assessment, a Biological Assessment, preliminary studies for both hydrology and water quality, and geotechnical studies. Based on the findings of those technical studies that were prepared, it was determined mitigation for this project would be necessary for the categories of biological resources and traffic to reduce impacts to a less than significant level. There were no other categories in that checklist that required mitigation. A Mitigation Monitoring Program was prepared for the project. That's attached in the Staff Report as Attachment 8. It's also attached to the resolutions for both the Conditional Use Permit and the Map. There are additional Conditions of Approval that have been incorporated into that monitoring program to ensure compliance of this project with General Plan Policies, and those Mitigation Measures relate to noise and cultural resources. Public Notice for this project was provided in the newspaper 20 days in advance of the meeting to allow for comment on the Mitigated Negative Declaration. Notice was also sent to all property owners within 300 feet of the property, and the site was posted for the hearing. As of this evening, Staff has received no phone calls or inquiries in response to the noticing efforts of the City. Before you,

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1 you should have a memo that is specific to this project. After the Staff Report
2 was prepared, we had an opportunity to work with the Applicant to discuss the
3 Conditions of Approval, and there were a number of conditions that Staff felt
4 would be appropriate to modify. Those modified conditions are referenced within
5 that memo including modification to one of the Mitigation Measures and so Staff's
6 recommendation would be to approve the project implementing those revised or
7 modified Conditions of Approval. There is quite a bit of detail related to this
8 project, but I know the Agenda is a full Agenda so I was trying to keep my
9 presentation brief. If there are any details of the project that you would like me to
10 revisit, I'd be happy to answer any questions for you. With that, Staff would
11 recommend approval of the project with consideration given to those revised
12 Conditions of Approval.

13
14 **CHAIR LOWELL** – Thank you, I had.....

15
16 **PLANNING OFFICIAL RICK SANDZIMIER** – Just for clarification, Jeff
17 mentioned a memo that was put on your dais. It is the salmon colored one. We
18 put a lot of information in your dais this evening, so I just wanted to make sure
19 you understood that one. The other ones are for the next item. Those are in
20 white.

21
22 **CHAIR LOWELL** – I didn't see it in the packet, but the California Aqueduct runs
23 right next to this project and to the neighboring parcel. Is there any plans.....or
24 are there any plans to make the California Aqueduct a trail throughout the City?

25
26 **CASE PLANNER JEFF BRADSHAW** – Yes. That is part of our Master Plan of
27 Trails and so.....

28
29 **CHAIR LOWELL** – I didn't....I guess what I was going for was in the conditions,
30 I didn't see any condition saying they would have to improve a portion of that.

31
32 **CASE PLANNER JEFF BRADSHAW** – It's in the Park Conditions. So a key
33 element of this project is their responsibility for completing those improvements.

34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – If I could, I will just take the liberty
36 to ask Eric Lewis to give a little bit more information about the Juan Bautista
37 Trail. It is a very nice jewel within the community. It's being worked on, and
38 we've got some recent grants. If Eric could just touch on that for a second.

39
40 **CITY TRAFFIC ENGINEER ERIC LEWIS** – The Juan Bautista Trail,
41 approximately seven miles, is currently being looked at for its 35% plans for the
42 alignment of the entire segment. We've also received two grants totaling four
43 million dollars for the Active Transportation Program to build certain segments,
44 and we're just kind of building a segment at a time until it's completed. It is one
45 of the initiatives by the City Council contained in Momentum Moreno Valley to
46 build the entire segment say within three years.

1
2 **CHAIR LOWELL** – Thank you very much.

3
4 **CITY TRAFFIC ENGINEER ERIC LEWIS** – Thank you.

5
6 **CHAIR LOWELL** – I'd like to, unless we have any questions or clarifications for
7 Staff, I would like to invite the Applicant up.

8
9 **APPLICANT JASON KELLER** – Good evening Commissioner, City Staff, and
10 guests. My name is Jason Keller with Mission Pacific Land Company, the project
11 applicant. Jeff did a great job of giving you the details and the background of the
12 project. I just have a few items I would like to elaborate on and just some key
13 points. Jeff mentioned we're proposing 221 lots as part of a PUD development.
14 We're looking at having two different neighborhood types, or two different product
15 types within that, which are the 5000 square foot lots and the 4000 square foot
16 lots; 145 of the 5000 and 46 of the 4000. Our process to determine this land
17 plan, we considered the adjacent land uses and lot sizes around the project.
18 Namely, to the north, we have a project that is under, not us. We sold a project
19 to a builder that's under construction. Those lots are 7200 square feet. To the
20 west, there are existing residential communities that are between 4500 and 5000
21 square foot lot sizes. And then, to the south, we have the March Middle School
22 and other R30 future developments. And then, to the east, there is the approved
23 commercial site that is adjacent to the Aqueduct. With the proposed lot sizes of
24 4000 and 5000 square foot lots, we were looking at trying to create a diversity in
25 housing product while providing a logical transition of land uses being adjacent to
26 the higher intensity uses. Namely, the commercial site to the east and the R30
27 future developments to the south. Jeff mentioned some of the park amenities
28 that I proposed as part of our plan. I'll just briefly kind of go over a couple of
29 those. The 2.8 acre neighborhood park, we worked very closely with Parks
30 Department in coming up with the amenities and design for that at least at this
31 conceptual level. The 3.5 acre Aqueduct Trail, which you just heard a lot about,
32 this will be a very nice amenity and also will be a nice buffer between our
33 proposed residential development and the commercial site to the east. Adjacent
34 to that, and that'll be integrated as part of the use, will be the 0.85 acre fitness
35 park that will have direct access from the Aqueduct Trail and be a benefit and be
36 able to be a good use that ties in. In addition to that, within the internal part of
37 our project, we have seven open space lots that'll be utilized for passive park
38 uses, paseo path connections that integrates to the DWR or Aqueduct Trail and
39 other areas for enhanced landscaping and entry monumentation. Those seven
40 open space parcels total roughly just under one acre. Some other amenity
41 features that we are offering that are not necessarily open space or park, we
42 looked at trying to create some different esthetic feels and looks within the street
43 sections. We have enhanced parkway landscaping that we're proposing on two
44 of the major roads within the development, streets D and L. By enhanced
45 landscaping, I mean a larger or wider landscaped section adjacent to the curb
46 rather than behind sidewalk so it kind of creates a break between the curb and

1 the sidewalk, and it's wider so it will have an opportunity to do more landscaping
2 within that area. L Street provides.....I'm sorry, back to D. Street. With the
3 enhanced landscaping there, we're trying to promote a path of travel that extends
4 from the southwest corner of the project at Indian. D Street kind of runs north
5 and then east through the project and then extends to the paseos so it provides a
6 nice connection to the Aqueduct Trail and the Fitness Park. So, with that wider
7 section on that side of the street, it will promote a path of travel central to the
8 project. Similarly, on L Street, we're doing similar expanded curb adjacent
9 parkway landscaping on both sides of the street to create an entry statement and
10 an enhanced look the full length of the street and that would be the north/south
11 street central to the project. To add to the enhanced look of the residential
12 collector at L Street, we have utilized decorative paving at crosswalks and one
13 raised crosswalk with decorative paving. These raised crosswalks, or the raised
14 crosswalk and the decorative pavement will have contrasting colors to the dark
15 asphalt. This will provide a traffic calming effect and to discourage speeding and
16 to create a visual impact alerting drivers to pedestrian crossings. And then, just
17 as a general overlay, we had the PUD Design Guidelines that provided
18 architectural guidelines to promote a high standard of neighborhood design in
19 architectural quality. That's about all I have for you for now. I've got a couple of
20 members from our consultant team here, so I'll be happy to answer any
21 questions you guys may have. Thank you.

22
23 **CHAIR LOWELL** – Thank you, Sir. Any questions for the Applicant before he
24 sits down? I don't see anybody chomping at the bit. Thank you very much. I
25 only see one speaker. Is that accurate?

26
27 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Yes it is.

28
29 **CHAIR LOWELL** – Okay, I'd like to open the Public Comments portion of this
30 item. This is going to be the last call for anybody wanting to speak on this item.
31 Okay, with that said, we have one speaker, Mr. Rafael Brugueras.

32
33 **SPEAKER RAFAEL BRUGUERAS** – Good evening Chair, Commissioners,
34 Staff, residents, and guests. Once again, like I said in the last case, that I make
35 an effort to go to each one of these places and stand.....no. I get out, I go to the
36 places, and I get out of my truck. I just don't drive by. I get out and look and step
37 on the dirt so you can see the mud on my feet. I do my job to make sure that
38 whatever we put in this city does not harm the residents of Moreno Valley. That
39 is my first priority and that includes your sons and daughters and your grandkids.
40 That's important to me because I have a granddaughter, and I look after her very
41 well so I make an effort. So, as I started down the street, down Indian heading
42 towards the project, I saw the school. I said uh-oh. What are they going to do on
43 this big corner? Because that's important to know what they are going to put
44 next to a school. So I drove into the block and I couldn't find the sign, so I made
45 my left down the street and I winded up on Heacock. And I said well I must of
46 missed it because I'm looking for a small parcel, and I didn't realize it was a 53

1 acre lot or acreage what they wanted to build on. Then, right next to the land,
2 there was already development going on. And I said, oh, oh, what are they going
3 to build there? Because I finally got to the sign, and I read everything that the
4 Applicant mentioned. See, this is what's good about going to the site. This is
5 what's good about going to the Agenda, to the packet yourself, so you can read
6 for yourself what's going on and what they are bringing to our city so you can
7 make an adult decision and an honest one to yourself first. This is what I keep
8 telling the city to do, the residents. Go out for yourself. Don't allow others to
9 speak for you. Don't do that because you'll miss the opportunity to see how your
10 city can grow. I got out, and I saw the 221 houses and, I said to myself, let me
11 go to the other side and find out what they are doing. And I spoke to the, I guess
12 the general manager that's inside the little trailer, and I got a chance to talk to
13 John. He told me they are going to build another 140 houses, and I said that's
14 wonderful because that'll accommodate the school, the new Walmart that they
15 are building right next to it, and the houses next door. But, residents, I want you
16 to think about this, 4000 and 5000 square foot lots. I want you to remember
17 those two numbers because they are going to be important in the next case,
18 4000 and 5000. Because some people are telling you something wrong about
19 the next case.
20

21 **CHAIR LOWELL** – Thank you, Mr. Brugueras. Last and final call for speakers.
22 Anybody want to speak on this item? Nope? Going once, going twice.....Public
23 Comments are closed. Thank you very much. Mr. Keller, would you like to
24 respond to anything you've heard so far? No? Okay, thank you. Questions or
25 comments before we move to motions?
26

27 **COMMISSIONER NICKEL** – Yes.
28

29 **CHAIR LOWELL** – Commissioner Nickel.
30

31 **COMMISSIONER NICKEL** – I have questions that should probably go to Eric.
32 The way I'm seeing this, it looks like on the California Aqueduct, that they are
33 doing like little feeders that go directly into that commercial property or so that
34 there won't be fencing on that side, on the Walmart side.
35

36 **CASE PLANNER JEFF BRADSHAW** – If I could, I'll respond to that.
37

38 **COMMISSIONER NICKEL** – Okay, whichever one.
39

40 **CASE PLANNER JEFF BRADSHAW** – There will be fencing along the Walmart
41 site, except for those instances where there is a dedicated connection into the
42 trail.
43

44 **COMMISSIONER NICKEL** – Okay, so can you give me an idea of like how
45 many? Is it just one?
46

1 **CASE PLANNER JEFF BRADSHAW** – That I recall. There is an opening that’s
2 in alignment with the storefront where the future Walmart building would go so it
3 lines up with that sidewalk access across the front of the store, and I believe
4 there is a second point of access to the south near Santiago.

5
6 **COMMISSIONER NICKEL** – So that would be lot 172, 173, and 174 is where
7 that connector is, right? Okay. My other concern is, is Santiago being
8 considered to be added to the Master Bikeway Circulation Map? Gentian is on
9 the Bikeway Map that I have but, with the school site, that public park there, what
10 type of action is going to be taken on increasing circulation for bikes from the
11 Aqueduct through the park?

12
13 **CITY TRAFFIC ENGINEER ERIC LEWIS** – Again, Eric Lewis, City Traffic
14 Engineer. Santiago would function as a Class 3 bike route. It’s basically a two-
15 lane roadway.

16
17 **COMMISSIONER NICKEL** – Thank you. I appreciate it.

18
19 **CHAIR LOWELL** – Commissioner Baker.

20
21 **COMMISSIONER BAKER** – I have one other question that kind of piggybacks
22 on that. I assume that trail is going to get extended with that property to the north
23 they are developing now. Is that correct?

24
25 **CASE PLANNER JEFF BRADSHAW** – Yes. Jeff Bradshaw with Planning.
26 That is correct. When tract 22180 to the north is developed, they are responsible
27 for completing those segments of the trail.

28
29 **COMMISSIONER BAKER** – Okay, very good. Thank you.

30
31 **CHAIR LOWELL** – Vice Chair Barnes.

32
33 **VICE CHAIR BARNES** – I have a question on the street section on Indian.
34 There’s a 10 foot landscape easement along the median that is outside the wall.
35 That property is privately owned, but it is not usable by the residents, correct?

36
37 **CASE PLANNER JEFF BRADSHAW** – Correct. It would be considered reverse
38 frontage parkway and so it’ll be developed, planted, initially by the Applicant, by
39 the developer, to city standard. And then with an easement over that area to
40 allow city access for maintenance through Special Districts.

41
42 **VICE CHAIR BARNES** – Alright. Why does the....why do the residents have to
43 pay that yet have no access or use of it? Can’t that be part of the right-of-way on
44 Indian? What functionally is the difference? Alright, my question was, the 10
45 foot easement along Indian Avenue that is privately owned but outside the wall,

1 what's the goal of having that privately owned but not useable by the owners of
2 the internal lot?

3
4 **CASE PLANNER JEFF BRADSHAW** – Well the....I'll ask maybe Public Works
5 to respond to the right-of-way portion of that question.

6
7 **TRAFFIC ENGINEER MICHAEL LLOYD** – Michael Lloyd with Land
8 Development again. Good evening Chair and Commissioners. With regards to
9 the right-of-way aspect, our General Plan dictates what our right-of-way widths
10 are. So, in this case, Indian Street is classified as a minor arterial. On the half-
11 width section from center line to right-of-way, it is 44 feet. So, anything above
12 and beyond that, we have to work a separate instrument, which is why we handle
13 it through the easement so that Special Districts has the opportunity to go in and
14 maintain it. So, from a purely right-of-way classification that you're eluding to, we
15 have to abide by the General Plan. And, like I mentioned, the classification is
16 minor arterial. Does that provide any clarity or?

17
18 **VICE CHAIR BARNES** – Some. I guess my concern is those people are paying
19 taxes on property that is outside their wall.

20
21 **CASE PLANNER JEFF BRADSHAW** – They are, but the intent I think is to
22 satisfy other sections of our General Plan in that their homes are backing to a
23 roadway, and the intent is to provide some passing space as a buffer between
24 the back, the rear of those homes, and provide an esthetic element to the project.
25 And so the placement of the wall is such that there is space or room for that
26 landscape to be planted and established.

27
28 **VICE CHAIR BARNES** – Well I can appreciate the desire for the buffer, it just
29 doesn't seem that those people should be singled out to pay for it.

30
31 **CASE PLANNER JEFF BRADSHAW** – This is a standard throughout the City,
32 so anywhere you see reverse frontage parkway, you're going to see that same
33 implementation of an easement area outside of the right-of-way in that buffering
34 landscape.

35
36 **VICE CHAIR BARNES** – Right. I don't agree with those either.

37
38 **CASE PLANNER JEFF BRADSHAW** – Understood.

39
40 **CHAIR LOWELL** – I guess what he was trying to go for is, is there another
41 mechanism of taking that land away from the owners, configuring it into a single
42 lot, and dedicating it to the City of the HOA with an easement over it?

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, to go along with Michael
45 Lloyd. He spelled it out pretty clearly but just, from a Planning standpoint, in
46 order for the City to acquire right-of-way you have to make a finding, a 65402

1 determination out of the Government Code. And your acquisition of the property
2 has to be consistent with the General Plan. If our General Plan does not dictate
3 that we want that on a right-of-way for the road, then we have to come up with
4 the other instrument that Michael has outlined. That would be one of the other
5 challenges so I don't know if that helps or not, but there are some requirements
6 in terms of the way cities can acquire property.

7
8 **VICE CHAIR BARNES** – So the answer is we can't solve the problem so.....I'm
9 being sarcastic. I apologize.

10
11 **CASE PLANNER JEFF BRADSHAW** – The other option is the HOA
12 maintaining ownership of that area, and those fees would still go back to those
13 property owners through.....

14
15 **CHAIR LOWELL** – Yeah, but it would be diversified over the entire tract versus
16 the few neighbors on the street.

17
18 **VICE CHAIR BARNES** – That seems a preferable compromise, although not the
19 best.

20
21 **PLANNING OFFICIAL RICK SANDZIMIER** – Our Land Development Staff has
22 a little bit more input.

23
24 **ASSOCIATE ENGINEER VINCE GIRON** – Yeah, good evening Commissioners.
25 It would have to be verified, but typically when an easement is dedicated to the
26 public, or the City in this case, that portion or that area that is dedicated to the
27 public is not rolled into the square footage or the acreage on the tax bill. I would
28 have to verify it for this landscape easement but typically the county or the
29 assessor realizes that the burden is the owners. It is very similar to how this map
30 or all maps dedicate streets. All the lots are dedicated. They are essentially
31 easements that are dedicated to the City. The underlying properties go out to the
32 center line of the street. However, the county or the assessors recognize this as
33 an owner's easement, if you will, on the properties and they do not include that
34 right-of-way or easement in this case as part of the assessment that's collected.
35 The landscaping for that, or actually I should say the assessment for the
36 landscaped area is collected via a different vehicle mechanism. It is through our
37 Special Districts balloting that just those property owners would be assessed
38 those fees in that tract.

39
40 **VICE CHAIR BARNES** – So you're saying the assessors provided the net
41 acreage when he calculates the tax not the gross?

42
43 **ASSOCIATE ENGINEER VINCE GIRON** – That's correct.

44
45 **VICE CHAIR BARNES** – Okay.
46

1 **ASSOCIATE ENGINEER VINCE GIRON** – And, once again, I would verify....I
2 would go....we could look into it and see if this is true for this landscape
3 easement.

4
5 **VICE CHAIR BARNES** – Well it's an issue to me and, if it's an amenity to the
6 tract, I'd prefer as a compromise that the cost be distributed amongst all the
7 property owners and not just the ones that are giving up the property.

8
9 **ASSOCIATE ENGINEER VINCE GIRON** – At this time, no.

10
11 **CHAIR LOWELL** – Does anybody else have any questions or comments?

12
13 **PLANNING OFFICIAL RICK SANDZIMIER** – I did want to interject a little bit. In
14 the Staff Report, you may have noticed that the Staff did provide a little
15 discussion about the fencing around the park site. We have worked with our
16 Community Service Staff, and I think Jason did a nice job outlining all the
17 amenities of the development. What we're trying to achieve in the development,
18 is kind of an open feel. The fencing requirement that is put around the park right
19 now is at four feet. It provides some security or maybe some safety benefits, but
20 we're looking into what I call CPTED Principles, crime prevention through
21 environmental design. We're going to be hopefully getting some training on that
22 in the near future and, what we're looking for is the other techniques to still
23 achieve what we're trying to do with that fencing around the parks. We'll still get
24 the security, but maybe it could provide some additional openness. I only
25 mention that now because we do have a condition that talks about a four-foot
26 fence but, if time was to go by before this development relearned other
27 techniques, I just want to ask the Commission, do you think there's enough
28 flexibility in that condition that, if we came up with an alternate design and still
29 achieve that same security or safety objective but without a fence? Maybe it was
30 to berm it. Maybe it was to do some landscaping or something else, and we
31 could work with the developer when they are getting closer to the construction
32 phase. We just think that might be a better fit. The cost of the fence right now is
33 something that the developer has to incur but, if they don't have to incur that sort
34 of a cost, maybe it could be spent on some other type of amenity or eliminated
35 altogether. So I just wanted to see if you had any thoughts or input on that?

36
37 **CHAIR LOWELL** – Can I ask you which specific condition you're talking about?

38
39 **PLANNING OFFICIAL RICK SANDZIMIER** – Do you remember the condition
40 for the fence? While he's looking for that, I hope you're noticing that the last
41 project, and this project, and we are still to have one more project in front of you.
42 Staff has been working very hard to make sure that we give you some really
43 good quality developments, and we're trying to work with these applicants.
44 Jason and his team have been very good working with us. It has taken a little bit
45 of time but, to come up with the treatment that they are looking along those two

1 streets, we think those are going to be a real improvement to these kind of
2 communities so.

3
4 **COMMISSIONER BAKER** – I got one question on here.

5
6 **PLANNING OFFICIAL RICK SANDZIMIER** – PCS1A is the condition.

7
8 **CHAIR LOWELL** – Once again.

9
10 **PLANNING OFFICIAL RICK SANDZIMIER** – PCS1A, and it's on page 390 of
11 your packet.

12
13 **VICE CHAIR BARNES** – Which portion are you saying?

14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – On page 390 of your packet.....

16
17 **VICE CHAIR BARNES** – Right.

18
19 **PLANNING OFFICIAL RICK SANDZIMIER** – It's the bottom paragraph,
20 paragraph E. It's close to the bottom. The last four lines of that. It talks about a
21 four-foot high tall wall. The Applicant is not objecting tonight. We've worked with
22 them. We've worked with the Community Services Staff. I'm just pointing it out
23 that that's the best we've come up with so far to kind of lead our interest, but we
24 think there still may be some room as the project gets into design.

25
26 **CHAIR LOWELL** – Why four foot? Aren't most security fences six foot?

27
28 **PLANNING OFFICIAL RICK SANDZIMIER** – It's kind of a compromise. What
29 we're trying to do is, if we put a six foot fence around that park, it then becomes
30 less inviting and the openness of the development and all the walking elements
31 that we're trying to get connection to the Aqueduct Trail we're trying to get this
32 ability for the homeowners to kind of walk around and feel like their in a
33 neighborhood. It's also right adjacent to the school site, which is not showing up
34 on the map right here, but the intersection Santiago and Emma Lane is a school
35 site so you've got this open feeling happening, and we didn't want there to be just
36 this six foot fence around this what we hope is going to be a really nice amenity
37 in the development so four foot was the kind of compromise.

38
39 **VICE CHAIR BARNES** – So it's a security issue?

40
41 **PLANNING OFFICIAL RICK SANDZIMIER** – It's a security issue. Tony is
42 here.....

43
44 **VICE CHAIR BARNES** – That's driving the fence?
45

1 **PLANNING OFFICIAL RICK SANDZIMIER** – He might be able to add some to
2 it.

3
4 **CHAIR LOWELL** – A four-foot fence doesn't really secure anything. The people
5 that would be hooligans in the park wouldn't really be mindful of a four-foot fence.
6 They would just hop over it. The people that would be mindful wouldn't do
7 anything anyways.

8
9 **PLANNING OFFICIAL RICK SANDZIMIER** – So we recognize that. That's
10 why.....

11
12 **CHAIR LOWELL** – That's who'd be going there are midnight to spray paint it.

13
14 **PLANNING OFFICIAL RICK SANDZIMIER** – That's why we pointed it out, but
15 we're working on trying to figure out what to do.

16
17 **CHAIR LOWELL** – The honest citizens that wouldn't do anything nefarious
18 would respect the four-foot fence, but the people that would do nefarious things
19 wouldn't care about a four-foot fence.

20
21 **PLANNING OFFICIAL RICK SANDZIMIER** – The other benefit of a fence, and
22 Tony probably has much more expertise than this but, if you see on there, there
23 is kind of a layout for a soccer field. There is enough room there for maybe a
24 pickup game. The four-foot fence actually kind of keeps the balls from going in to
25 the street and keeps small children from going out, and it still feels open. There's
26 some benefits. That's what we were thinking through, but I just wanted to point it
27 out just to try and get some kind of feedback from you guys.

28
29 **CHAIR LOWELL** – There's a park up off Sunnymead Ranch area that was wide
30 open and just recently was fenced in I would say about a year or so ago. And I
31 think the intent was to keep the burros out of the grass, but it looks like a prison.
32 It's just a six-foot tall wrought iron black fence. It's just uninviting. It cuts off the
33 walkway so you can't walk completely in a circle. You have to actually leave the
34 park to go on the walkway and back, and so I would commend any efforts you
35 could do to revise the fencing issues. And I think four foot, although isn't going to
36 keep the criminals out that are going to do horrible things, but I think it's a good
37 start to secure it for kids and soccer games and whatnot so, as long as it is
38 somewhat open, I am okay with it. Commissioner Sims.

39
40 **COMMISSIONER SIMS** – Doesn't the school that's directly to the south going to
41 have a six-foot fence around it to begin with so isn't the park going to be, by
42 definition, fenced on the south side? And I guess my followup question would be
43 is how many of the parks within the city are actually fenced? It almost seems a
44 little counterintuitive. I thought parks were for everybody to use. I mean there is
45 a security issue parks. If you fence them, they are really not accessible to the
46 public.

1
2 **COMMISSIONER NICKEL** – The one next to Moreno Valley High School, it's
3 fenced where all the soccer fields are.

4
5 **CHAIR LOWELL** – Like I said, I think anything you can do to help secure parks
6 would be great. I live by a park that doesn't have fencing, and it is tagged
7 regularly. People are trying to light the play structures on fire. They are
8 destroying things. A fence would be welcome in that situation but, then again, it's
9 uninviting. So you're kind of, it's a catch 22. You're stuck either way you go.

10
11 **PLANNING OFFICIAL RICK SANDZIMIER** – And that's why we're trying to
12 invite....we have a professional consultant that we're looking at bringing in to kind
13 of start identifying some different techniques maybe it's through, like I said,
14 landscaping. Maybe it's lighting. Maybe it's just different orientation. We're also,
15 in our Momentum Moreno Valley Strategic Plan, we've identified an initiative in
16 there to actually engage the public. So, at some point in the next year or year-
17 and-a-half, we hope to actually have a session with the residents to talk about
18 things like maintenance or eyes on the street or neighborhood watch. Different
19 things to kind of maybe start to deter some of that activity that's been happening
20 where people take better ownership of their neighborhoods and parks because
21 we want them to be open and beautiful.

22
23 **CHAIR LOWELL** – And you said that we're in process of hiring professional
24 consultants? Is that consultant here?

25
26 **PLANNING OFFICIAL RICK SANDZIMIER** – That consultant is not here, no. In
27 our Strategic Plan, the Momentum Moreno Valley, it identifies one initiative for
28 bringing in a training for our professional staff and then there's another initiative
29 kind of geared towards helping do some of that training for the neighborhood, for
30 the community.

31
32 **CHAIR LOWELL** – Do we want to add any kind of language to Condition
33 PCS1A that says the four-foot tall fencing or approved equivalent by the City or
34 some sort of flexibility that should the plans change, or the standards change, to
35 come up with a better solution before this project gets constructed. We have a
36 little flexibility to implement that new standard.

37
38 **PLANNING OFFICIAL RICK SANDZIMIER** – I think your suggested language
39 or equivalent actually provides that flexibility.

40
41 **CHAIR LOWELL** – Or City-approved equivalents. Something along those lines.

42
43 **PLANNING OFFICIAL RICK SANDZIMIER** – I'm just saying or equivalent. I
44 think.....
45

1 **CHAIR LOWELL** – Well equivalent could be that they so, oh this is our
2 equivalent, but it gives you the onus of saying yes or no.

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – City-approved equivalent. That
5 helps. Thank you.

6
7 **CHAIR LOWELL** – Any other questions or comments? Commissioner Baker.

8
9 **COMMISSIONER BAKER** – On this, for Traffic Engineering, on this salmon
10 sheet, you’ve got where Indian and Cactus they’ve got an assessment of 12,586
11 at that intersection. How did we come about that? I’m all for it. I just kind of
12 wondered how that was calculated?

13
14 **CITY TRAFFIC ENGINEER ERIC LEWIS** – It’s a fair share contribution to
15 improvements, so it’s a percentage of traffic that’s added to it and so, the
16 improvements that are needed to mitigate it, they pay a fair share. So there’s a
17 standard formula for calculating it.

18
19 **COMMISSIONER BAKER** – And the tract north of there is paying their fair share
20 too, right? I assume. That one that’s under construction north of this one?

21
22 **CITY TRAFFIC ENGINEER ERIC LEWIS** – I couldn’t speak to that without
23 having the conditions in front of me but, yes, that’s typical practice.

24
25 **COMMISSIONER BAKER** – That’s the typical deal, okay, very good. Thank
26 you.

27
28 **CHAIR LOWELL** – Any other questions or comments? No hands going up.
29 With that, I’d like to entertain a motion. Would anybody like to make a motion on
30 this project? Man, nobody’s piping up today. I’ll make a motion. I beat you to it.
31 I’d like to make a motion to approve Resolution No. 2017-08 and thereby
32 recommend that the City....that’s a lot.

33
34 **ASSISTANT CITY ATTORNEY PAUL EARLY** – You can just stop after the
35 Resolution number.

36
37 **CHAIR LOWELL** – Can we just stop after the Resolution No. 2017-08 as
38 amended?

39
40 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And there’s three others.

41
42 **CHAIR LOWELL** – What was that?

43
44 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And there’s three others as
45 well.

46

1 **CHAIR LOWELL** – Okay.

2
3 **ASSISTANT CITY ATTORNEY PAUL EARLY** – A total of four Resolutions.

4
5 **CHAIR LOWELL** – I would like to make a motion to approve Resolution No.
6 2017-08, approve Resolution No. 2017-09, approve Resolution No. 2017-10 with
7 the conditions as amended.

8
9 **ASSISTANT CITY ATTORNEY PAUL EARLY** – One more.

10
11 **CHAIR LOWELL** – Oh, I crossed that one out. And approve Resolution No.
12 2017-11.

13
14 **ASSISTANT CITY ATTORNEY PAUL EARLY** – As amended by both the sheet
15 and PCS1A, I believe it was.

16
17 **CHAIR LOWELL** – As amended by the memorandum dated 1/26/2017 on the
18 salmon color given to us tonight and the conditions as amended.

19
20 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And the PCS1A amendment.

21
22 **CHAIR LOWELL** – And the PCS1A amendment. That was a lot. Does anybody
23 want to second it? We have a second by Commissioner Nickel. All in favor, all
24 opposed, any abstentions, cast your votes. All votes cast, going once, going
25 twice....the motion passes 6-0. Do we have a Staff wrap-up on this Item?

26
27
28
29 Opposed – 0

30
31
32 **Motion carries 6 – 0**

33
34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes. This project requires
36 legislative action by the City Council so we don't expect there would be any
37 appeals. It goes to the City Council. That date has not yet been set, but it
38 should be within the next month or two.

39
40 **CHAIR LOWELL** – Thank you. I'm assuming, since everybody is still here, this
41 is the Item that everybody wants to talk to. Unfortunately, I cannot stick around
42 to hear what's going on. I have a little statement here. Pursuant to Government
43 Code Section 84308, which disqualifies any Planning Commissioner from
44 participating in decisions affecting campaign contributions when contributions
45 exceed \$250 over the past 12 months, I personally have received a campaign
46 contribution from the Applicant totaling \$1000 over the past 12 months.

1 Therefore, I am recusing myself from any participation on this Item. With that, I
2 do recuse myself. I will pass the gavel off to Vice Chair Barnes, and I wish you
3 luck.

4
5 **VICE CHAIR BARNES** – Thank you. Alright, at this time, we would like to
6 commence the hearing for tonight’s Case No. 4, which is the Ironwood Village. It
7 is a General Plan Amendment, Change of Zone, Tentative Tract Map, and
8 Design Guidelines for a 181 lot Single-Family Development. Do we have a Staff
9 Report?

- 10
11
12
13 4. Case: Ironwood Village - General Plan Amendment, Change
14 of Zone, Tentative Tract Map 37001, and Design
15 Guidelines for a 181 lot Single Family Residential
16 Development
17
18 Applicant: Global Investment & Development, LLC.
19
20 Owner: Ironwood 8 Properties LP
21
22 Representative: Anderson Consulting Engineers, Inc.
23
24 Location: Ironwood Avenue, east of Nason Street and west of
25 Oliver Street (APN: 473-160-004)
26
27 Case Planner: Claudia Manrique
28
29 Council District: 2
30
31 Proposal: Ironwood Village - General Plan Amendment, Change
32 of Zone, Tentative Tract Map 37001, and Design
33 Guidelines for a 181 lot Single Family Residential
34 Development
35

36
37 **STAFF RECOMMENDATION**

38
39 Staff recommends that the Planning Commission take the following action:

- 40
41
42 1. **APPROVE** Resolution No. 2017-05 and thereby RECOMMEND that the City
43 Council:
44

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- **ADOPT** a Mitigated Negative Declaration, pursuant to California Environmental Quality Act (CEQA) Guidelines for General Plan Amendment Application No. PEN16-0077 (PA15-0037); and
- **ADOPT** the Mitigation Monitoring and Reporting Program prepared for General Plan Amendment Application No. PEN16-0077 (PA15-0037) pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
- **APPROVE** General Plan Amendment Application No. PEN16-0077 (PA15-0037)

2. **APPROVE** Resolution No. 2017-06 and thereby RECOMMEND that the City Council:

- **ADOPT** a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA) Guidelines for Change of Zone Application No. PEN16-0078 (PA15-0038); and
- **ADOPT** the Mitigated Monitoring and Reporting Program prepared for Change of Zone Application No. PEN16-0078 (PA15-0038) pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
- **APPROVE** Change of Zone Application No. PEN16-0078 (PA15-0038)

3. **APPROVE** Resolution No. 2017-07 and thereby RECOMMEND that the City Council:

- **ADOPT** a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA) Guidelines for Tentative Tract Map 37001 Application No. PEN16-0079 (PA15-0039) and Plot Plan Application PEN16-0080 (PA15-0040); and
- **ADOPT** the Mitigated Monitoring and Reporting Program prepared for Tentative Tract Map 37001 Application No. PEN16-0079 (PA15-0039) and Plot Plan Application PEN16-0080 (PA15-0040) for the Ironwood Village Design Guidelines pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
- **APPROVE** Tentative Tract Map 37001 Application No. PEN16-0079 (PA15-0039)
- **APPROVE** Plot Plan Application PEN16-0080 (PA15-0040) for the Ironwood Village Design Guidelines

1 **PLANNING OFFICIAL RICK SANDZIMIER** – We do, Claudia Manrique, from
2 our Community Development Department.

3
4 **CASE PLANNER CLAUDIA MANRIQUE** – Good evening. I'm Claudia
5 Manrique, the Case Planner for.....

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – You're going to need to move the,
8 yeah.

9
10 **CASE PLANNER CLAUDIA MANRIQUE** – Sorry about that. Good evening, I'm
11 Claudia Manrique, the Case Planner for the Ironwood Village Project. The
12 Applicant is Global Investment and Development, LLC, and they are requesting
13 approval of their Ironwood Village Project, which consists of the following
14 entitlements. They have a General Plan Amendment, which will amend the
15 existing land use designation from Residential 2 (R2), to Residential 3 (R3), and
16 Residential 5 (R5). Approximately 10.3 acres of the residential R2 in the
17 northwest corner will become Hillside Residential or HR. Here we have an aerial
18 of the site. It's on the north side of Ironwood. It is between Nason and Oliver.
19 The next slide is showing the General Plan Amendment, and we can see in the
20 northwest corner the Hillside Residential. The west half if the R3, and the
21 eastern half will be the R5. As part of the General Plan Amendment, the project
22 will amend Figure 4.2, which is the Future Parkland Acquisition Map and the
23 General Plan Figure 4.3, which is the General Plan Master Plan of Trails. The
24 next slide here, this is the Parkland Map. The red box is the project, and it will be
25 deleted from this map. The next one is our Master Trails. Again, in the red box,
26 is a part of the trail that will be deleted from this exhibit in the General Plan as
27 well. The Change of Zone will amend the underlying zoning from Residential
28 Agriculture 2 or RA2 to R3 and R5. Again, the northwest corner, which is Hillside
29 Residential, will remain Hillside Residential. The next slide shows the different
30 zoning that will occur. Again, the west side is R3. The east side will become R5.
31 The Change of Zone also affects the primary animal keeping overlay or the
32 PAKO. The next slide shows the project site in green, and it will be removed
33 from the PAKO area that is shown in the black hashmarks on the slide. Tentative
34 Tract Map 37001 proposes to subdivide the 78.4 gross acre parcel into 181
35 single-family parcels, and this includes 49 lots of R3 with an average size of
36 11,654 square feet and 132 R5 lots with the average size of 8359 square feet.
37 Along with the 181 units to be developed in approximately 38.5 acres of the site,
38 there is approximately 39.4 acres of open space throughout the proposed tract,
39 including the 10.3 natural open space that will remain in the northwest corner of
40 the site. The tracts proposed density is 2.7 dwelling units per acre. Though
41 there's a mix of R3 and R5, the density of the tract will be closer to the standard
42 for the R3. And, again, this does not include the HR portion of the site. The last
43 application is a Plot Plan, and it's for the Ironwood Village Design Guidelines,
44 which include the site development regulations in order to provide a cohesive
45 design throughout the whole tract, and this includes a range of housing
46 alternatives within the different lot sizes, different architectural styles. There are

1 a wide range of trails throughout the project. There's a park and, again the open
2 space features in the northwest and northeast sections of the tract, as well as
3 some water quality features along Ironwood are some nice landscaped basins.
4 The project, as designed, provides for a suburban lifestyle that's cohesively
5 planned and offers a wider range of amenities that is not normally found in most
6 of the subdivisions in Moreno Valley at this point. An initial study was prepared
7 by ESA in compliance with the California Environmental Quality Act (CEQA),
8 which supported the findings for a Mitigated Negative Declaration as proposed by
9 the project. It will have no significant impact on the environment with the
10 implementation of the Mitigation Measures that are required by the project.
11 There were various studies prepared for this project, and they include a Traffic
12 Study, an Air Quality Study, Greenhouse Gas Analysis, a Cultural Resource
13 Assessment, a preliminary Hydrology Study, Geotechnical Study, a Biological
14 Resource Assessment, a determination of biological equivalent or superior
15 preservation (DBESP), and lastly a preliminary Water Quality Management Plan.
16 We had a 30-day review period of the MND, which commenced on 11/15/2016
17 and concluded on 12/14/2016. We received 43 public comments during that
18 time, and they have been considered in preparing the final MND, which will be
19 available in time for the City Council. A written summary response memo has
20 been attached to the Staff Report by the consultant who will come up shortly.
21 City Staff completed a detailed review of the initial study and the MND and,
22 based on independent judgment of City Staff, the analysis fully addresses the
23 requirements under CEQA. The MND recommends 30 Mitigation Measures to to
24 reduce project specific and cumulative impacts related to air quality, biological
25 resources, cultural resources, geology, soils, hazards, hazardous materials,
26 noise, transportation/traffic, and public safety. The City complied with the
27 requirements of the State Assembly Bill 52, which required noticing in
28 consultation with the American Native Tribe Groups, and we have been in
29 consultation with four of the tribes. And all four have agreed on the Mitigation
30 Measures that are included in our Mitigation Monitoring and Reporting Program
31 and, at this time, I would like to introduce Dave Crook. He is the Environmental
32 Consultant from ESA, and he will go into further details of the environmental
33 processes that we covered and also if I could have the PDF show #2 up on the
34 board please.

35
36 **PLANNING OFFICIAL RICK SANDZIMIER** – While Mr. Crook is coming up and
37 while they are putting up the slide show, I did want to point out that, on your dais
38 this evening, is three additional packets of information. Those additional packets
39 of information are related to what Ms. Manrique outlined in terms of the public
40 comments that were received on the Mitigated Negative Declaration between
41 November and December. There is a packet that has all of those comments in it.
42 There are also comments that were generated through emails or letters to us
43 between the appropriation of the Staff Report up until 1/24/2017, which we had
44 sent to the Commission in advance as best we could. And then, even after that
45 1/24/2017 distribution to you, we've continued to receive some additional emails
46 and some additional correspondence. Even up to the time that we took our seats

1 here this evening, additional information was being put out in front of us. So
2 sometimes that's kind of an information dump that's typical on a large project
3 where there is a lot of interest in the community. That's okay. The Staff has
4 done the best effort we can to review all of the information that has been
5 submitted in a quick and timely fashion. Aside from the stuff that's come in late
6 this afternoon or just on the dais this afternoon, I can assure you that we've
7 looked at it as closely as humanly possible, and we've shared that with the
8 environmental consultant who is going to be giving you a presentation this
9 evening. We're prepared to answer any questions you might have on that, again,
10 to the best of our ability this evening.

11
12 **ENVIRONMENTAL CONSULTANT DAVID CROOK** – Okay so, good evening,
13 Vice Chair and Commissioners. Again, my name is Dave Crook. I'm with ESA.
14 I'm a project manager, and I worked with the City to prepare the Environmental
15 Document that you've reviewed. I just wanted to step through a few things. In
16 the interest of time, I know we have a lot of people here interested in the project,
17 so I was going to try to be brief. But I wanted to step through kind of the findings
18 of the document, kind of the background of the environmental review process
19 and how we came to the conclusions we have in the document and the mitigation
20 that is included as well. So, just really quick, what we're going to cover, I just
21 want to say again my name is Dave Crook. We have several members of the
22 Applicant's Consultant Team here that prepared the technical studies that
23 Claudia mentioned that were in support of the Environmental Document. So they
24 can answer any specific questions that may come up with regard to certain key
25 issues that I'll touch on later. So I'll talk about the environmental review process,
26 some of those key issues, and then any questions and answers that might come
27 up from the Commission. First, as Claudia mentioned, the site is vacant. It is
28 about 75 acres that doesn't contain any notable biological resources.
29 Essentially, it has been cleared of a lot of vegetation that has been disturbed.
30 However, there are several drainages that do cross the site in a north/south
31 direction generally speaking. Also, as Claudia mentioned, the rock outcroppings
32 in the northwest portion of the site would also be preserved as part of the site
33 and will remain as open space, though the zoning would remain as it is, Hill
34 Residential. And no utilities are currently serving the site since there is no
35 development. The next slide, let's see if this works. There we go. I just wanted
36 to show the Land Use Plan. It aligns with essentially the Zone Change that
37 Claudia showed in her previous slide where you have the lower density on the
38 west side, the higher density products or lots on the east side of the project with
39 the open space in the northwest corner still preserved. Here is the Tentative
40 Tract Map, and I won't go into detail on this. I just wanted to show that the layout
41 of the proposed lots and the civil engineer may speak to this in his presentation
42 that follows mine, but I won't go into any detail on this. I just wanted to present
43 that for information. As far as offsite improvements, there are a number of offsite
44 improvements including right-of-way and other types of utility improvements that
45 would require offsite construction mostly of buried structures like pipelines. At
46 the time the document was prepared, there was not a decision still on where

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1 some of these utilities would be routed from. So, in the interest of being
2 comprehensive, we evaluated the impacts of all of them in the documents. So
3 the disclosed impacts in the document address all of these areas and not just
4 one or a subset of those. However, we did note that, ultimately, some part of that
5 would be ultimately constructed, but we didn't know at the time what they would
6 be. So, hence, there's a number of offsite areas that we included for analysis. I
7 just wanted to touch on the basic prefaces of CEQA, which are essentially to
8 inform bodies like yourselves, decision makers of environmental impacts of a
9 project, not just the economic or social impacts or design aspects of a project but
10 to consider those in their decision making. Also to identify ways that we could
11 reduce environmental impacts either through Mitigation Measures, project design
12 features, or alternatives in the case of an EIR also preventing significant
13 unavoidable impacts by requiring changes in projects, like I said, either through
14 mitigation or alternatives say if an EIR is prepared. Then, although we did not
15 prepare an EIR for this, I'll go into that on the right side of the slide. If there is a
16 significant unavoidable impact, part of the law is to require that that is disclosed
17 and the reasons why the project would be approved if there were significant
18 impacts. However, as the process on the right describes, we went through all
19 this. We, as Claudia mentioned, determined that the impacts could all be
20 mitigated below the level of significance. Therefore, there is no need to prepare
21 an EIR. The technical studies and the initial study process led us to that
22 conclusion, and the City concurred. So essentially, the flow chart on the right,
23 what I wanted to just touch on, was that the City determined the project is subject
24 to CEQA. It is not an exempt project or it's considered a project "under CEQA"
25 that it did not qualify for an exemption as some of the other projects you heard
26 earlier tonight did qualify. So, as part of the process, we prepared the initial
27 study with the City and, like I said, the impacts were determined to be mitigated
28 below significance with the implementation of Mitigation Measures. So, on the
29 left, you'll see all the issues that were addressed in the Initial Study Mitigated
30 Negative Declaration. And you can see it's comprehensive. It covers all of the
31 issues. And, on the right, I wanted to touch on some of the key aspects that
32 Claudia already mentioned but that the ISMND was circulated for public review
33 for the 30-day period from mid November to mid December, and we received a
34 number of comments. However, as Rick said, the City is still considering
35 comments that have been received since then from the public including up until
36 today so we're taking a look at those as well. Based on review of the comments,
37 however, the City has concurred that, based on the comments received and the
38 documentation provided in the Initial Study, that the MND is the appropriate
39 document for the project. And a few of the issues here that we looked at were
40 more involved as far as our treatment of them was the esthetics and visual
41 resources namely views and visual character; construction effects related to the
42 neighbors, such as noise and air quality; biological resources; and drainage like
43 jurisdictional features like the drainages I mentioned and, as Claudia mentioned,
44 the DBESP addresses some of those resources; cultural resources; Native
45 American resources and, as Claudia mentioned, there was outreach with the
46 tribal groups, and they will continue to be involved; hydrology and flooding, the

1 basins that are going to be put on site as far as addressing those flooding issues
2 that currently exist. The project would address some of those and then, of
3 course, traffic. So we have representatives from a number of consultants that
4 work for the Applicant, as I mentioned, that prepared these studies including
5 traffic, air quality, greenhouse gases, noise, the biological resources, as well as a
6 civil engineer, and the hydrology and drainage. So, if there are any questions, I'd
7 be happy to answer them and, if I can't, we'll have some of our technical experts
8 step in. So, thank you.

9
10 **VICE CHAIR BARNES** – Thank you very much. Commissioners, any
11 questions?

12
13 **CASE PLANNER CLAUDIA MANRIQUE** – Thank you, David. I'm going to.....

14
15
16 **VICE CHAIR BARNES** – Oh, I apologize.

17
18 **CASE PLANNER CLAUDIA MANRIQUE** – Sorry.

19
20 **VICE CHAIR BARNES** – Go ahead.

21
22 **CASE PLANNER CLAUDIA MANRIQUE** – Just to go over the public noticing.
23 The project was published in the local newspaper on 1/15/2017 and public notice
24 was sent to all property owners within 300 feet on 1/13/2017. We also did
25 expanded mailing to include the agencies that we sent the MND and, anybody
26 who commented during the MND review, also received a notice, as well as
27 posting onsite about the Public Hearing tonight. As of tonight, I have received
28 approximately 73 email correspondences, 9 phone calls, and 2 members of the
29 public at the Planning Division front counter in response of this project. Staff
30 recommends that the Planning Commission recommends that the City Council
31 approve the Ironwood Village Project. Thank you.

32
33 **VICE CHAIR BARNES** – Thank you, Claudia. Do we have any questions of the
34 Staff at this time?

35
36 **COMMISSIONER KORZEC** – I do. Claudia, I got this packet late, and I was just
37 flipping through it. The December 13th letter from the Soboba Band of Luiseno
38 Indians and their concerns, has that been addressed?

39
40 **CASE PLANNER CLAUDIA MANRIQUE** – Yes.

41
42 **COMMISSIONER KORZEC** – Okay, so that's addressed in what you were
43 talking about?
44

1 **CASE PLANNER CLAUDIA MANRIQUE** – The MND that was attached, to the
2 Staff Report has updated Mitigated Measures that were accepted by Soboba, as
3 well as the Pechanga, San Manuel, and Agua Caliente Indian Bands.

4
5 **VICE CHAIR BARNES** – Any other questions?
6

7 **COMMISSIONER KORZEC** – I have one. I'm unfamiliar with the Applicant
8 Global Investment and Development. Do they have any current projects going
9 on or anything that they are looking to develop other than this in the City?
10

11 **CASE PLANNER CLAUDIA MANRIQUE** – The Applicant is here who could
12 verify that. It is my understanding, no, but I'm not 100% sure.
13

14 **COMMISSIONER KORZEC** – Okay, I'll ask.
15

16 **PLANNING OFFICIAL RICK SANDZIMIER** – As of right now, I am not aware of
17 any other active applications that they have submitted for development.
18

19 **COMMISSIONER KORZEC** – This is their first project?
20

21 **PLANNING OFFICIAL RICK SANDZIMIER** – This is the only active project that
22 we're processing from this particular applicant at this time, so that's our
23 knowledge.
24

25 **VICE CHAIR BARNES** – Alright, seeing no other questions from the
26 Commission, would the Applicant or Consultant Staff like to make a
27 presentation?
28

29 **CONSULTANT JEFF ANDERSON** – Yes. Thank you, Vice Chair and
30 Commissioners and Staff. My name is Jeff Anderson. I'm with Anderson
31 Consulting Engineers. I am the....I basically represent the entire team to present
32 the project tonight. Gotcha. That's usually not a problem for me, but I will try to
33 speak louder. Just, real quick, most of the team is here, myself and Anderson
34 Consulting Engineers, JLC Consulting. They are our drainage engineer. This is
35 a big part on this project. ESA, obviously we just met....talked with David Crook,
36 but we also have Amir Morales that was with ESA and handled all the biological
37 and the jurisdictional issues. Erwin Crossroads is here. Haseeb Qureshi is here.
38 He will address the TIA, greenhouse gas, air, noise, and quality; everything like
39 that, air, noise, and air quality. KTG Y was also one of the early consultants on
40 the project. They actually did the initial layout of the project that we followed kind
41 of we were able to work from as a key to kind of work for the project. EEI
42 Geotechnical did a lot of the initial subservice investigations. We also had Kane
43 Geotechnical. They are actually a geohazard consultant nationally recognized,
44 and they handled all of our rock fall analysis of the project. That was completely
45 evaluated on the project from the surface above, so above and below surface
46 analysis. Capital Leverage is Alex Ramirez. He is here. He handled a lot of the

1 public outreach and the coordination with the City as well on a lot of the issues
2 on the project. You see in the Land Use Plan, one clarification I want to make to
3 the Land Use Plan, the upper northwest corner, it is going to be designated.....it
4 was originally designated Hillside Residential. It is going to stay Hillside
5 Residential. It's not moving. Even though it is....there is ability to develop the
6 Hillside Residential, we are not including that development within the project. We
7 are basically doing all development off the hillside. And, again, we also are
8 leaving the open space northeast corner of the project as well, which has got a
9 lot of hillside and a lot of rock outcroppings we want to kind of avoid. Again,
10 we're processing a Tentative Tract Map on the project where we have detailed
11 quite a bit of the drainage analysis, as well as a lot of the grading analysis of the
12 project that will come in a little more handy when we talk about why we selected
13 the lots that we did, as well as you can identify in detail the buffers that we have
14 done on the project to kind of buffer from a lot of the community, as well as trying
15 to create more of a separation from the roadway area there. A lot of the
16 information you have right here is already kind of developed. It is in your packet
17 already. We have the 10 acres of designated open space. In addition, we have
18 another 29.3 acres of trails, neighborhood park buffers, HOA maintained slopes,
19 the drainage basins, and a trailhead, which was actually not mentioned
20 previously. The gross density of the entire project is to the acre, and the net
21 density excluding the natural open space that Claudia mentioned earlier is 2.7
22 DU per acre. Again, straddling the R3 versus the R5, there was a discussion
23 with the Staff to basically segregate the two zones so we could have specific
24 requirements for each of the two zones within the project that we're proposing in
25 the Land Development Plan. One thing that was also not mentioned, this will be
26 a private community, but it will be non-gated. So a lot of the trails and a lot of the
27 parks that are being provided as part of this plan will help meet the trails.....the
28 impacts we are having to the Trail General Plan, as well as making it open to the
29 community so they can actually utilize a lot of the trail systems inside the project
30 as well to connect to a lot of the regional trails that are proposed around the
31 project. Okay, so the project proposed, we have two city-maintained trails that
32 go along Ironwood Avenue and along Oliver Street. That is actually in
33 consistency with the General Plan of Trails. There is another trail connection that
34 we're going to have that will connect to Oliver and connect along the project and
35 then connect along the drainage channel to the top there, and it will then connect
36 with the Master Plan of Trails from the top as it connects right about at the edge
37 of the.....near the end of the drainage channel there. In our discussions with the
38 Trails Committee yesterday, the one discussion was that we may want to take
39 the trail, the north trail may actually go into the City as part of the Master Plan of
40 Trails. Tony had thought that was an option. What's interesting about that is,
41 while the trail system comes down and ties to Ironwood, the actual trails start
42 actually at Juniper and along Ironwood so this would actually.....this relocation
43 actually ties in a little bit better with the actual Juniper Trail System that starts at
44 Oliver and then heads east. But, in addition to those trails, we actually have all
45 internal trails, which will be a smaller version of the City's Standard Multi-Purpose
46 Trail. The current multi-purpose trail is an 11-foot-wide DG. We are proposing a

1 number of trails along the project that will connect every one of the cul-de-sacs to
2 the central trail system that goes up and down the project that will be, I guess,
3 smaller feeder trails is what they are called. But it will allow people anywhere in
4 the project to have access to the trail system without having to walk down their
5 cul-de-sac to the very bottom and out. Also, in addition, that was recommended
6 by the Planning Staff, was to create two pedestrian access points from the Street
7 A, which is the first street there down to the Ironwood Avenue. And we added
8 those including one of those, which will be an actual, over the basin, will actually
9 be a pedestrian bridge. Instead of creating two separate basins and a walkway,
10 we're going to propose an actual pedestrian bridge over the top of the basin
11 there. We also have notes of interest. This is.....again, we're open with trails to
12 talk about throughout the middle of the project we can creates some notes of
13 interest. They could be dog stations. They could be fitness stations. They could
14 be just about anything you can think of that we can kind of put along the middle
15 of the project. And also along the two locations at the base, at Ironwood, what
16 we're proposing to do is actually amenitize the City Trail System there by
17 creating kind of a park bench or something that the HOA would maintain that
18 could actually enhance the trail system as you're going through the area. So you
19 could have a dog station. If you're walking your dog along Ironwood Trail, you
20 could stop and then sit and actually there could be a dog station there to relieve
21 the.....water the dog or give water to the dog, sorry, or provide trash as well.
22 Another thing to note is the fact that we have significant buffers along the south
23 end of the project so we have, in addition to the City Parkway, we have the City
24 Trail, the 11-foot trail, and then we have a buffer that is either going to be
25 landscaped basins or will be landscaped open space that is anywhere from 65
26 feet wide to 130 feet wide throughout the entire project. So, as you drive down
27 Ironwood where a lot of your smaller lot projects with 7200 square foot lots,
28 which is proposing throughout the middle of the city, you see wall. Then, you
29 have the units. We're going to be setback quite substantially from the
30 city's.....from the roadway there. And then we also added a trail head at Oliver
31 and Ironwood that's not in the plan right now. That's not part of the General
32 Plan, but it will be added to the project. There will not be any onsite parking for
33 that but, since Oliver is going to be a collector, it would be.....there could be
34 parking on Oliver for anyone who wants to use bikes or to get out and walk or
35 meet, and we would be able to take advantage of that. We also have, last but
36 not least, an actual neighborhood park within the project approximately one acre
37 in size that we'll work close with the City to try to build that out and try to integrate
38 it into the entire plan. But, again, all that area is to be maintained by the HOA.
39 Everything in yellow you see here is to be maintained by HOA. The key thing to
40 note here is all the open space. Obviously, it will be the responsibility of the HOA
41 to maintain, but we also included a lot of the interior spaces. A lot of the interior
42 slopes will be maintained by the HOA so there wouldn't.....where we talk about
43 with a buffering that you see and, in the open space of the slopes, would all be
44 maintained by the HOA to make sure that we maintain the integrity of the
45 landscaping and the irrigation that would be required by EMWD for this project.
46 The only thing in question, obviously we have to change potentially is the trail

1 along the north would be....could be City maintained and chances are the
2 channel along the top there would probably be HOA maintained. We haven't
3 really gotten into that level of detail with the City Staff yet on that. Okay, we have
4 a pretty intense drainage plan for the project. We are reducing the peak flows
5 that are hitting the project by about 60%, down to about 60% of their existing
6 condition. Just kind of some numbers here. Currently, the existing road at
7 Ironwood was under design when it was originally constructed. The project to
8 the south carried on that same drainage design. In reality, it is significantly
9 deficient to handle the flows that are hitting that area right now. Three hundred
10 and fifty-six CFS is actually getting there. There is only about the capacity in the
11 existing three pipes for about 250 CFS. Our post-project design will actually
12 reduce that down to another 207 coming out of those pipes, so we are going to
13 reduce it substantially from what the existing condition is. So, at the end of the
14 day, we are removing 149 CFS from the overall project, which is a 42%
15 reduction, which is taking it almost below from a 100-year PQ down to a
16 10-year PQ, which is pretty substantial. We.....in addition, we addressed the
17 issues with the storm flows at Nason and Ironwood, which currently there is no
18 drainage facility there. We're going to be addressing that completely. And, one
19 of the big concerns that we have from a lot of the residents we talked to that are
20 south of the project, Joe Casanada had a field meeting where he walked and
21 talked with a lot of the residents that are impacted by immediate drainages.
22 Their issue was maintenance of the culverts. We brought that to the attention of
23 the City, as well as the fact that there is a lot of debris flow. Well, naturally, that
24 project would take all of the debris flow out of the, out of the tributary. And also,
25 at the same time, it would reduce a lot of the peak flows into the Nason Basin as
26 the Nason Basin, as you know, will be the recipient of a lot of the drainage flows
27 that comes from the Moreno Beach area and so we are reducing the impact and
28 providing more capacity with that basin. How we're doing it essentially is we're
29 using the three basins below. We are currently using 11 acre feet of storage
30 capacity. We have more than that available and, what we're going to create is,
31 special structures that basically only allow so much water to remove through the
32 basins where the rest of the water will actually pond into the basins and provide
33 ample capacity for virtually all storm flows, storm frequency flows. So it's a pretty
34 intense part, and we worked closely with the City Staff in regards to that. We
35 talked a little bit about the Water Service Plan. Just to clarify, David brought
36 clarity. We actually looked at three different alignments for the water line, and we
37 studied all three. We've selected two primary alignments. One up to the north to
38 Kalmia and then another one out to Juniper, as well as there's an offsite sewer
39 line. Just a point of clarification, a Sewer Plan was done. There is a requirement
40 in the tributary, the sewer tributary, for a sewer line to come across it. Exclusive
41 of our project, there is actually zoning that will require a sewer line, so we are
42 advancing the construction of that sewer line that eventually be required to come
43 across the deal there. The next question is why did we go to 10,000 and 7200
44 square foot lots? A couple things to note. One is we have a brand new high
45 school coming in within a mile of the project. We've done, as related to another
46 project we worked on, we had a study done where it looked at 42 high schools

1 throughout the Riverside County area. Every single area that high schools go
2 into changes the zoning. And, typically with high schools, come a change in how
3 the area functions. We're just part of that natural evolution that's coming with the
4 high school development. What we're trying to do is actually create a template
5 for the City to use as the area moves forward that will be something better,
6 provide a better transition for the area with all the buffering and things that we're
7 trying to do with the project. Secondly, for those of you who have been on the
8 site and you've walked the site or seen the site, you've realized that there is quite
9 a bit of hillside on this project. Typically, if you're going to do.....we would do the
10 smaller-type lots in an effort to try to reduce the amount of draining that we're
11 trying to do on a project, and you would do that will a smaller product. Ten
12 thousand is not a small lot by any stretch of the imagination to do grading design
13 with but larger lots will create a lot more slopes and things of that nature. A lot
14 more grading of the project, and so that's one of the reasons why we wanted to
15 go with a smaller-lot product in that area. Anyways, we like to think.....we like to
16 believe that, with the amount of area that we're setting aside the project within
17 the project and the clustering that we're doing, we're trying to provide a variety of
18 product within the community in this area that will provide unique housing
19 opportunities in addition to the additional housing opportunities that are in the
20 area. Lastly, is team work. A lot of the plan that you see here has been a
21 product of a lot of communication we've had with the City in a variety of areas, as
22 well as all of our consultant team to try to develop the best plan we possibly
23 could. Staff has been gracious and has spent quite a bit of time with us to kind of
24 work a lot of these issues out. With that, I have the entire, virtually the entire
25 consultant team here to answer any questions you might have.

26
27 **VICE CHAIR BARNES** – Thanks very much Jeff. Any questions?
28

29 **COMMISSIONER KORZEC** – You know, you were showing the high school,
30 the density and all that. I guess I'm still confused on this as to why this project
31 has to have the smaller lot sizes. You've got property there. Why not just build
32 the appropriate houses on that lot size, and there is no issue? That's.....I
33 just.....we will get to this I'm sure with the comments, but it seems like we're
34 always trying to squish things in in this city into places, and this is a very pristine
35 area. I drive through.....I don't live there, but I drive through every day. I guess I
36 don't understand why you just can't build the houses that you can build in that
37 area and why it has to be high density.
38

39 **VICE CHAIR BARNES** – If I might, if we save the deliberation until after we
40 hear the public comments so that we can incorporate all of that into the
41 discussion, I think.....
42

43 **COMMISSIONER KORZEC** – I will wait.
44

45 **VICE CHAIR BARNES** – Yes. I appreciate it. You're welcome to respond if
46 you'd like.

1
2 **CONSULTANT JEFF ANDERSON** – No. I imagine we’re going to have other
3 problems but, to answer your question, personally the issue that you’re going to
4 have a lot with these larger lots on a project like this is a number of things. One,
5 the drainage solution that needs to be solved on this project will be extensive.
6 Public safety is a very important aspect to the City of Moreno Valley, which is
7 why they gave us the direction that they did on the drainage basins and the
8 significant amount of drainage that we’re going to be adding to the project that
9 would be required. There is also a relatively significant level of infrastructure
10 required for this project. In doing so, as well as the fact that there would be a
11 rather intense grading analysis, the grading requirement to do and to go with the
12 larger lots could create a higher grading create almost a worst condition
13 potentially that we could ever propose. That’s why we chose these lot sizes in
14 configuration to those areas but, with the drainage conditions you have on the
15 site, trying to resolve that with a larger lot size, the smaller density that you’re
16 talking about, it may be difficult for us.....it would be difficult for any project to
17 actually proceed with that type of design. We doubt that the City is looking to not
18 develop projects. We thought this was a nice blend between the two to meet
19 those requirements.
20

21 **VICE CHAIR BARNES** – Everyone will get their opportunity to speak so if we
22 could please respect everybody’s time. Thank you.
23

24 **CONSULTANT JEFF ANDERSON** – Thanks.
25

26 **VICE CHAIR BARNES** – Any questions, Commissioners?
27

28 **COMMISSIONER NICKEL** – I’ll hold my questions until after so the people
29 have a chance to speak.
30

31 **VICE CHAIR BARNES** – Well I’d like to hear a brief summary from the traffic
32 engineers to the high points of the study and the Mitigation Measures if we could
33 get something from them.
34

35 **PLANNING OFFICIAL RICK SANDZIMIER** – While he’s coming up, Vice Chair,
36 before you go to Public Comments, I had a couple more things to say.
37

38 **VICE CHAIR BARNES** – Okay, thank you.
39

40 **URBAN CROSSROADS HASEEB QURESHI** – Good evening, Vice Chair and
41 Planning Commissioners. My name is Haseeb Qureshi from Urban Crossroads.
42 Can everybody hear me? So brief overview of the Traffic Study. The Traffic
43 Impact Analysis was prepared consistent with City of Moreno Valley
44 Transportation Engineering Division’s Traffic Study Guidelines and other traffic
45 studies that have been prepared in the City of Moreno Valley, as well as the
46 County of Riverside so following standard engineering practice in the area. The

1 study area that was evaluated includes all intersections that are designated as
2 collector higher streets or un-collector higher streets where the project adds 50 or
3 more peak hour trips. The 50 peak-hour trip criteria is consistent with
4 methodology employed by the City of Moreno Valley and other jurisdictions
5 throughout Riverside County, and it generally represents a threshold of trips at
6 which typical intersections would be impacted at. The projects potential impacts
7 to traffic were assessed for existing conditions, opening air conditions, opening
8 air cumulative conditions, and horizon or general plan build-out conditions.
9 Improvements were recommended where applicable to maintain acceptable
10 levels of service at all study area intersections. There are two Mitigation
11 Measures that area required by the project. One is to provide traffic calming
12 measures onsite at the A Street that goes east-west on the project property and
13 that was in consultation with the City. There was a desire to put in traffic calming
14 measures to ensure that cars don't speed as they go into the development and
15 go from one side to the other. The second condition was that the project
16 applicant would participate in the funding of offsite improvements including any
17 signals that were needed and pay their fair share of TUMF and DIF and, if the
18 improvements are not in TUMF or DIF, they would pay their fair share at those
19 intersections.

20
21 **VICE CHAIR BARNES** – So no physical improvements beyond the project
22 limits?

23
24 **URBAN CROSSROADS HASEEB QURESHI** – Well the project is, like I said,
25 paying its fair share at intersections where it's impacted.

26
27 **VICE CHAIR BARNES** – And one question, can you speak to in general terms
28 of the difference in traffic impacts between the current zoning and the proposed
29 density?

30
31 **URBAN CROSSROADS HASEEB QURESHI** – Sure. So that's all.....the
32 analysis that we did obviously is for the project that's before you today. It's
33 important to just understand that, even without the project, for example, the only
34 impacted scenario was long-range or general plan build-out conditions, and it
35 was one intersection that was impacted. It is important to note that, even without
36 this project, let's say this project didn't come before you today, that one
37 intersection would still be impacted even without the project. So, with this project
38 going in, it's contributing to that existing cumulative impact that occurs in the
39 long-range condition, and there are Mitigation Measures that are going to solve
40 that. So, whether this project is developed as proposed today, or it would be
41 developed consistent with the zoning that exists, that impact would occur and
42 mitigation would be required.

43
44 **VICE CHAIR BARNES** – Thank you. Any other questions for Staff or the
45 Applicant?
46

1 **COMMISSIONER NICKEL** – I'll hold for now.

2
3 **VICE CHAIR BARNES** – Alright.

4
5 **COMMISSIONER NICKEL** – But I got them.

6
7 **URBAN CROSSROADS HASEEB QURESHI** – Well I'm not too tired to answer
8 any questions.

9
10 **VICE CHAIR BARNES** – Alright, Mr. Sandzimier.

11
12 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, I just wanted to cover one
13 more thing. In this particular project, because there are legislative actions that
14 are going to be required, you guys are serving as an advisory body to the City
15 Council so the City Council will be the final decision maker on the project. Why is
16 that important? Well, the final decision-making body will have to consider all of
17 the comments that are being made here today, all of the comments that were
18 made on the environmental document. There has been a lot of communication in
19 the emails that we sent to you, and some of the comments are with regard to
20 those comments may not have fully been considered by you guys. Well, we've
21 given you the opportunity to consider them, but they also need to be considered
22 by the City Council. There's also been some comments with regard to other
23 advisory bodies or committees or commissions that the City works with and why
24 this project may not have been taken to them. One in particular was some
25 comments that came in, I think it was today or yesterday, with regard to the
26 Environmental Historic Preservation Board. This project does not trigger the
27 need to go to the Environmental Historic Preservation Board, so it has been a
28 consideration but it was not necessary. There are projects that we are taking to
29 the Environmental Historic Preservation Board, which are typically the ones that
30 do have a full EIR associated with them or they are land uses that are dealing
31 with hazardous materials of some sort, and this does not qualify on either of
32 those accounts. Then, also in our Staff presentation, we missed to tell you that,
33 last night, we did actually go before the Recreation Trails Board and so we spent
34 about an hour-and-a-half. The Applicant made a presentation to the Recreation
35 Trails Board. Tony Hetherman from our Parks and Community Services
36 Department is here who can probably elaborate a little bit more on that
37 discussion, but the focus of that was to talk about the modification to the Master
38 Plan of Trails. It was a full discussion and, at the end of that, the Recreation
39 Trails Board has asked for that to come back to them so that they can have a
40 final determination before it goes to the City Council. Their final recommendation
41 does not need to come to this body because you're serving in an advisory
42 capacity. They are also serving in an advisory capacity to the City Council, so I
43 just wanted to let you know that we are working with that recommendation from
44 them last night. Tony Hetherman will be setting up a meeting. I think the
45 expectation was within about a 30-day period so I just wanted to make sure that
46 the Commission was aware of that activity. Thank you.

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VICE CHAIR BARNES – Thank you. I think that concludes the Staff Report and the Applicant and Consultants presentation, so the next item on the Agenda is Public Comments. Before we begin that, it’s 10 minutes to 10:00. There’s almost 30 people wishing to speak. That’s going to be an hour-and-a-half if everybody gets their three minutes plus the time between so we’re looking at two hours of public testimony. What I’m suggesting, what I’m going to suggest and I’d like some input from the Commission, is that we hear the public testimony and then continue the hearing because that’s going to get us close to midnight. We continue the hearing for our deliberation to the next available hearing. Does anybody have any thoughts on that?

COMMISSIONER KORZEC – I think it’s a good idea because our deliberation is probably going to take a long time.

VICE CHAIR BARNES – I foresee us having a fair amount of discussion, so it seems reasonable. Rick.....what I’m saying is that you will be allowed to speak. We will take all your testimony. Then we will continue the hearing, and we will postpone our conversation until the next meeting.

COMMISSIONER SIMS – I mean, I would prefer to hear what has to be said. I mean, if we’re in for a penny, we’re in for a pound. Let’s just power through it. Everybody’s here. Let’s just go through it.

COMMISSIONER KORZEC – Yeah, I want to power through it, but I want to make sure we do good deliberation on this and we don’t slam it down.....

COMMISSIONER SIMS – I absolutely.....

COMMISSIONER KORZEC – I’m just being....I don’t know. Are we going to be wide awake at midnight to have a good deliberation?

COMMISSIONER SIMS – Well we can see.

COMMISSIONER KORZEC – I’m looking at you.

COMMISSIONER SIMS – Whoa, whoa, mucho take it easy.

COMMISSIONER KORZEC– No because you’re the one that said you’re tired.

COMMISSIONER SIMS – I suggest we see how we feel when we get through the public comments.

VICE CHAIR BARNES – Reasonable? Alright.

COMMISSIONER NICKEL – Reasonable.

1
2 **COMMISSIONER KORZEC** – Alright, reasonable.

3
4 **VICE CHAIR BARNES** – Compromised solution. Alright.

5
6 **COMMISSIONER KORZEC** – Alright, we'll see how we feel.

7
8 **VICE CHAIR BARNES** – We'll take a 5 minute break and then we will start
9 the.....we will open the Public Hearing for comments. Thank you very much.

10
11
12 **BREAK**

13
14
15 **VICE CHAIR BARNES** – At this point, I'd like to reconvene the meeting.
16 Everyone can take your seats and thank you. Alright, so to continue the
17 discussion from prior to the adjournment, or the recess rather, we will now open
18 the Public Hearing portion of the meeting. Our standard practice is to allow three
19 minutes per speaker. As I said, we are going to be here very late so, if anyone
20 would like to co-mingle their comments or share their comments and have one
21 person speak for a group, it would save everybody's time. You're still counted as
22 a speaker, and it would get us to deliberation much quicker. The other question
23 that I was asked is, since it is getting a little late, if anyone has to leave would
24 anyone have any objection to someone moving to the head of the line? And, if
25 everyone is okay with that, could you raise your hand if we juggle the order
26 because some people have requested to speak early because they have to work
27 real early or.....

28
29 **COMMISSIONER NICKEL** – Or they have young children.

30
31 **VICE CHAIR BARNES** – So just raising of hands, are you okay with some
32 people moving to the head of the line? That appears to be a majority so, if you
33 have a compelling reason that you would like to speak.....

34
35 **COMMISSIONER NICKEL** – First.

36
37 **VICE CHAIR BARNES** – Early could you raise your hand and come forward
38 and line up there near the door. Okay. If you two guys could come forward and
39 be the initial speakers and then see if we can keep track of that.

40
41 **SPEAKER SUSAN ZEITZ** – Hi. I'm Susan Zeitz, 26386 Ironwood. I don't know
42 if we have to do that. Resident since 1984. I'm against changing the R2 zoning
43 at the northeast corner of Ironwood and Nason. The northeast area of Moreno
44 Valley Zoning should reflect the rural nature of our area by maintaining this R2
45 and larger properties. Rezoning this area would mean that other large properties
46 will want to rezone too, and it will bring us back here again and again to try to

1 retain our rural lifestyle. Draw the line. March 23, 2006, the City Council votes to
2 uphold original zoning and keeping with larger properties in the northeast and the
3 east end of Moreno Valley. Commissioner Geller said there is nothing wrong
4 with zoning the way it is. If it's not economical to build one house per acre, then
5 they won't be built. I don't see any reason to change the zone. Commissioner
6 De Jong said the current zone is fine. Commissioner Merkt agreed there was no
7 compelling reason to change the zoning. Vice Chair Riechers said the parcels
8 had a closer affinity to the parcels in the northeast and south than it did to the R2
9 parcels to the west. Commissioner Dozier pointed out that the line between R2s
10 and the R1s is the housing tract to the west referring to Vista De Cerros. He
11 said, well that's a good place to draw the line. I agree with my fellow
12 Commissioners. I don't see the need for a zone change, and I won't vote for a
13 zone change. Commissioner Geller made two motions. The Planning
14 Commission denied the change from R1 to R2 due to environmental impacts and
15 that the Planning Commission denied the change from R1 to R2 as incompatible
16 with the area. The vote was 7-0 in favor of denying the Zone Change on both
17 motions. I agree with them. The line dividing small parcels from larger ones
18 should be the west property line of the homes on Vista De Cerros in order to
19 maintain the rural nature of our area to the east of that line. Buyers shouldn't be
20 able to change a zoning to make their project fit. They should buy a property
21 that's zoned fit their project. We don't want urban lifestyle development HOA
22 closed to outside residents in rural Moreno Valley. The MND and Biological
23 Resources Report do not recognize this seep and until.....I'm sorry. The
24 northwest corner of this property has an increasingly rare natural resource water,
25 a seep. The MND and Biological Resources Report do not recognize this seep
26 and, until this is characterized in the MND, it's inadequate. I first saw this seep in
27 1984, but it could be as old as the hills. I don't know, and I was even there
28 during the drought, so a seep is a puddle or moist or wet place where water,
29 usually groundwater, reaches the earth's surface from an underground aquifer
30 and is important to wildlife, bird, butterfly habitats moisture needs. Natural seeps
31 help the local wildlife survive, especially as this one doesn't dry up during the
32 drought. As we continue to encroach upon our natural resources valuable to our
33 native plants and wild inhabitants, the fox, bird, bobcats, all of the mountain lions,
34 coyotes, rabbits; we have grey-horned owls, barn owls, hawks, and others that
35 live here and not only depend on this water to drink but for their prey who needs
36 that water to drink too. Any disturbance to this area will ruin this seep.
37 Disturbance in high-density housing will also prevent wildlife from using it. What
38 are the landscape and the hills and the rock formations? I believe a full EIR
39 would concur that parcels any smaller than R2 would be an atrocity to this
40 property. Since the beginning, the northeast areas in Moreno Valley have been
41 zoned for large properties in order to keep this area rural and unique from other
42 areas in our City. Doing so has made it a desirable and sought after place to
43 live. Here, there is plenty of room between homes. We can see the hills on the
44 horizons. We can see and hear the coyotes, and we share our environment with
45 all the wild animals who were here first. Draw the line. Once pristine land is
46 covered in cement, it's gone forever. I'd like.....

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VICE CHAIR BARNES – Your three minutes are up.

SPEAKER SUSAN ZEITZ – Okay.

VICE CHAIR BARNES – Thank you very much.

SPEAKER CAROLE NAGENGAST – Good evening and thank you for allowing me to come to the front of the line. One of our earlier speakers when we first arrived.....

VICE CHAIR BARNES – State your name please.

SPEAKER CAROLE NAGENGAST – Sorry. My name is Carole Nagengast. I live at 26410 Ironwood Avenue, less than a quarter-mile from this proposed development.

VICE CHAIR BARNES – Thank you.

SPEAKER CAROLE NAGENGAST – I have lived there for 44 years. I've seen change in what we used to call Sunnymead. It used to be unincorporated county, and change is not a bad thing by any means. One of our earlier speakers made reference to the inevitability of change, and I certainly subscribe to that view. But we ought to be careful about what we wish for. Change that's planned. Change that has a long-term plan. You are a Planning Commission, no? You are supposed to be looking at a General Plan that takes into account the fact that Moreno Valley has different kinds of these land uses. We have semi-rural use. We have urban use. We have and should have rental properties, and we should and do have condominiums. But to let the camel get its nose under the tent by not adhering to our General Plan, by setting aside our General Plan just this once is to open the door to the possibility that there will be no more or rural or semi-rural land left in Moreno Valley, and that would be a shame not only for me, I live there, but a shame for all the people of Moreno Valley past, present, and future. I strongly agree that we need a full environmental report here, that it ought to take into account the biology of the water seeps, of the Native American concerns. I am heartened to hear that four Native American Groups have agreed to mitigation. I think that's a positive thing, and I speak now as a cultural anthropologist of many years. That needs more careful looking not just a rubber stamp by Soboba or by the other tribes in question. I think it needs careful look, and it's up to the Planning Commission to make the proper full and complete mitigation recommendations. I don't think that yet has been done. Thank you.

VICE CHAIR BARNES – Thank you. There was a gentleman who wanted to speak. He had to leave due to work. Is he still here? Alright. That's not the one, but we'll roll with it. Yes.

Minutes Acceptance: Minutes of Jan 26, 2017 7:00 PM (APPROVAL OF MINUTES)

1
2 **SPEAKER JOE LOCKHART** – Good evening everybody, my name is Joe
3 Lockhart. I live directly across the street from this trail head. I look out every
4 morning for the last 26+ years, and I see those hills from my bed. I look out in
5 my backyard, I see those hills. I see that beautiful meadow. It’s going to be
6 destroyed. The whole area. You start bringing in multi-density homes like they
7 are talking about. Why do they have this or that? It doesn’t make any sense.
8 The high-density five per acre here and the three over there doesn’t make any
9 sense. Okay? They want to bring in the sewer right down beside my house,
10 across the street, and under the freeway. That’s going to open up the lot to the
11 east of me and also the lot from the Oliver to Moreno Beach Drive on the north
12 side and everything all the way down past Calvary Chapel, all those homes.
13 Everybody’s got half acres for a reason, at least a half acre. Some have more,
14 right? How many are for the proposed plan? Okay, nobody. How many are
15 against development of that area at half acres? See, there we go. Nothing
16 wrong with that, right? It’s.....I get what the developers want to do. I’m a
17 contractor myself. I want to make money. I’m estimating this has got to be what,
18 \$40 million to \$70 million, somewhere in that range, project overall. And they
19 were telling me about \$400,000 per home so that’s about \$46,000 plus. They
20 want to make money. That’s why you put more homes on smaller lots. That’s
21 why we have so many two-story homes. It’s cheaper to build a two-story house
22 than a one-story house. You have less concrete. You know, a lot of different
23 things. You have larger land, so you can put a lot more homes on a small lot and
24 you can just build them up. And then I don’t want to look out of my bedroom
25 window and see a bunch of two-story stick-frame stucco boxes. We got tons of
26 them. Go down south of the freeway. They are everywhere. That’s great. If
27 somebody wants to live in a postage stamp sized lot, that’s perfect if they want to
28 do that. None of us that have these lots want that. That’s why we bought here. I
29 bought 26 plus years. I’ve raised my family here, and I think a lot of other people
30 have so please consider the future. Thank you.

31
32 **VICE CHAIR BARNES** – Thank you very much. At this point, I think we’ll go
33 back to the list so, Darisa, if you could call the next speaker.

34
35 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Marcia Narog.

36
37 **VICE CHAIR BARNES** – Do you want me to call them? Okay.

38
39 **SPEAKER MARCIA NAROG** – My name is Marcia Narog, and I live in this
40 area, and I want to tell everybody here that we are not represented. We are not
41 represented by our council people. We did not vote in the council person that is
42 highly recommending that this be higher density property. I have a letter here
43 that George Price, our previous Councilman wrote, and he is in favor of this
44 shrinking of the property sizes. I worked with him over 15 years to build the
45 equestrian center so we could have agricultural rural areas and, right down the
46 street from this project, we need to have agricultural residential areas new people

1 can live. I've lived in this area.....I moved to Moreno Valley in 1977. It took me
2 15 years to be able to get out of the little postage stamp lots into a larger lot size
3 in a rural community. This area is renowned for its rural area, and I just received
4 a Re-Max request for buying our property saying you live in one of the last
5 neighborhoods in Moreno Valley with that country feel and rural setting. Not
6 many people know about your neighborhood and the great amenities it has to
7 offer. We get these again and again. We were told by the developer there is no
8 market for large lots. They are wrong. The lots are snatched up. I have
9 neighbors asking me all the time, do you want to sell? Do you know anywhere
10 that they want to rent because we have friends and family that want to move into
11 this area. It's highly regarded and highly sought after, and I would go for this
12 project because we need more development in this area of the large lots so
13 people can have a diverse choice in lifestyles. If we take away the large lots in
14 this area, there is not going to be any diversity in lifestyle in Moreno Valley other
15 than the R3, R5, R15. A lot of us don't want to live like we're in apartments
16 where we can hear the neighbors breathe next door. We would like to have a
17 little bit of space put in our organic gardens and have a lifestyle that's different
18 from an apartment-type style. One of the things I would like to say is this
19 developer says that he has a beautiful plan. Well, the one thing in real estate is
20 location, location, location. He can take his beautiful plan and move it
21 somewhere else. We want all those lots to be half acre or greater. We do not
22 want the high density. We want it consistent with what our values are and what
23 other people would like to have. We really need some more development in our
24 neighborhood. The few custom homes that come in, people that tell us they are
25 trying to develop both a half acre or an acre, say the City is giving them \$125,000
26 to \$150,000 taxation on one little parcel, so there's something going wrong that
27 we can't have more people coming into our community and sharing the lifestyle
28 that we embrace.

29
30 **VICE CHAIR BARNES** – Marcia, your three minutes.

31
32 **SPEAKER MARCIA NAROG** – Okay. I just want to say one last thing. The
33 first speaker today said that we have dreams. He did not say anything about the
34 citizen's dreams, and our dream is to keep it rural. Thank you.

35
36 **VICE CHAIR BARNES** – Thank you. Next up we have Barbara McCarthy,
37 Kimberly Crow, Gary Middleton, and Barbara Baxter.

38
39 **SPEAKER BARBARA MCCARTHY** – Good evening, I'm Barbara McCarthy.
40 There is a reason why we have a General Plan for the City, and I oppose an
41 outside developer coming in trying to change the zoning that we worked so
42 diligently to develop for the goals and objectives for our City. R3 and R5 housing
43 is acceptable in LA, Orange County, and other parts of Moreno Valley, but the
44 northeast end has been designed for a needed alternative housing market; one
45 that preserves open space and the rural atmosphere and higher-end homes.
46 This is what the City paid consultants for. The professionals did an analysis of

1 the area and recommended for the proper zoning for the General Plan, in
2 addition to what the residents of the community desired. The Planning
3 Commission should value the much needed market for the larger lots and stay in
4 compliance with the current zoning. An R5 home may sell for between \$250,000
5 and \$275,000. A home on a half acre sells between \$400,000 and \$500,000.
6 The proposed plan calls for 181 homes on 70 acres. That would mean about
7 \$50 million if they sold at \$275,000 or, since they are new, might sell for
8 \$300,000, which would equal \$54 million for the developer. If they complied with
9 the current zoning plan, they would only need to build 108 homes, not 181
10 homes to make the same \$54 million since they could sell them for \$500,000
11 each or even possibly \$550,000 if they made one acre homes. That would be
12 \$60 million for 110 homes. And then, if they wanted to stick with a half acre, they
13 could build 140 homes on 70 acres making \$70 million. That's \$16 million more
14 than their proposal not to mention the millions of dollars that they would have to
15 spend for the sewer system. It does not make any sense to build smaller lot
16 homes in this area. They can be built without opposition in the other three-
17 quarters area of Moreno Valley, which they are many empty lots for, and they
18 could build those there. I would not oppose this project if they complied with the
19 zoning of RA2 and also the winding country road on Ironwood is not conducive to
20 the higher density traffic. I could see that there could be so many accidents on
21 that really nice country road where people just need to slow down and relax. We
22 don't need that high density rush, rush, rush traffic. There's a market for larger
23 lot homes, and we need to preserve the zoning and compliance with the General
24 Plan. The home right across the street on Nason from the project is valued at
25 over \$1 million. Do you think they really want to have these small postage size
26 lots right next door to a million dollar home? It does not make any economic
27 sense to change the zoning, so please listen to the residents in this area. Thank
28 you.

29
30 **VICE CHAIR BARNES** – Thank you. Kimberly and Gary.

31
32 **SPEAKER KIMBERLY CROW** – Hi. My name is Kimberly Crow. I live at
33 28011White Sand Trail, bam, right in the middle. Looking from Moreno Beach
34 and Ironwood, I look out my kitchen window every day at the beautiful mountains.
35 All I'm saying, I heard somebody say, I think and believe that you should take
36 time and read every single one of these people's letter that they took.....I
37 believe there is a lot of great objection and do.....of why they don't want the
38 houses built. Little houses isn't what we're about on this side. Large lots is what
39 we want. That's what we moved in here for. That's what everybody wanted. It's
40 great. It's beautiful. People are great. It's just awesome, but I've never done
41 anything like this so I don't even know what I'm really saying but I'm saying I am
42 against all this going on, and I'm trying to speak for we the people and my
43 neighborhood because we all couldn't come. I believe that you should actually
44 take the time to read everybody's letters because they went out of their way to
45 show you all the things and tell you all the things I'm not even able to say right
46 because there's a lot of good information in there that.....we're not objecting to

1 the houses being built. We're just objecting to the lot size. We'd like to keep it
2 like it is on our side, and we don't want suburbia. That's why we moved away
3 from there. We came to the rural side to have nice big homes and peaceful
4 things where everybody can have more space, and it's just great. Thank you.

5
6 **VICE CHAIR BARNES** – Thank you. Brought her fan club. Barbara Baxter.
7 Then, Rafael Brugueras, and then Damon Allen

8
9 **SPEAKER BARBARA BAXTER** – Expeditiously, Barbara Baxter of 28010
10 Gerald Lane. The first guy spoke about the dream. I had a dream as a child. I
11 was raised in country New York, and I used to listen to the crickets at night and
12 the frogs chirping and hear the hoot of the owls. I lived just below Sunnymead
13 Ranch for 12 years until we realized the dream of being in a place where I can
14 hear the crickets at night, and listen to the frogs, and hear the hoot of the owls,
15 and see those crazy burros walking all over the place. I love it out there. We
16 moved out there so I didn't have to hear my neighbors yawn at night and their
17 dog scratching a flea in the afternoon. I moved out there so I could stretch out
18 and live my dream. I moved out there because I've got a horse named Un
19 Sogno Divenuto Realta. It's Italian for dream come true. I'm living out there
20 where my dream came true. I'm living out there on my big lot looking at my
21 mountain and my snow, and I am enjoying Moreno Valley. I'm living out there
22 where the dream is where my new neighbors that have just moved there, three
23 new families with children are out there saying we love it out here. It's so
24 country. My sister said, Barbara, you're out there in the boonies. I said, I love it
25 out here. I don't care if you build some houses out there as long as you ain't the
26 tail rag wagging that dog and you ain't changing things where we can't live that
27 country life and realize that dream that Moreno Valley has to offer. Thank you.

28
29 **VICE CHAIR BARNES** – Mr. Brugueras and then Damon Allen.

30
31 **SPEAKER RAFAEL BRUGUERAS** – My name is Rafael Brugueras and good
32 evening Vice Chair, Commissioners, Staff, and guests. You know, if the lots
33 were \$250,000 or \$300,000, that's cheap. I will go buy a house up there if they
34 were that cheap, but they are not going to be that cheap. Okay? Now, I went
35 over the Pacific Willow right here at Nason and Fir where they are building 3600
36 square foot houses, and I needed to learn how you're going to put a big house in
37 that neighborhood. He gave me a flyer, and said that the houses that are being
38 built there are on 8000, 9000, and 10,000 square foot lots because I have the
39 paperwork that shows me the lots. And I asked them, are the homeowners
40 happy living in a big house and a pool-sized lot? And he said yes. And I asked
41 him why? And he said because there's enough room for their kids to play, their
42 dog and their kids to play in the backyard to have the pool, the patio, and the
43 barbecue at this point in time, and they said people like it like that because they
44 don't have to maintain a big lot because they work far enough to drive every day
45 outside of Moreno Valley. Anyone that owns a home over \$400,000, whether
46 you're paying for cash, and very little do that, you have to go outside of Moreno

1 Valley because there's no job in this city that's going to give you \$35 an hour
2 unless you go to Irvine and now you're driving for hours. But I applaud this group
3 right here because this is the last of the Mohicans that work hard. They are the
4 ones because their children and grandchildren are not going to be like them, not
5 all of them. Not all of them. No, no. No, no. You got to be true because your
6 grandkids are playing with a net. They are doing just more than working in your
7 backyard. Please. Now, I went up Nason, up that little hill, and I looked at those
8 one acre lots, and a lot of them got junk cars, trash, not taken care of. They just
9 let it go. Imagine another 108 lots like that in the future so, the good thing about
10 the developer, they are thinking about the future. The future generation that do
11 not want to work hard or lust to have big houses. Okay? That's the generation
12 that they are thinking about. This generation is lucky to have what they have.
13 Okay? That's the beauty part about it. Okay? So the developer is thinking the
14 right way, okay, for the future. That's what they are doing. You can hear the
15 voices. I must be saying something right because they are saying something.
16 So you think about the future. I'd rather see a developer develop everything and
17 have the sewage than have the raw stuff.

18
19 **VICE CHAIR BARNES** – Let's, let's give everyone their three minutes. Please.
20 It's only going to make things drag out a little longer so let's respect everybody's
21 time. Appreciate the process. Mr. Allen.

22
23 **SPEAKER DAMON ALLEN** – My name is Damon Allen. I've been in Moreno
24 Valley for 14 years. I am here representing the Southern California
25 Environmental Justice Alliance. It's kind of hard to follow all of these emotional
26 pleas for the property, but I just want to make a little report and get out of the
27 way. Regarding the air quality, the MND and Air Quality Analysis do not present
28 any analysis of impact potential Mitigation Measure for potential overlap of
29 construction phases. There is no statement that the construction phase will not
30 occur concurrently. Also, there is no requirement that the project be completed
31 over a certain number of days. Construction may occur faster as well, which
32 results in a significantly greater daily impact. Further, Section 118003,
33 Construction Hours Limitations of Moreno Valley Municipal Code indicate that the
34 legal hours of construction are from 8:00 AM to 10:00 PM. The Air Quality
35 Analysis does not present the worst case scenario of construction equipment
36 emitting pollutants for the legal 14 hours daily. The air quality model must be
37 revised to account for these legally, possibly longer construction days. The MND
38 uses the LFT modeling for 5 acre site is not appropriate as the proposed project
39 site is 75 acres. As stated by CEQA, the LFT math rate lookup table only applies
40 to projects that are less than or equal to 5 acres. In the event that the project
41 equals.....the project area exceeds 5 acres, they recommended that the LEED
42 Agency perform project-specific air quality modeling for the larger project. The
43 assumption that 5 acres a day may be distributed is in material. The MND
44 states, on page 8-14, be respective of a sites land use designation.
45 Development of the site to its maximum potential would likely occur with
46 disturbances to the entire site occurring during constructions activities. This is

1 contradictory to statements of the Air Quality Analysis. Project specific modeling
2 must be prepared for this potential impact, particularly where sensitive receptors
3 are. Nearby residential, Calvary Chapel School, etc. are located in close
4 proximity to the protected site. Further, the MND does not inform the public or
5 decision makers where exactly the sensitive receptors are placed for analysis
6 other than to say they are within 25 meters. The analysis is un-dually optimistic
7 that this does not place sensitive receptors at their property lines closer to the
8 project. Conservative modeling should be assessed. What might have
9 happened to the receptors given the exposure to the property line? The MND is
10 also inadequate as it does not mention where sensitive receptors, children at
11 Calvary Chapel School, were located for modeling or if they were analyzed at all.
12 I thank you for your time.

13
14 **VICE CHAIR BARNES** – Thank you, Mr. Allen. Next up, we have Leroy
15 Thomson, Jr., Robert Then, and David Carlson. Leroy Thompson. Thompson is
16 not here. Robert Then.

17
18 **SPEAKER ROBERT THEN** – Good evening and thank you very much. I, like
19 several of my neighbors, attended a meeting with the developer, and I am
20 confident that his goal is to create a quality project. My concern is that it is not
21 the right project. Homes on 7000 square foot lots or 7200 square foot lots is not
22 for this area of town. They also mentioned that this will be a template, a template
23 that will be used in the future for other developments in this area of smaller
24 homes on smaller lots. Once again, not what we’re looking for. There are plenty
25 of homes available in Moreno Valley for those who wish to live on smaller lots. In
26 checking today, and bare with me, I’m going to cut this down as fast as I can,
27 there are 277 single-family residents; 244 of them are standard sales of which
28 129 are on lots of 7405 square feet or less. That’s a standard size lot in Moreno
29 Valley, 7405 square feet. That’s 53% of the homes that are on the market today
30 in Moreno Valley are on small lots. We don’t need additional lots in this area of
31 town, small lots additional in our area of town. If someone wishes to not cut their
32 grass or just wants to live on a small lot, there’s plenty of opportunity for them in
33 Moreno Valley to find a house. The same cannot be said for those who wish to
34 live on larger lots. I have all these other figures, but I’m going to cut it down to
35 one because I think it’s very startling. In doing my check today, if somebody
36 came into Moreno Valley and wanted to buy a 2400 square foot single-story
37 home on a half acre lot, they have the choice of three homes. That’s all that is
38 available in Moreno Valley today, 2400 square foot single-story half acre.
39 There’s three of them. There is a market in Moreno Valley for larger lots and
40 single-story homes. That’s what should be built in this area of town. Is there no
41 area of town that we can say that we can protect and say this is for larger
42 homes? I’ve already told you how many homes are on the market today and just
43 a few minutes ago you approved or you voted on another project for 220 more
44 units that are on less than 7000 square foot lots that are on from 5000 to 6000
45 square foot lots. There’s plenty of opportunities for people who want smaller lots.

1 They are very few opportunities for those people who want to buy on large lots,
2 and I think you need to take that into consideration.

3
4 **VICE CHAIR BARNES** – Mr. Then, your three minutes are up.

5
6 **SPEAKER ROBERT THEN** – Rafael, his very first speech tonight said dream
7 big. Well I want to dream big. I want to dream big lots. Thank you very much.

8
9 **VICE CHAIR BARNES** – David Carlson. Then, Madeline Blua.

10
11 **SPEAKER DAVID CARLSON** – How are you doing? Thank you very much.
12 I'm David Carlson, and my property backs directly up to the proposed project. I
13 do want to say thank you to Claudia who took my phone call and answered all of
14 my questions, which just highlighted my concerns. I'm just a youngster coming
15 to this area. I've only lived there 15 years, and we looked for that home. When
16 we found a home in that area, we literally made our decision to purchase that
17 house in 5 minutes because of the location. Our two lots are very important to
18 us. I understand a developer wanting to come in, and what I see is good. But
19 R2 is the main thing. One of the things I noticed this evening that was just
20 startling to me, Item 3 took into account all the areas around them before they
21 brought your proposal, and there was absolutely no one to question what they
22 were doing. That's because it was all done with the area surrounding them that
23 was around them. They took into account for this. I'm sorry, our developer that
24 wants to come in here has not taken into account to that area, which brings me to
25 the environment. I don't know if you guys know this, but I see the burros outside
26 the back of my house on a regular basis. I would say they have been there,
27 what, 30 times in the last six months. A herd of about 30 of them. I don't know if
28 you guys even know this or if anybody has ever considered this, as far as the
29 drainage, wow, we had three inches of rain and man it flooded into Ironwood a
30 whole foot-and-a-half. I don't know where they are getting this drainage idea and
31 the problem we have. The City came by that day and just cleaned it up real
32 easy. I could have done it with my shovel in 20 minutes, but I'm an old fat man.
33 Also, as part of the environment, it's very important. How about the environment
34 of these people and the homes that they live in and the place that they live? I
35 hope you take human environment and the place that we have chosen to live into
36 consideration. I am also concerned about the street layout. From what I
37 understand, and I may have just misunderstood with just a phone conversation,
38 the south side of Nason Street is going to remain that width, but it's still only
39 going to be one lane going in that other direction. I don't know if that's true. If it
40 is, I'm concerned about that. From what I understand, there's no parking on that
41 side so it's going to be great that all those people that want to use those hiking
42 trails park in front of my house, and that would be great. Appreciate that. So I
43 really want you to consider this. Also, if you postpone this discussion tonight like
44 you're talking about in discussion, will we be notified and will we be invited back
45 to hear these discussions or is this going to be something you guys do privately?
46 I really.....I'm not opposed to having homes there. I understand that, but you've

1 got to keep it to R2, and I would really appreciate that. I'm fine with nothing
2 being there but R2 would be great. Thank you.

3
4 **VICE CHAIR BARNES** – Madeline, would you mind if Allison G. stepped up?
5 Apparently, she has small kids and has to leave so. Thanks Madeline.

6
7 **SPEAKER ALLISON GEE** – Hello. Can you hear me?

8
9 **VICE CHAIR BARNES** – Yes.

10
11 **SPEAKER ALLISON GEE** – Okay. I have three little kids outside that are really
12 sleepy, so I am going to try to make this quick. My husband and I grew up here.
13 I moved here in 1991 when I was four. I lived off of Box Springs Road in a tiny
14 little tract home. I can't tell you how many square feet the lot is, but it's tiny. My
15 husband grew up in Sunnymead Ranch, again, in a very, very small lot and also
16 in Hidden Springs. So both of us grew up on a tiny little lot and, when we wanted
17 to buy a home, we knew we wanted to buy in Moreno Valley to keep our kids
18 here and grow up here like we did. We looked for six months at at least 20 or 30
19 houses every weekend. My husband had Sundays off. Every Sunday, from
20 sunup to sundown, we were looking at houses, sometimes even late throughout
21 the night. We ran into this house on accident. It had been listed for two days,
22 two days, three days. We live across the street at Nason and Ironwood on Pam.
23 We live right on the corner. We're elevated higher than some of our neighbors,
24 and we can see right across to the lot, and it's beautiful. The same day, we
25 wrote papers. We put our request to buy the house, and we got the house six
26 years ago so we've stayed in Moreno Valley now for 24 years. We don't want to
27 move. We love where we live. Our kids run around up there. They collect rocks
28 up there. I mean, it's kind of silly. My daughter likes to go up there and look at
29 the donkeys. Although she wants to pet them, I won't let her pet them, but I don't
30 want....I oppose it because I don't want a housing tract over there that is going to
31 take that away. I don't mind big houses because I would assume that there
32 would be property for horses and areas to walk around or still do what all of us
33 probably do when we go over there. Also, if there is 181 homes, let's say one
34 car per home, that's 181 cars that are going to try to avoid the light at Nason and
35 Ironwood. They are going to cut right through my neighborhood, and there is
36 already enough few people, visitors I assume that don't live in the area, that
37 zoom down that street. It's going to get a lot worse, and there's going to be
38 people who are going straight across Ironwood to get into our neighborhood that
39 are going to end up t-boned. We can't afford another light there because there's
40 already two, two intersections so that's kind of it. This was more of a last minute
41 thing. So I do oppose it. I don't want a lot of homes there. A few tract homes,
42 I'm sorry, not tract homes but big properties like we live on would be nice. But,
43 again nothing there would be nice too. Thank you for your time.

44
45 **VICE CHAIR BARNES** – Thank you, Allison. Madeline Blua, Kathleen Dale,
46 and Joe Lockhart.

1
2 **SPEAKER MADELINE BLUA** – I’ve lived in Riverside County all of my life, and
3 I just moved onto Steeplechase Drive actually this summer. I’m 24 years old
4 and, even in this short amount of time that I have been on this planet, I have
5 noticed an incredible amount of development in rural areas, and we need to stop
6 putting developments above everything else. I looked at the initial study, and it
7 seemed to kind of gloss over so many issues that should’ve been part of an EIR.
8 I am an environmental scientist, that’s my major. I took an Environmental
9 Assessment Class so some of the issues I have are the esthetics. It was not
10 discussed at all how it’s going to affect the neighbors. Traffic, I’m scared of
11 pulling out onto Ironwood from my street. It’s a curb. People drive so fast. I
12 can’t imagine doubling the amount of traffic, and there’s no mitigation for that.
13 People, you know, there’s accidents there all the time. And another issue is, if
14 you’re putting all these houses in, all those people who don’t really appreciate
15 and respect nature because they want those small lots, they are going to be out
16 there in those trails off-roading and littering. And it’s already kind of that way, but
17 I don’t want it to be worse I guess. And, that’s it, thank you.

18
19 **VICE CHAIR BARNES** – Thank you. Kathleen Dale.

20
21 **SPEAKER KATHLEEN DALE** – We have another resident who needs to leave.
22 Can we take her out of order?

23
24 **VICE CHAIR BARNES** – Certainly.

25
26 **SPEAKER DAISY FRANCO** – Good evening.

27
28 **VICE CHAIR BARNES** – Your name?

29
30 **SPEAKER DAISY FRANCO** – Oh, I’m sorry. My name is Daisy Franco and my
31 husband Joe Franco, we live on 2, we just moved there so bear with me, we live
32 on Pam Place. This development is going to be right behind our house so I have
33 to give a lot of credit to the individual that was before me because she just nailed
34 it on everything that I wanted to say. However, I wanted to just bring to your
35 attention that I moved from West Covina. I was in a crowded residence as well.
36 We lived next to a high school stadium and there was the football lights and a lot
37 of traffic, and it was just really hard for us. And we have three kids, and we
38 wanted to move out here. And we just really enjoy the scenery, and it was just
39 overwhelming with us because we searched everywhere. We looked in Rialto,
40 Riverside, Reche Canyon, Perris, Hemet, and we fell in love with Moreno Valley
41 right here. We’re just right there on Nason and Ironwood. We searched for
42 months day and night. We came during the day. We checked schools in the
43 surrounding areas, API scores and everything. We also got the attention from
44 just the roaming donkeys and the peacocks. Oh, I can’t even tell you. That
45 was...it was beautiful. As far as checking out reasons why I am against this is
46 just the increased traffic noise that would happen, possible graffiti, street racing,

1 increase in population resulting in overcrowding in schools, not to mention we're
2 going to have the new high school. It's going to be overcrowded, unhappy
3 residents probably selling their homes because they are just unhappy now. And
4 reasons that we should just leave it alone, keeping the peaceful atmosphere,
5 schools are distant resulting in not overcrowding. Donkeys can have their natural
6 habitat. The peacocks can enjoy a quiet neighborhood and peaceful streets, no
7 trash. We could have amazing scenic trails for us to go ahead and walk right
8 now. I estimated the approximate location for a park for us is 2.9 miles of
9 walking and 1.3 miles south of the 60 so, for us, it's really hard. Maybe the
10 Planning Department can consider looking at the Badlands Landfill. If you're not
11 familiar with that, I have the location here. It's flat. It's already ready. You can
12 move in. Right? Do you agree? Yes. If you need some help, the City of Azusa,
13 they did it over there at the landfill. There's a Target. There's a stadium.
14 There's Home Depot. You can build your stuff there, okay? Thank you.

15
16 **VICE CHAIR BARNES** – Thank you.

17
18 **SPEAKER DAISY FRANCO** – Have a good night.

19
20 **VICE CHAIR BARNES** – Kathy.

21
22 **SPEAKER KATHLEEN DALE** – Before the timer starts, can I just ask for
23 clarification about your direction about people consolidating their comments
24 because two of the speakers have asked to yield their time to me, and I wasn't
25 sure if that's what you meant?

26
27 **VICE CHAIR BARNES** – I didn't want to particularly give away the time
28 because that doesn't save us any time.

29
30 **SPEAKER KATHLEEN DALE** – Yeah, I don't think I would need 9 minutes, but
31 I might like 6 minutes or 5 minutes.

32
33 **ASSISTANT CITY ATTORNEY PAUL EARLY** – We recommend that you stay
34 consistent across the board with all of them, Jeff.

35
36 **VICE CHAIR BARNES** – We'll stay with the three minutes.

37
38 **SPEAKER KATHLEEN DALE** – Well, I'll see what I can do, and I guess, if you
39 guys want to speak.....

40
41 **VICE CHAIR BARNES** – It's not an auction folks. If you want to speak, you're
42 entitled to. Go ahead, Kathleen.

43
44 **SPEAKER KATHLEEN DALE** – Alright. Well, now I've got to regroup, so
45 anyway you did get some written materials from me as well, which you know
46 rushing here from the copy place was the quickest I could do with the packet

1 coming out on Friday afternoon. There also, as part of that, is a copy of this Re-
2 Max letter that all of the residents out there have received. There are numerous
3 procedural and substantive requirements that haven't been met for you to take
4 any affirmative action on this project. The deficiencies relate to the disparity
5 between the entitlement requests that are before and the applications that are on
6 file, lack of evidence of authorization from the property owners, inadequate and
7 improper noticing, inadequate CEQA documentation, and outstanding input from
8 the Trails Board. I don't understand the Planning Official's position that you can
9 make a recommendation about the General Plan Amendment and consistency
10 with the General Plan and make a recommendation about the CEQA document
11 when you don't have all of the Mitigated Negative Declaration Comments and
12 when you don't have the input from the Trails Board. The City is really
13 approaching this evaluation backwards. The City record focuses on the
14 subdivision and the design guidelines, which you don't even have the authority to
15 approve. And then you backfill the record to detail all the changes you've got to
16 make and the justifications you need to make in order to justify the proposal that
17 doesn't fit with the plan. Really, what you have to be doing is looking first at the
18 General Plan Amendments and deciding whether or not there's a compelling
19 reason to change the General Plan. If you think there's a compelling reason to
20 change the General Plan, then look at the Zone Change and the subdivision, the
21 Design Guidelines. You don't have the authority to approve those. They can
22 only be part of the Specific Plan or a PUD. I wanted to ask, before I lose track
23 because these people are doing a great job tonight, your Rules of Procedure
24 allow you the option to give the public a chance for rebuttal as well, and I would
25 hope that what you said earlier about keeping the Public Hearing open that you
26 will also as part of that allow the public a chance to rebut after the Applicant
27 rebuts everything that the public has said. Basically, this project is an
28 encroachment into the heart of the city's rural community. It threatens the health,
29 safety, and welfare of the immediate residents, as well as the health, safety, and
30 welfare of the entire city that benefits from this housing-type opportunity and the
31 open space benefits that are inherent in the longstanding General Plan Policies
32 for this area. Just very quickly, remember the Empire Homes project?
33 Subdivision 75 acres in the north of this. It was approved by the City with a
34 Mitigated Negative Declaration. The residents sued. They prevailed in court,
35 and the City was required to rescind that approval and Empire Homes never
36 came back. That was 2004 to 2008. Thank you.

37
38 **VICE CHAIR BARNES** – Thank you, Kathy. Joe Lockhart is next. Then, Jack
39 Ergish.

40
41 **PLANNING OFFICIAL RICK SANDZIMIER** – Joe Lockhart is gone.

42
43 **VICE CHAIR BARNES** – You, you, you can speak.

44
45 **SPEAKER THOMAS ROSS** – My name is Tom Ross, and the view right out the
46 front of my house is exactly the land we're talking about right out here, and I want

1 to tell these guys right here that told you about all these studies they did. I don't
2 know how they even got a map of that thing. I haven't seen a surveyor out there.
3 Not one, and I look out there probably 100 times a day. And I've never seen
4 anybody do any study down at Nason and Ironwood. There's been no rubber
5 hoses across the road. Nobody has counted cars. Nobody sat there and
6 counted cars or nothing. You better get your money back because somebody is
7 screwing you. And the next thing is, if you're not going to put a fence around that
8 thing, you better put a wall around it, because you've got bobcats, you've got
9 mountain lions, you've got coyotes, you've got raccoons, you've got skunks, and
10 best of all you've got rattlesnakes. And, if you don't believe it, I can show you a
11 picture right on my phone one about three months ago. I opened my garage
12 door and here's a 4 foot rattlesnake in it, and I don't live a quarter of a mile from
13 where they are going to build houses. And, I'll tell you, if they build houses, I'm
14 going to be down there every day and every guy that comes in there to buy a
15 house, I'm going to tell him about all this stuff. And I do not believe that they
16 have talked to the Indians, any of the Indians, because you don't screw with
17 those Indians. If they think there's a dead Indian on that property, you're not
18 going to build nothing. I've got places on my property that I can't even stick a
19 shovel into it because they think there is a dead Indian buried there so that's
20 about all I got to say, and I'm not for building bigger houses down there. I'm for
21 building none of them. If this City wants to do something, raise our taxes a little
22 bit and buy that cockeyed property and leave it a natural place. You go out there
23 every morning and every afternoon and see the people that are out there walking
24 their dogs. And, if you can survey with a dog, well maybe they did survey it.
25

26 **VICE CHAIR BARNES** – Thank you. Has Joe Lockhart spoken?
27

28 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Yes.
29

30 **VICE CHAIR BARNES** – Jack Ergish is next.
31

32 **SPEAKER JACK ERGISH** – Yeah, my name is Jack Ergish, and I am a Land
33 Development Engineer so I'm going to talk about things that I know about. And
34 I'd like to refute some of these things this gentleman said earlier about the
35 reasons why he's building R5 lots in an R2 subdivision. He said that, building R5
36 lots would solve the drainage problem. R5 lots increase drainage so that is not a
37 valid point. And you said you reduced the flow rates. Well, if you reduce the flow
38 rates with an R5 development, you can reduce the flow rates with R2
39 development just as well. And, the basins, that's their function is to reduce the
40 flow so you could do that with an R2 development just as well as you can with an
41 R5. Another issue that was brought up was safety. I looked at the street layout,
42 and it has a 1500 foot curved cul-de-sac. Now, if I was in the Moreno Valley
43 Police Department, I would be scared to death to go up that cul-de-sac. It's an
44 ambush waiting to happen. So I think the layout is terrible. These long cul-de-
45 sacs, they are just terrible. The other thing is fire. Fire has to go along 1500
46 feet. A lot of cul-de-sacs that I've designed 600 feet was the maximum so I don't

1 know where you can get 1500 feet on your cul-de-sacs. As far as the grading,
2 the grading that you're doing on that plan is far more extensive than it would be
3 for an R2. There is no difference. You just take those two lots and make them
4 level. It's the same grading. I've done it a million times. I know from what I
5 speak. One of the issues he brought up is the fact that the high school is just
6 down the street. Well, I don't know if the high school has ever decided where
7 they want to build the other high school. They change every other week. First,
8 it's going to be here. Then, it's going to be there. Then, it's going to be way
9 down in Redlands. So I don't know if you can believe what the School District is
10 saying about where they are going to build that high school. And it's too
11 close.....if they do build it there, it's too close to the existing high school, Valley
12 View. One of the things that I saw in the plans was a proposed 12 inch sewer. A
13 12 inch sewer will feed a lot more than 108 houses. So what does that tell me?
14 That tells me that there's more coming; a lot more coming. And, lastly, I would
15 say that this is Councilman Coe's dream.

16
17 **VICE CHAIR BARNES** – Thank you. Next up, Bill Waulters, David Zeitz, and
18 Don Wilson. Mr. Waulters, alright. Waulters is a no show. Mr. Zeitz.

19
20 **SPEAKER DAVID ZEITZ** – Hi, my name is David Zeitz. I live at 26386
21 Ironwood. I've lived in this area before you guys even thought about being a city,
22 okay? They talk about, we've had people talking about a dream, okay? You saw
23 my little girl there. Her dream was to have a pony. She has one because we live
24 on a large property. You're going.....it's frustrating, very frustrating. Okay,
25 number one, they are talking about the traffic. Well, the traffic going west on
26 Ironwood is going to increase. They tell me, oh, they will go down Nason.
27 Where are the elementary school and the middle schools? On Ironwood, so
28 every one of those moms is going to hop in their car with their little kids down
29 Ironwood through the curves. Nobody honors the speed limits through there.
30 They'd be the first one to complain if somebody went 3 miles an hour in there 25.
31 It's 45 miles an hour through those curves, and I can bet you 80% to 90% of
32 those cars are doing 55 and 60. Okay? I've lived there since 1984. I believe
33 there have been at least six fatalities on that curve, and I can't tell you how many
34 accidents that we hear in the middle of the night because you can hear them
35 coming. All that's going to do is increase our traffic, increase our problems.
36 People that live in this style of house have no respect for other people's property.
37 They talked about wanting to work and come home and be lazy. That's what I
38 heard out of the other speaker. People that own these properties, they work at
39 them. They care for them. They like the land. They have the animals. It's just
40 ridiculous to change this. My wife was the first speaker tonight. She mentioned
41 that the other council members, on two occasions, have struck down zoning
42 changes. It needs to happen again. Why are we messing with this? It's that
43 simple. Everybody talks about the dreams. What about the dreams of the
44 people that want to get out of patchwork houses? They want to be able to
45 stretch their legs, walk around their property, watch their dog run across the yard,
46 look at the bobcats wandering through their yard. January 1st, I had a bobcat in

1 my house. He got into my chicken coop and killed a couple chickens. I turned it
2 loose. Everybody asked me why? Because he was here before me or his
3 predecessors were, and that's the way we need to leave it. R2 or better. Other
4 than that, leave it alone. Thank you.

5
6 **VICE CHAIR BARNES** – Thank you. Don Wilson. Then, Daizy Zavala, and
7 Shelly Lindekugel.

8
9 **SPEAKER DON WILSON** – Good evening. I'm Don Wilson. I just moved into
10 Steeplechase in July. I moved here, moved up there because I lived on
11 Cottonwood and Perris and, last year, I had a car drive into my living room. I had
12 my truck stolen and my wife held at gunpoint, and I said I've had enough. So
13 we moved. We searched for six months, for a year. We saved and scrimped
14 and got out of that neighborhood so I could have some elbow room, so my kids
15 could ride their bikes without getting run over or highjacked just to be honest. So
16 we moved up there. To me, this issue is what I've been coming to the City
17 Council Meetings off and on for a year now trying to understand the City and
18 trying to get the know the Council and see what's going on here in Moreno
19 Valley. To me, there's an issue here, old versus new. And it's an emotional
20 issue, and I understand that issue. We have a rural community represented
21 here, and they want to keep it rural. I heard a lady a minute ago say rural versus
22 city. Well, it is city. It's Moreno Valley. It's not rural anymore. Whether we like it
23 or not, it's the case. But I think they have a point in saying let's keep an area
24 rural. The rest of it is going to be R5. It's going to be all that kind of stuff. My
25 question is what do we gain besides profit? I'm a pastor in the area, and the
26 spiritual impact, and when I get to get away to my half acre and have my elbow
27 room and my space that's what I need. And I think that's what these people are
28 saying they need. And that's why they got out of wherever they were and so let's
29 not change the development. That's all I have to say tonight. Thanks.

30
31 **VICE CHAIR BARNES** – Thank you. Daizy Zavala. Oh, okay. Thank you.
32 Shelly Lindekugel. I apologize if I did not pronounce that correctly.

33
34 **SPEAKER SHELLY LINDEKUGEL** – That was pretty good. It took me a while
35 to learn how to pronounce it too. I've been a Moreno Valley resident.....my
36 name is Shelly Lindekugel. I live at 26180 North Shore Drive. I've been a
37 Moreno Valley resident since 1982. My husband and I moved out here when we
38 got out of the air force. We bought our sixth house across the street from
39 Moreno Valley High School. I think we all know what that neighborhood looks
40 like now. I've been a realtor here since 1989, and I've lived in northeast Moreno
41 Valley since 1998. I'm gratified that so many people have read my letter
42 because I really do have people looking for homes in the northeast end of
43 Moreno Valley. Moreno Valley doesn't have much of a higher end. The highest
44 priced home that sold in Moreno Valley in 2016 was less than half a mile from
45 this proposed development. It sold for \$690,000. Riverside \$690,000 isn't too
46 much but, in Moreno Valley, it's one heck of a lot of money because a lot of our

1 owners are working class people. There are 280 homes currently for sale in
2 Moreno Valley, 13 of them are in northeast Moreno Valley and, when I say
3 northeast Moreno Valley, I pretty much mean from about Lassalle all the way
4 down to the end of town above Ironwood and then just slightly east of that south
5 of Ironwood from maybe Vista De Cerros. Almost all of those homes without
6 exception are half acre properties. There are, as I said, 13 homes in northeast
7 Moreno Valley currently for sale. That's 2.1% of the homes for sale in Moreno
8 Valley are in that area of town. If I had, if I had three times as many half acre
9 homes in northeast Moreno Valley, I could sell every single one of them because
10 there's that much demand for them. So I would beg the developer to look at
11 putting half acre homes in there so that it confirms with that end of town. Not
12 that.....one of the things that he said that made the hair stand up on the back of
13 my neck was that it would be a template for other housing coming in that end of
14 town. Well, let's destroy the highest housing values that we've got in town by
15 letting these kinds of homes come in. That's not why the people, myself
16 included, that live there moved there to begin with. So I don't think anybody here
17 is against profit or progress or building homes or growth. I think we're all for that
18 but let's so it sensibly. And why have a General Plan if, every time somebody
19 wants to build something counter to the General Plan, we change it. So, anyway,
20 thank you for your attention.

21
22 **VICE CHAIR BARNES** – Thank you. George Hague, Deborah Johnson, Glen
23 Jacobs. Is George still here? Alright. Deborah Johnson.

24
25 **SPEAKER DEBORAH JOHNSON** – Can ya'll hear me? My name is Debbie
26 Johnson. I've been living and teaching in Moreno Valley for more than 25 years.
27 First, in response and respect to the notification of current owners and proposed
28 projects, it's disrespectful to current residents and insufficient notice to owners to
29 simply provide mailers to residents within 300 feet. Insult to those not within the
30 300 feet guideline not to inform them, which was my residence, my neighbors
31 right across the street from me. The newspaper mailers and signs are okay but
32 are insufficient as most receive news and information using the current
33 technology of today. As Commissioners and Custodians of our fine City, you
34 should attempt to enhance the quality of life for current and future residents of
35 Moreno Valley, and it's your duty and obligation to preserve the quality of life
36 already afforded us. I understand the need for additional housing in Moreno
37 Valley, but rezoning one of the last two areas with rural settings is a huge
38 mistake. I concur with previous people in regards to the view from our homes,
39 the extensive wildlife on the same lands as the proposed building, the wild
40 animals such as squirrels, rabbits, raccoons, skunks, coyotes, donkeys, etc.
41 Clearly, the traffic in our area will increase substantially, which will make it nearly
42 unbearable due to the number of houses in a small confined area, and I will tell
43 you that, if this happens, I am putting my house of for sale and you can sell it
44 because I won't want to live here anymore. All three of my sons went through
45 Moreno Valley Schools and, unfortunately, they moved out of Moreno Valley,
46 which is not what I wanted because they didn't find what they wanted here. One

1 thing that I'd like to have the Commission consider, and the builder consider, is
2 the fact that there are property values and crime rates to consider. The average
3 sale price of R5 zoning in the last year is \$268,764 while the R1/R2 average sale
4 price is \$396,723. I've pulled the Zoning Map along with the Crime Rate Map for
5 the City, and there is a direct correlation to the zoning density. Looking at both
6 maps, it's basically a paint by numbers having the least crime with R1 and R2
7 and the R5 zoning having the most, which would be commonsense. As far as
8 our Environmental Impact Report, that would definitely be necessary along with
9 addressing potential new taxes.

10
11 **VICE CHAIR BARNES** – Debbie, your three minutes are up.

12
13 **SPEAKER DEBORAH JOHNSON** – Oh, thank you. Let me just finish.

14
15 **VICE CHAIR BARNES** – Quickly.

16
17 **SPEAKER DEBORAH JOHNSON** – Quickly. I sat here a long time just to
18 speak.

19
20 **VICE CHAIR BARNES** – As have we.

21
22 **SPEAKER DEBORAH JOHNSON** – I strongly urge the Council and the
23 Commission to keep the current zoning. I am opposed actually to having
24 anything built there because I go running. I'm a runner. In conclusion, as a
25 teacher, I ask my students to make good respectful decisions and as Council
26 Members and Staff, I ask you to do the same and be visionaries and exemplary
27 leaders.....

28
29 **VICE CHAIR BARNES** – Please conclude.

30
31 **SPEAKER DEBORAH JOHNSON** – And guardians of our City. Thank you.

32
33 **VICE CHAIR BARNES** – Thank you. George.

34
35 **SPEAKER GEORGE HAGUE** – Good evening. I'm glad you're hanging in
36 there after 11:00.

37
38 **VICE CHAIR BARNES** – We're troopers.

39
40 **SPEAKER GEORGE HAGUE** – All of you. I went out there. There are people
41 out there, as you know, you hear there applauds. They signed the clipboard with
42 information. If anybody here has yet to sign the clipboard, please do so. And
43 please come back. It will be very sad if this chamber is empty when this
44 Commission makes a decision on this. It is very important that we are here to
45 watch what is being done. You received a 17 page letter from the attorneys back
46 in December. You should've read those. You received, late today, a followup

1 four page letter basically saying the seven page letter was not addressed, not
2 thoroughly, not completely. Hopefully, you've read that. I would appreciate
3 being able to read the responses from the developer on those and being able to
4 respond back to what the developer said. That hasn't happened. I hope this
5 doesn't have to go to court but it may. And, if it does, hopefully some people in
6 the audience will help pay for an attorney to follow this through to the end. But,
7 hopefully, the developer will sit down with some of us and come to the decision
8 that a half acre is the best way and opposition disappears, and he has a
9 wonderful project; one that we would all appreciate having in the neighborhood,
10 except maybe one runner. So please continue this hearing not for yourself,
11 continue the hearing for the public. When I leave here and Friday and early next
12 week, I'm going to try and get my hands on the packets that were dunked in front
13 of you by the developer trying to answer these 73 emails and documents from a
14 couple of different attorney's. And I want to read those responses, and then I
15 want to give you additional input. I'm afraid you're not going to allow me to do
16 that at the next hearing, and that's wrong. You have the right to allow me to
17 speak again after I gain more knowledge that I haven't been able to gain at this
18 point. I should be able to, once again, address you and so should other people
19 behind me if they are able to gain more knowledge that was not given to them to
20 this point. Now, that doesn't mean the hearings will go on for ever and ever and
21 ever. You just need to allow some of us, or as many of us as possible, to be able
22 to speak on this issue. This project will be growth inducing. You've heard that a
23 couple of times this evening. They are going to put a huge sewer system under
24 State Route 60, even probably larger than what you just heard somebody else
25 speak about. They are going to bring it up Moreno Beach. That's going to
26 basically open up the entire area for small lot development. We're totally against
27 this.

28

29 **VICE CHAIR BARNES** – Your three minutes are up, George.

30

31 **SPEAKER GEORGE HAGUE** – I thank you very much, and you have a good
32 evening.

33

34 **VICE CHAIR BARNES** – Thank you. Next up, Glen Jacobs. Then, Lindsey
35 Robin. Then, Michael Brown.

36

37 **SPEAKER GLEN JACOBS** – Alright, good evening Commissioners, people in
38 attendance, and those still watching at home. I'm Glen Jacobs. I live in District
39 2. However, I live in Hidden Springs, and I feel for my larger community, and I
40 thank them for taking the time out of their lives to be heard in regards to the
41 Ironwood Village Project. I'm here for more than four hours. That's crazy. I
42 don't know how many people that really had a cause would stand for that amount
43 of time but, as watching people, some of them were standing for over three
44 hours. Bravo. I understand this is a process but, all this time spent, I think
45 Commissioner Korzec said it best. No Zone Change, no problem. You know, I
46 challenge others to stand for this amount of time or just come to these types of

1 meetings to advocate for things that they care about in their lives. You know, the
2 old Ralph's, the Sunnymead HOA, they can't help that vacant center. You know,
3 the golf course south of town, they can't help the fact that they look to dead grass
4 when they butted up to a golf course. The east side, south of the freeway, alright
5 man we took on the World Logistics Center, and we rezoned all that. But come
6 on now, the upper north side going R2 to R5. You can plan for this, and you can
7 prevent this. Yet, tonight, I met Tom and Mary who lived in this land and this city
8 way before it was a city. The General Plan was adopted in 1988. They checked
9 it to make sure it stayed R2. The City revisited in 2006. They checked that
10 Strategic Plan again to ensure the rural lifestyle. And, again tonight, I see 30
11 people in the hallway, 30 people standing outside, 100 people in attendance
12 voicing concerns. I never saw anything like that when I ran for City Council in
13 2014. These people are walking the walk not talking the talk. This is a huge
14 pushback. No HOA, no clubhouse, just residents passing out information, and
15 look at this turnout. They passed out this to doorsteps, and we got all these
16 people here. This is wild and crazy. Again, all these people here to be heard
17 and seen. I don't believe in bait and switch. I'm not sure how you rate pushback
18 but, on a scale of residents fighting this Ironwood project, it seems to me this
19 might just be the first wave. This was due to the papers being left at the houses
20 and the bottom line this is proof that these residents are ready to fight to retain
21 their lifestyle. These neighborhoods are the rural area that we have left. I mean,
22 this looks like a City Council nightmare. My advice, do not approve. Stop it here.
23 It's not moral. It's not ethical. And I can just imagine the reason you were
24 appointed or, in some cases, elected was to stop these types of things before
25 you take up their time there. So best of luck. My vote is no, but good luck
26 people.

27
28 **VICE CHAIR BARNES** – Thank you. Next up, Lindsey Robin. Then, Michael
29 Brown.

30
31 **SPEAKER LINDSEY ROBIN** – Lindsey Robinson. Is that close enough?
32

33 **VICE CHAIR BARNES** – Sure.
34

35 **SPEAKER LINDSEY ROBIN** – My boots are muddy. I've been to that site. I
36 went to Ironwood and Moreno Beach when that was denied. I went to Ironwood
37 east of Vista De Cerros when was denied. We have a General Plan. We lost
38 trails, we lost large lots, and we lost the PAKO when the World Logistics was
39 stupidly zoned for down there. We need to keep the PAKO. We need to keep
40 the large lots. You need to respect the residents, and I'm very disturbed when I
41 asked Claudia to verify that the City Staff has read about the other denials and
42 what the Councils said then and what the Planning Commissioners said then.
43 They made promises to use that we would not keep having these battles. She
44 could not verify, they could not find these reports, and she could not verify that
45 the Staff studied and read those. I think there's something really wrong when our
46 Staff can't produce those and can't verify because we have fought this fight, and

1 we have won twice before. It shouldn't come up again. It's a nice project, yes,
2 but keep it at R2. Keep is PAKO. We need to retain that area. Thank you.

3
4 **VICE CHAIR BARNES** – Thank you. Michael Brown. Then, Tom Jerele, Sr.
5 David Cortez batting third.

6
7 **SPEAKER TOM JERELE, SR.** – I think Mr. Brown may have left. I'll stand
8 outside if he does show up. Tom Jerele, Sr. speaking on behalf of myself. Vice
9 Chairman Barnes, Commissioners, Planning Commissioners, Members of Staff
10 and the public both here in the chamber who are toughing it out until 11:30 at
11 night and those who are watching at home on MVT3 or on the internet, I
12 commend Chairman Lowell for stepping out. That was a very honorable thing to
13 do, and I really thought that was a neat thing. And one comment, I really
14 should've spoken earlier, but I really believe with the larger notice, it's something
15 you need to look at in the City. Three hundred feet is effectively across the street
16 sometimes, and it's just not fair to the community at large. So I think it should go
17 a quarter-mile, even a half-mile. I know it's extra cost, but it's not that much with
18 computers, extra postage, and extra mailing, and I don't think it's that bad. So I
19 just think it is something you should look at in our City. And then, finally, I think it
20 was just an oversight, we should've moved this hearing to the beginning of the
21 meeting. I mean, there are over 100 people here and obviously they have grave
22 concerns and strong feelings and to be hearing testimony at 11:00 at night is
23 pretty rough. It's rough on you. It's rough on Staff. It's rough on them. And I
24 pray that when you reopen the hearing that there are additional people who
25 come forward and are given the opportunity to speak. All that being said, if you
26 noticed my slip, it doesn't say for or against because I came here with an open
27 mind. I wanted to see it. I'm familiar with the area. I've lived in Moreno Valley
28 since 1981. I built custom homes just east of here on Steeplechase, or west of
29 here, excuse me. And I built some development just to the east of here. In fact, I
30 got some of the first half acre lots approved out there on tract one, 7544. And,
31 like people were talking about, that was a project that opened up for about 400 or
32 500 homes to be built on half acre lots, probably some of the people here tonight.
33 And, at that time, there were certain council people that wanted that area to be 5
34 and 10 acre zoning. Well, do the math, that's 90% of the people. Eighty percent
35 of the people wouldn't be able to live here right now because there is not a lot
36 created for them. So density is not an evil unto itself. Good planning with good
37 designing features and amenities is the key to a cohesive and quality
38 development. I've been, because of my bank relocation, driving past Canyon
39 Crest quite a bit in recent days, and I've seen it many times before. I think it's an
40 incredible example of a high-density area, which has probably got just as some
41 of the people are concerned here with more than a million dollar plus homes, \$2
42 million/\$3 million homes in the same radius area so you can't integrate a density
43 project in an area. I mean, they are aggressively building apartments in the
44 immediate area and you go a half mile away and you've got some of the most
45 expensive homes in Riverside so you can do good things so the density isn't,
46 unto itself, the issue. It's how the project is implemented. I'm also a 20 year plus

1 member of the Director Slawson’s Advisory Committee for EMWD, and I like the
2 idea of bringing the sewer up because they are going to need it in that part of
3 town sooner or later. Am I out of time? Okay, well I thank you, and I love the
4 feeder trails. I think they are very innovative, and I think detention basins are
5 going to screen the project very well. Thank you.

6
7 **VICE CHAIR BARNES** – Thank you, Tom. Next up, David Cortez and Huda
8 Kaoud.

9
10 **SPEAKER DAVID CORTEZ** – Hello. My name is Dave Cortez. Is it okay to
11 speak now?

12
13 **VICE CHAIR BARNES** – Yes, go.

14
15 **SPEAKER DAVID CORTEZ** – Hello. My name is David Cortez. I live at 2839
16 Black Oak right there on Quincy and Cactus, and I came here to be a part of this
17 so we don’t change our zone area. I like it as it is. I moved here about 20 years
18 ago. When I lived up there in Victor at the south end of the City, I moved over
19 here for my family so they could have room to grow and see how it is to have a
20 good environment instead of being crowded. Because I was raised over there in
21 LA, and it’s pretty crowded over there with the homes. You can hear the next
22 door neighbors yelling at each other. And here where I live, you can hear
23 nothing but the animals in the back of your yard. Like I said, there are snakes
24 here. A rattlesnake came into my yard about two months ago and also.....we
25 also have the coyotes that holler at night and the donkeys that come. That is
26 something my family had never seen. Only my wife had seen it because she
27 came from Mexico, and she talks about her past and her history and traditions
28 that they have there are their family of things that occur in their homes. And I
29 explained to my son this is how it is to live in the United States and California to
30 have an open place for your family to grow, not to be stuck in the city. That’s
31 why I’m here. I don’t want to be in the City. I just want to be in the open country,
32 and you are here. You are not up in LA or anything else. You’re here in this big
33 place here, and I’m a resident, and I want you to hear our voices. We’re hoping
34 you hear our voices that we don’t want it to grow here. We like it as it is now.
35 We like the things that are open, and we like change. You want to change and
36 put more residents but make it an acre. I live on 1.18 acre, and my son bought a
37 house about a year ago. And he’s 24 years old. So, if my son can do it, a lot of
38 people can buy homes here. So a lot of people say they can’t but they need to
39 apply and do hard work for it as many people did here. And I know the people
40 are here to help us, I like their help but make the homes bigger. Give us an acre
41 property because smaller is not going to help us. We like a big room and the free
42 environment where we’re at. And I thank you for whatever you’re doing for us,
43 and thank you for being here late for us so you can hear our voice. And, our
44 voice, I would like you to hear us and vote for us please. Listen to us. That’s all I
45 have to say. Thank you.

1 **VICE CHAIR BARNES** – Thank you very much. Huda Kaoud, and I apologize
2 if a butchered that.

3
4 **SPEAKER HUDA KAOU** – It's Huda Kaoud. Thank you so much for letting
5 me speak. I'm actually fine to speak in public, but this issue is very frustrating to
6 me and I am presenting my family, my parents especially who moved here about
7 12 years ago. In particular to this house because, my mom, she wakes up early
8 in the morning and the only she does is planting and taking care of the house
9 and us, and I want to say that.....I have a lot of things to say, but I work in LA,
10 and I wake up so early in the morning, and I drive just to make sure that I beat
11 traffic over there. I'm renting half an apartment in LA, but still I can only.....I stay
12 there maybe four times in a month because I cannot sleep there. It is always
13 loud and the neighbors are always loud and I always hear the sirens, and I find
14 myself always driving after work. I don't even go to my apartment in LA. I just
15 drive to my parent's house in Moreno Valley, and sometimes I just get my
16 sleeping bag and sleep in the front yard because it's so calming honestly. This
17 project is very smart, and I know it's bringing a lot of.....it could bring a lot of
18 money, but honestly it is disrespectful to our choice of lifestyle, and it just doesn't
19 put the neighbors first. It just puts their, like their need of making money, which
20 is not bad, but we have needs as well. And this project just doesn't meet our
21 needs. Also, because I work in LA, I know the frustration of traffic and just
22 thinking of 180 houses and all of the cars that it's going to bring and the kind of
23 traffic that it's going to cause. Also, it will add a lot more to the frustration and, I
24 don't know if you know that area, there is already a little bit of traffic during rush
25 time and just thinking of all the extra traffic that's going to happen. It's just going
26 to not make.....it's not going to make it even easier. That's all, and thank you
27 for listening to us. Thank you.

28
29 **VICE CHAIR BARNES** – Thank you very much. John Myers, Robin Ross, and
30 last but not least, Thomas Ross.

31
32 **SPEAKER JOHN MYERS** – Good evening. Thank you for listening to all of us.
33 My name is John Myers. I moved to this City in 1989 and looked forward to
34 looking at the stars at night. They have disappeared. With the onrush of traffic
35 and people, the city has changed. But this is my city, and so I fight for it, and I
36 fight for it to remain a good city. And it has to evolve, but it has to also follow a
37 plan so those are three areas that I'm talking about. We have a plan. It is our
38 city. Secondly, we have safety issues and, third, we have an environmental
39 issue. Though I oppose the project as presented, not because it's not well
40 thought out, but because it doesn't fit. Our City has a plan. It has a good plan to
41 keep the rural area there. This is what we need to keep. Secondly, with more
42 houses, you get more traffic. We've talked about that, but it harms our
43 environment for the plants and trees and all the exhaust of the cars. It harms the
44 lungs of the people. We have infrastructure that is going to be stretched. The
45 fire and the police are going to be stretched. City schools are planning on a
46 certain amount of children there by using the General Plan. If you start changing

1 that, you're going to throw everything off. And, as a 37 year teacher, I can tell
2 you there are many times we have way too many kids because we can't
3 adequately take what's coming because of the growth. Basically, the third thing
4 is, if you build, you cover ground with asphalt and concrete and roofs. And you
5 have water running off that does not seep back into the soil. California is in a
6 drought. If we continue to pave over this state, we will not only pay for it, but the
7 rest of the world will pay for it. Stick to the General Plan. Half acre lots make
8 much better sense. That which is planned can be made to have runoff go right
9 down to where it can be seeping back into the soil. So we go back, plan. If we
10 plan, then my city will remain a good city and can become even better, and we
11 can plan for the safety issues, and we can plan to save the environment. Thank
12 you.

13
14 **VICE CHAIR BARNES** – Thank you. Robin Ross. No Robin? Thomas Ross.
15 Oh, we do, oh. Thank you. So I think that concludes the public speakers so, at
16 this time, we will close the Public Hearing.

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, just to, if you want to
19 follow the procedures that are in your Planning Commission Guidelines, the order
20 is you've taken the public comments. There's an opportunity for rebuttal from the
21 Applicant, and they you do have the discretion, if you'd like, to invite back any
22 speakers. That's not typically what we do here, but it is written into your rules.
23 But we usually do allow rebuttal from the Applicant before you close the Public
24 Hearing.

25
26 **VICE CHAIR BARNES** – I apologize. I'm new to the gavel. So would the
27 Applicant like to give a statement or no?

28
29 **URBAN CROSSROADS HASEEB QURESHI** – First and foremost thank you
30 for the time and thank you for staying so late. We respect your time, and we
31 don't have any comments. We believe that the study and everything that we
32 provided with Staff and Staff's recommendation to move forward is sufficient.
33 Thank you.

34
35 **VICE CHAIR BARNES** – Thank you. Alright. I think I need some direction
36 here. Any suggestions as to how we proceed?

37
38 **COMMISSIONER SIMS** – Do we close the Public Comments or should we
39 continue it so.....or for the public.....

40
41 **VICE CHAIR BARNES** – Yeah, I really could use some advice here, some
42 suggestions.

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – If you...you accommodated all of
45 the speakers this evening. We've allowed the traditional three minutes per
46 speaker. You've gone out of your way to stay the late hour. We do have

1 provisions in the rules that say you could've closed the meeting at 11:00. We've
2 gone past that. You've allowed the Applicant to rebut. If you close the Public
3 Hearing now, you give yourself an opportunity to continue with the dialogue this
4 evening between the Commissioners yourself, and you could take an action. Or
5 you have the option to close the Public Hearing and then reconvene at a
6 continued meeting date to have the dialogue then if you think the hour's too late.
7 Those are some of the options. We typically, while your rules do allow for you to
8 allow for rebuttal from the public, that's not typical. It's a slippery slope because
9 it could go on so that's just the one option.

10
11 **ASSISTANT CITY ATTORNEY PAUL EARLY** – And the Applicant didn't offer
12 a rebuttal so there wouldn't really be anything to rebut but public.

13
14 **VICE CHAIR BARNES** – Alright.

15
16 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may, with regard to the
17 materials that you got tonight, I know that's a common problem from the back of
18 the room, all the materials that are provided to you were provided by the public.
19 We've made extra copies available at the back of the room. They were clearly
20 marked that they were available for review. A lot of that stuff has been coming
21 in. Some of the speakers have dropped information here before us this evening.
22 You have everything that we have and so you're, in this capacity, an advisory
23 body to the City Council. You have all the information you need to make a
24 decision if you feel fit. At the end of the day, we're also going to take this
25 information to the City Council who is the final decision maker on this.

26
27 **VICE CHAIR BARNES** – That being said, I think I'm in favor of closing the
28 Public Hearing, continuing the meeting, having time to digest this additional
29 information, and incorporate it in our deliberation at the next meeting. Thoughts?

30
31 **COMMISSIONER BAKER** – That's the 23rd of February.

32
33 **VICE CHAIR BARNES** – I'll take your word on that. Next meeting?

34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – The next regular meeting. You
36 could have.....it would be on February 9th. We would not be opposed to coming
37 back on February 9th if you think you could have a quorum. The one rule you do
38 have in your rules is that, whoever is sitting up there, continues on there. So, if
39 everybody here can commit to being back on February 9th, that would be the
40 soonest. Then, the next meeting is February 23rd.

41
42 **VICE CHAIR BARNES** – February 9th?

43
44 **COMMISSIONER NICKEL** – I'm good for that.

45
46 **VICE CHAIR BARNES** – Alright, well.....

1
2 **ASSISTANT CITY ATTORNEY PAUL EARLY** – You would accomplish it
3 through a motion and a vote.

4
5 **VICE CHAIR BARNES** – You read my mind. Thank you, Sir.

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – One thing I do want to point out,
8 with regard to a quorum, Commissioner Sims, Commissioner Baker, yourself
9 (Vice Chair), and Commissioner Korzec are the four that do need to be here to
10 constitute a quorum because the alternate doesn't count towards the quorum so,
11 if any of those four cannot make it on the 9th, that should be known now. That's
12 the only thing I would, for sure, point out.

13
14 **VICE CHAIR BARNES** – Another question. We discussed this going through
15 this alternate Commissioner process, and Commissioner Ramirez, if he has
16 viewed the meeting, come back and sit, that was.....

17
18 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Yeah, so he will want to
19 disclose that he has watched the meeting in its entirety if that was the case.
20 That's a different set of facts, but we'll verify all our rules, and we'll make sure
21 that whoever we have is appropriate for that meeting at that time.

22
23 **COMMISSIONER NICKEL** – I'm free.

24
25 **VICE CHAIR BARNES** – Well, in that case, then I think we'll entertain a motion
26 to.....

27
28 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Before you entertain that
29 motion, you should take formal action to either close or keep the Public Hearing
30 open.

31
32 **VICE CHAIR BARNES** – That's what I'm going to do. Do you want to close the
33 Public Hearing? Yes, alright. We gave people the option to speak first and
34 everybody who wanted that opportunity did that.

35
36 **ASSISTANT CITY ATTORNEY PAUL EARLY** – In that case, it was only
37 people who had signed up on the first day and were here and present the first
38 day. We made a Council special rule for that situation.

39
40 **VICE CHAIR BARNES** – So anybody who was on the list and did not
41 speak.....

42
43 **ASSISTANT CITY ATTORNEY PAUL EARLY** – You certainly have the
44 discretion to do that, and I'd caution that stepping outside of that could open it up
45 to.....

46

1 **VICE CHAIR BARNES** – I wouldn't want to step outside of that.

2
3 **ASSISTANT CITY ATTORNEY PAUL EARLY** – Everybody speaking again.

4
5 **VICE CHAIR BARNES** – Alright.

6
7 **ASSISTANT CITY ATTORNEY PAUL EARLY** – My advice would be, if they
8 left, they left. They chose to leave. And, if you're going to close the hearing,
9 close the hearing. If you want to keep the hearing open and let people speak
10 again....

11
12 **VICE CHAIR BARNES** – No. I'm not suggesting we let people speak again.
13 I'm saying.....

14
15 **ASSISTANT CITY ATTORNEY PAUL EARLY** – That's why I'm suggesting the
16 cleanest way is, if you don't want people to speak again at all or open up the
17 challenge to being able to speak again, I would.....my advice would be to close
18 the Public Hearing completely.

19
20 **VICE CHAIR BARNES** – Do we agree? We have the list, correct? We know
21 who did not speak and who did speak, correct?

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, yes. We have a list. The
24 recommendation for the Staff here is to close the hearing and then you'll open
25 back up for deliberation. You're not opening up the Public Hearing again. Those
26 people that are shouting from the back that you're going to have a meeting on
27 the 9th, for them to come back and continue the Public Hearing, that's.....if you
28 close the Public Hearing, unless you find some circumstances to reopen that
29 Public Hearing, they won't have an opportunity to speak.

30
31 **ASSISTANT CITY ATTORNEY PAUL EARLY** – The other.....

32
33 **PLANNING OFFICIAL RICK SANDZIMIER** – The other thing is, with regard to
34 the Items that would be on the February 9th Agenda, at this point, this would be
35 the only item on that Agenda, so I can assure you of that because we don't have
36 any other items that we're ready to bring.

37
38 **COMMISSIONER NICKEL** – I'd like to hear from Paul.

39
40 **ASSISTANT CITY ATTORNEY PAUL EARLY** – I was just going to say, the
41 other.....along those lines, if you were to allow more speakers next time, even if
42 they were the same ones from tonight who didn't speak tonight and went home
43 early, you're opening up the door to new facts, to new arguments, to new
44 rebuttals. There's a domino effect that would be involved with that as well. If you
45 close it and you continue it just for deliberation, you're just coming in for
46 deliberation.

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VICE CHAIR BARNES – I'd like some feedback guys.

COMMISSIONER KORZEC – We have to deliberate.

COMMISSIONER SIMS – I would suggest closing it. We've heard two-and-a-half hours of opposition of it. I think, I mean, I certainly respect the viewpoints of the people we haven't heard, but we all took the time to be here and so I think, I think there was an opportunity.

VICE CHAIR BARNES – No, I don't think we need a motion to close the Public Hearing. We can do that.

ASSISTANT CITY ATTORNEY PAUL EARLY – Right. As Chair, you would just close the Public Hearing, but you would need a motion to continue.

VICE CHAIR BARNES – Alright, at this point, we're going to close the Public Hearing. And I'll entertain a motion to continue the action until the meeting of 2/9/17.

COMMISSIONER SIMS – Yeah, I'd like to make a motion to continue this case number. Do I need to repeat the case number?

ASSISTANT CITY ATTORNEY PAUL EARLY – No.

COMMISSIONER SIMS – Okay. Continue the hearing on Ironwood Village, track 37001 until 2/9/2017.

COMMISSIONER NICKEL – I'll second.

VICE CHAIR BARNES – We have a motion from Commissioner Sims and a second from Commissioner Nickel. Roll call vote or electronic if we can.

SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS – You can do electronic.

VICE CHAIR BARNES – Alright, mover, do you want to hit it?

COMMISSIONER BAKER – Mine's not up for some reason?

VICE CHAIR BARNES – Lori, can you hit the second? And then, alright, we have a motion and a second. Let's.....

COMMISSIONER KORZEC – I can't vote.

1 **SENIOR ADMINISTRATIVE SPECIALIST DARISA VARGAS** – Sorry. You're
2 going to have to do it verbally.

3
4 **VICE CHAIR BARNES** – Let's do a roll call vote.

5
6 **COMMISSIONER KORZEC** – Yes.

7
8 **COMMISSIONER NICKEL** – Yes.

9
10 **COMMISSIONER BAKER** – Yes.

11
12 **COMMISSIONER SIMS** – Yes.

13
14 **VICE CHAIR BARNES** – Yes.

15
16
17
18 Opposed – 0

19
20
21 **Motion carries 5 – 0**

22
23
24 **VICE CHAIR BARNES** – Alright, I think that concludes the action on that case.
25 Do we have additional comments by the Staff?

26
27
28
29 **STAFF COMMENTS**

30
31
32 **PLANNING OFFICIAL RICK SANDZIMIER** – The only additional comments I
33 would say is, all the information that you have available on your dais this
34 evening, is the information that you should be taking with you to consider before
35 your next meeting. You have the deliberations. We will not be introducing any
36 new information the record. What you have is what you will be deliberating on.

37
38 **VICE CHAIR BARNES** – Thank you, Mr. Sandzimier.

39
40
41 **ADJOURNMENT**

42
43 **VICE CHAIR BARNES** – With that being said, we will adjourn until the meeting
44 of 2/9/2017. Thank you for your patience and your persistence for staying so
45 late. Good night.

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NEXT MEETING

Next Meeting: Planning Commission Special Meeting, February 9, 2017 at 7:00 PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

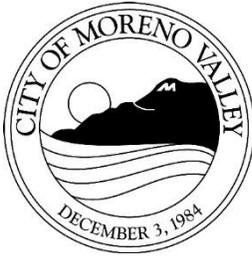
Richard J. Sandzimier
Planning Official
Approved

Date

Brian R. Lowell
Chair

Date

Minutes Acceptance: Minutes of Jan 26, 2017 7:00 PM (APPROVAL OF MINUTES)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: February 23, 2017

PEN16-0123 (PA14-0028 PLOT PLAN)

Case: PEN16-0123 (PA14-0028 Plot Plan)

Applicant: MV Bella Vista GP, LLC

Owner: MV Bella Vista LP

Representative: Paul Onufer

Location: Northeast corner of Lasselle Street and Cactus Avenue

Case Planner: Gabriel Diaz

Council District: 3

SUMMARY

The applicant, MV Bella Vista GP, LLC, proposes to develop a 220-unit multifamily apartment project with a component of associated open space on 10.91 acres of land at the northeast corner of Lasselle Street and Cactus Avenue. The project includes a total of fourteen apartment buildings. The proposed mix includes both two-story and three-story buildings. The apartment buildings will include a mixed layout of 1-bedroom, 2-bedroom, and 3-bedroom units. The project site is zoned Specific Plan 218 (SP218H).

The proposed project has been found consistent with the Aquabella Specific Plan 218 High Density Residential (SP218H) zoning designation, which allows for up to 20 dwelling units per acre.

PROJECT DESCRIPTION

Project

The project is a Plot Plan application for a new 220-unit multifamily apartment project on the northeast corner of Lasselle Street and Cactus Avenue. The project includes a mix of eight two-story and six three-story buildings. The two building types will consist of one, two and three bedroom floor plans. A leasing office building and a community clubhouse building are proposed within the development. Parking for the development will include a combination of attached garages, carports, and open guest parking.

The project includes five floor plans (A1, A2, B1, B2, & C1). The square footages of the units range from one bedroom units with 762 square feet to a three bedroom unit with 1,412 square feet.

Floor Plan	Bedrooms	Bathrooms	Square footage
A1	1	1	789
A2	1	1	762
B1	2	2	1,063
B2	2	2	1,119
C1	3	2	1,412

The project provides numerous amenities including a leasing office, a community clubhouse building with fitness room, showers, kitchen, business room, and clubroom. Other amenities include a 60' X 30' lap pool, spa, cabanas, fire pit, barbecue grills, enhanced concrete paving and pavers, and open space for activities. The project achieves required private open space through the patio and balcony design features. Courtyards and other gathering areas throughout the project provide the required public common open space.

The project is consistent with the existing SP218H zoning which allows for up to 20 dwelling units per acre.

Site

The project site is zoned SP218H, and is listed as Planning Area 2 of the Aqua Bella Specific Plan. The project site is located on the northeast corner of Lasselle Street and Cactus Avenue. The project site is relatively flat. The project site is vacant and is comprised of one rectangular shaped parcel (Assessor Parcels No. 486-280-054). The total project site is 10.91 acres.

The site has been routinely disked for weed abatement over the years. There are no existing trees on the site, and there is no evidence of sensitive habitat or riparian areas within the project site.

Surrounding Area

The project site is bounded to the west, northwest and southwest by existing single-family tract homes consistent with the underlying Residential 5 (R5) zoning. The

property immediately to the north is vacant land zoned Open Space (OS) and Residential 30 (R30). To the east and south is vacant land zoned Aquabella Specific Plan 218 LM (SP218LM) Low/Medium Density residential allowing for 4 to 15 dwelling units per acre.

To the northeast is the recently entitled Rocas Grandes development, a 426-unit multi-family apartment project approved by the Planning Commission on September 8, 2016.

Overall, the proposed MV Bella Vista residential development has been found consistent with the City's General Plan, the Aquabella Specific Plan 218, and is compatible with the existing and proposed surrounding land uses.

Access/Parking

Primary vehicular access to the proposed development will be provided from two gated driveways located on the east side of Lasselle Street and on the north side of Cactus Avenue. From the Lasselle Street driveway, there is direct access to 6 surface parking spaces available for visitors to park and use the planned communication kiosk to contact the office and/or residents. The proposed project would construct a median on Cactus Avenue, which will limit the Cactus Avenue driveway to right-in and right-out movements only.

Internal circulation within the project site includes driveway aisles that measure 24 feet wide consistent with all City design standards. The proposed project site design includes an emergency access driveway with access to and from Lasselle Street. This emergency access point would be secured by a Knox Box. The driveways and interior drive aisles within the site have been reviewed and approved by the Fire Prevention Bureau as adequate for fire truck access. The site design has been evaluated to ensure adequate truck maneuvering and turnaround for delivery trucks and trash pick-up.

The project as designed provides a total of 393 parking spaces including 84 garages, 154 carports, and 155 open parking spaces for residents and guests. Based on Municipal Code Section 9.11, the project requires a total of 393 parking spaces of which 238 must be covered. The project as designed satisfies all parking requirements of the City's Municipal Code including accessible parking. Applicable building code/Cal Green requirements will be addressed through building plan check prior to issuance of building permits. Installation of electric vehicle supply equipment (EVSE) will be addressed prior to building permit issuance and will be required to be consistent with the applicable building codes at that time.

Design/Landscaping

This project, as designed and conditioned, conforms to all development standards of the SP218H zoning and the design guidelines for multifamily residential developments prescribed in the Aquabella Specific Plan, City's Municipal Code and City Landscape Standards.

The Aquabella Specific Plan Master Design Guidelines for multifamily projects calls for buildings to have a Southern Mediterranean architecture influence style, which this project meets with the simple color palette and Capistrano Piedmont blend concrete roof tiles. Other architectural features include a simple variety of colors to break up the massing of buildings and provide visual interest. The architectural design of the apartments includes stucco exteriors with architectural features around windows and patio and balcony areas of the buildings to break up massing and add focal points to the buildings. These detailed features include concrete tile roofs, window trim, colored trim, wood trellises, wrought iron guard rails, and covered balconies. Variation among the buildings is created with the mixture of two and three story buildings, roof lines, porches, balconies, and the proposed color palette of simple earth tones.

The community clubhouse building and leasing office design are consistent with the overall project architecture theme incorporating the color palette, varied materials and level of detail provided throughout the project. The architectural design of the carports will be constructed of steel columns and pre-finished metal roofs.

The proposed project includes seven double-bin trash enclosures, which exceeds the City's design standard of one trash enclosure for every 48 residential units. The trash enclosures are evenly distributed throughout the site to ensure ease of access to all residential units. The enclosures will be designed to the City's standards, which will include solid roofs compatible with the overall project architecture.

The project has been designed to meet the needs of residents as set forth in the design guidelines. The project entry off of Lasselle Street includes a centralized access with an interactive kiosk to accommodate communication between arriving guests and residents. The project includes both outdoor open space and gathering areas, and balconies and patios to provide the required private open space area for each residential unit. The project includes common area amenities such as a leasing office, a community clubhouse building with fitness room, showers, kitchen, business room, and clubroom. Other amenities include a 60'X 30' lap pool, spa, cabanas, fire pit, barbecue grills, enhanced concrete paving and pavers, and open space for activities. All walls and fences on the site will be constructed with decorative block, and tubular steel. A decorative block wall with pilasters is proposed along the west and south property lines. A tubular steel fence is proposed along the north and east property lines. The walls and trash enclosures for this project are conditioned to be consistent with the City's Municipal Code standards for placement, height and materials.

ENVIRONMENTAL

The City of Moreno Valley has reviewed the above project in accordance with the California Environmental Quality Act (CEQA) Guidelines. An Addendum to the Environmental Impact Report (EIR) for the prior Specific Plan has been prepared pursuant to Section 15164 of the CEQA Guidelines. The project will not cause a significant effect in this case because site conditions are consistent and do not create more or different environmental impacts than those addressed in the Environmental Impact Report. The project will not increase the total number of residential units provided in the Specific Plan. None of the conditions described in Section 15162 of the

CEQA Guidelines that call for preparation of a subsequent Environmental Impact Report or Negative Declaration have occurred.

NOTIFICATION

The public hearing notice for this project was published in the local newspaper on February 11, 2017. Public notice was sent to all property owners of record within 300 feet of the project site on February 9, 2017. The public hearing notice for this project was also posted on the project site on February 10, 2017.

REVIEWING AGENCY COMMENTS

The project was submitted in May 2014. The Plot Plan warranted a comprehensive review, therefore, the plans were routed through several City departments, including Public Works, Fire Department, Public Safety, Building, and Planning, and various outside agencies including, but not limited to Moreno Valley Unified School District, Eastern Municipal Water District, Riverside Transit Agency, U.S. Post Office, gas and electric utilities for their review.

Upon completion of the initial plan review, the project was reviewed by the Project Review Staff Committee (PRSC) in July 2014. Modifications were requested to the plot plan, and preliminary grading plans to address building setbacks, parking, and a variety of site design considerations. Written comments were provided to the applicant and revised plans were resubmitted by the applicant in September 2014. The revised plans progressed through subsequent reviews to work through various site design options, and circulation interests. Upon resolution of all outstanding site, circulation, building, and preliminary grading comments, the project was scheduled for the Planning Commission public hearing on February 23, 2017.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2017-23 and thereby:

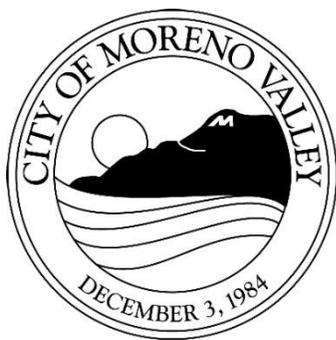
1. **ADOPT** an Addendum to the Environmental Impact Report for the prior Specific Plan for Plot Plan PEN16-0123 (PA14-0028), pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
2. **APPROVE** Plot Plan PEN16-0123 (PA14-0028), subject to conditions of approval included as Exhibit A.

Prepared by:
Gabriel Diaz
Associate Planner

Approved by:
Allen Brock
Community Development Director

ATTACHMENTS

1. Public Hearing Notice
2. Planning Commission Resolution 2017-12
3. Conditions of Approval PEN16-0123
4. Aerial Photograph
5. Zoning Map
6. Conceptual Grading Plan
7. Landscape Plan
8. Project Plans
9. PA14-0028 PC Environmental Initial Study Final



This may affect your property

Notice of PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

Project: PEN16-0123 (PA14-0028 Plot Plan)
Applicant: MV Bella Vista GP, LLC
Owner: MV Bella Vista LP
Representative: Paul Onufer
A.P. No(s): 486-280-054
Location: Northeast corner of Lasselle Street and Cactus Avenue

Proposal: The project is a Plot Plan application for 220 multi-family apartment units with two and three story buildings. There are two building types with a range of one to three bedrooms per unit, a community fitness building, and a leasing building. Parking areas include attached garages, carports, and open guest parking on 10.91 acres of land. The project is consistent with the current Specific Plan 218 (SP218H) zoning which allows for up to 20 dwelling units per acre.

Council District: 3

The City of Moreno Valley has reviewed the above project in accordance with the California Environmental Quality Act (CEQA) Guidelines. An Addendum to the Environmental Impact Report (EIR) for the prior Specific Plan has been prepared pursuant to Section 15164 of the CEQA Guidelines. The project will not cause a significant effect in this case because site conditions are consistent and do not create more or different environmental impacts than those addressed in the Environmental Impact Report. The project will not increase the total number of residential units provided in the Specific Plan. None of the conditions described in Section 15162 of the CEQA Guidelines that call for preparation of a subsequent Environmental Impact Report or Negative Declaration have occurred.

A public hearing before the Planning Commission has been scheduled for the proposed project. Any person interested in commenting on the proposal and recommended environmental determination may speak at the hearing or provide written testimony at or prior to the hearing. The project application, supporting plans and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday; 7:30 a.m. to 4:30 p.m., Friday), or you may telephone (951) 413-3206 for further information.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal. If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
 14177 Frederick Street
 Moreno Valley, Calif. 92553

DATE AND TIME: February 23, 2017 at 7 PM
CONTACT PLANNER: Gabriel Diaz
PHONE: (951) 413-3226

Upon request and in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 4 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Attachment: Public Hearing Notice (2469 : PEN16-0123 (PA14-0028) Plot Plan)

PLANNING COMMISSION RESOLUTION NO. 2017-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PLOT PLAN APPLICATION PEN16-0123 (PA14-0028) FOR DEVELOPMENT OF A 220 UNIT APARTMENT PROJECT ON APPROXIMATELY 10.91 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF LASSELLE STREET AND CACTUS AVENUE (ASSESSOR'S PARCEL NUMBER 486-280-054).

WHEREAS, MV Bella Vista GP, LLC., has filed an application for the approval of Plot Plan PEN16-0123 (PA14-0028) for development of a 220 unit apartment project located on the northeast corner of Lasselle Street and Cactus Avenue as described in the title above; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley (City) procedures, and with consideration of the Aquabella Specific Plan, General Plan and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of the City of Moreno Valley (Planning Commission); and

WHEREAS, the public hearing notice for this project was published in the local newspaper on February 11, 2017. Public notice was sent to all property owners of record within 300 feet of the project site on February 9, 2017. The public hearing notice for this project was also posted on the project site on February 10, 2017; and

WHEREAS, on February 23, 2017, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on February 23, 2017, the Planning Commission of the City of Moreno Valley reviewed an Addendum to the Environmental Impact Report for the Prior Specific Pan prepared pursuant to Section 15164 of the California Environmental Quality Act (CEQA); and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on February 23, 2017, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The project proposes development of a 220 unit apartment project on approximately 10.91 acre site. The General Plan land use designation for the project site is Residential 20 (R20).

The project is consistent with General Plan policies and objectives. Chapter 9 General Plan Policy 2.2.10 states that the primary purpose of areas designated Residential 20 is to provide a range of high density multi-family housing types with amenities, such as common open space and recreational facilities. The maximum allowable density shall be 20 dwelling units per acre.

The project as designed and conditioned meets the stated General Plan policies for R20 development.

The project as proposed is consistent with General Plan Goal 2.4 which identifies the need for a supply of housing in sufficient numbers suitable to meet the diverse needs of future residents and to support healthy economic development without creating an oversupply of any particular type of housing. The project is also consistent with General Plan Objective 2.2 which states that the City will provide a wide range of residential opportunities and dwelling types to meet the demands of present and future residents of all socioeconomic groups.

The project as designed and conditioned will achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and does not conflict with the goals, objectives, policies, and programs established within the Plan.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: The project site is located within the Aquabella Specific Plan 2018, and is currently zoned High Density Residential (SP218H) under the Specific Plan. The proposed project is within the range of density allowed under the SP218H zoning. The project provides a residential density of 20 dwelling units to the acre. The proposed project is consistent with the designated density provided under the Specific Plan for this parcel.

The project is designed in accordance with the provisions of Section 9.03 Residential Districts, Section 9.16 Design Guidelines of the City's Municipal Code, and the Aquabella Specific Plan. The project as designed and conditioned would comply with all applicable zoning and other regulations.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed multi-family project as designed and conditioned will be consistent with the goals and policies of the General Plan, including the City's Safety Element. The project will provide acceptable levels of protection from natural and man-made hazards to life, health, and property consistent with General Goal 9.6.1. The project site is located within approximately one and one half miles from Fire Station No. 99. Therefore, adequate emergency services can be provided to the site consistent with General Plan Goal 9.6.2.

The proposed project as designed and conditioned will result in a development that will minimize the potential for loss of life and protect residents and visitors to the City from physical injury and property damage due to seismic ground shaking and flooding as provided for in General Plan Objective 6.1 and General Plan Objective 6.2. The project as designed and conditioned will be consistent with the Aquabella Specific Plan 218 High Density Residential (SP218H) zoning.

The proposed multifamily residential apartment project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. Planning staff has reviewed the request in accordance with the California Environmental Quality Act (CEQA) Guidelines and an Addendum to the Environmental Impact Report (EIR) for the prior Specific Plan has been prepared pursuant to Section 15164 of the CEQA Guidelines. The project will not cause a significant effect in this case because site conditions are consistent and do not create more or different environmental impacts than those addressed in the Environmental Impact Report. The project will not increase the total number of residential units provided in the Specific Plan. None of the conditions described in Section 15162 of the CEQA Guidelines that call for preparation of a subsequent Environmental Impact Report or Negative Declaration have occurred.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The project site is consistent with the R20 General Plan and Specific Plan 218 designations. The project site is bounded by existing single-family tract homes to the west, northwest and southwest zoned

Single Family 5 (R5). The property immediately to the north is vacant land zoned Open Space (OS) and Residential 30 (R30). A multifamily project was recently approved to the north of the site for a 426-unit multi-family apartment project. To the east and south is vacant land zoned Aquabella Specific Plan 218 LM (SP218LM). The Low/Medium Density residential allows a range of four to fifteen dwelling units per acre.

The proposed 220-unit multifamily apartment project includes a mix of eight two-story and six three-story buildings. The two building types will consist of one, two and three bedroom floor plans. A leasing office building and a community clubhouse building is also proposed. Parking for the development will include a combination of attached garages, carports, and surface spaces. The project includes five floor plans (A1, A2, B1, B2, & C1) ranging in size from 780 square feet to 1,412 square feet. Floor plans include one, two, and three bedroom units. The project provides numerous amenities including a community clubhouse building, a 60' X 30' lap pool, spa, cabanas, fire pit, barbecue grills, and a leasing office.

This project, as designed conforms to all development standards of the SP218H zone and the design guidelines for multifamily residential developments prescribed in the Aquabella Specific Plan, City's Municipal Code and City Landscape Standards. The Aquabella Specific Plan Master Design Guidelines for multifamily projects calls for buildings to have a Southern Mediterranean architecture influence style, which this project meets with the simple color palette and Capistrano Piedmont blend concrete roof tiles. Other architectural features include a simple variety of colors to break up the massing of buildings and provide visual interest. Variation among the buildings is created with the mixture of two and three story buildings, roof lines, porches, balconies, and the proposed color palette of simple earth tones.

Primary vehicular access to the proposed development will be provided from two gated driveways located on the east side of Lasselle Street and on the north side of Cactus Avenue . The proposed project would construct a median on Cactus Avenue and this would limit the Cactus Avenue driveway as right-in and right-out only. Internal circulation within the project site includes driveway aisles that measure 24 feet wide and which will be meet all City's design standards. The proposed project site design includes an emergency access driveway at the north driveway on Lasselle Street.

As designed and conditioned the proposed multifamily residential apartment project is compatible with existing and proposed land uses in the vicinity.

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this Resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PEN16-0123 (PA14-0028), incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given

similar to this, nor does it revive challenges to any fees for which the applicable statute of limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2017-12, and thereby:

1. **ADOPT** an Addendum to the Environmental Impact Report for the prior Specific Plan for Plot Plan PEN16-0123 (PA14-0028), pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
2. **APPROVE** Plot Plan PEN16-0123 (PA14-0028) based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

APPROVED this 23rd day of February, 2017.

Brian Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Exhibit A

Attachment: Planning Commission Resolution 2017-12 [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
FOR A 220 UNIT APARTMENT PROJECT
ASSESSOR'S PARCEL NUMBERS: 486-280-054**

**Effective Approval Date:
Effective Expiration Date:**

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

P1. Plot Plan PEN16-0123 (PA14-0028) has been approved for the development of an apartment project to include two-story and three-story buildings for a total of fourteen apartment buildings with 220 units. The apartments will include a mix of 1-bedroom, 2-bedroom and 3-bedroom units.

The project as designed provides a total of 393 parking spaces including 84 garages, 154 carports, and 155 open parking spaces for residents and guests. Based on Municipal Code Section 9.11, a project of this size and unit make up requires a total of 393 parking spaces, of which 238 must be covered.

P2. This approval shall comply with all applicable requirements of the Aquabella Specific Plan 218 and the City of Moreno Valley Municipal Code.

P3. This plot plan shall expire three years after the approval date unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. (MC 9.02.230)

P4. The site shall be developed in accordance with the approved plot plan on file in the Community Development Department - Planning Division, the General Plan, the Municipal Code regulations, and the conditions contained herein. (MC 9.14.020)

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation GP - Grading Permits CO - Certificate of Occupancy or building final
WP - Water Improvement Plans BP - Building Permits P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan MC - Municipal Code CEQA - California Environmental Quality Act
Ord - Ordinance DG - Design Guidelines Ldscp - Landscape Development Guidelines and Specs
Res - Resolution UFC - Uniform Fire Code UBC - Uniform Building Code
SBM - Subdivision Map Act

Attachment: Conditions of Approval PEN16-0123 (2469 : PEN16-0123 (PA14-0028) Plot Plan)

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
PAGE 2 OF 40**

- P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P7. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or an approved sign program, if applicable, and shall require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
- P8. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
- P9. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

PRIOR TO GRADING

- P10. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
- P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)
- P12. (GP) Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division, and Public Works Department – Special Districts Division for review and approval by each division. (GP - Circulation Master Plan)
- P13. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete paving for all driveway ingress/egress locations of the project and across drive aisles that connect required paths of travel with the public right-of-way.
- P14. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval and of any proposed retaining walls. The wall and fence materials shall be decorative in nature, while the combination of retaining and other walls on top shall not exceed the City's height requirement.
- P15. (GP) Within thirty (30) days prior to any grading or other land disturbance, a pre-

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
PAGE 3 OF 40**

construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of the Multiple Species Habitat Conservation Plan.

PRIOR TO BUILDING PERMITS

- P16. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)
- P17. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)
- P18. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100)
- P19. (BP) Prior to issuance of building permits, for multi-family projects that propose phased occupancy, a phasing plan application shall be submitted to the Planning Division for approval.
- P20. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
PAGE 4 OF 40**

- P21. (BP) Prior to the issuance of building permits, the site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed buildings on the site, subject to the approval of the Planning Division.
- P22. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and shall include:
- A. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - B. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - C. Drought tolerant landscape shall be used. Sod shall be limited to gathering and recreation areas
 - D. Street trees shall be provided every 40 feet on center in the parkway along the Lasselle Street, Cactus Avenue and Brodiaea Avenue frontages.
 - E. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
 - F. Enhanced landscaping shall be provided at all driveway entries and street corner locations and along the Lasselle Street, Cactus Avenue and Brodiaea Avenue frontages.
 - G. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
 - H. Landscaping on three sides of any trash enclosure.
 - I. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site.
 - J. Bio-retention or other water quality or storm water infrastructure placed in a required landscape planter shall be landscaped per Municipal Code Section 9.17 and the City's Landscape Standards.

PRIOR TO BUILDING FINAL

- P24. (BF) Prior to building final, the required landscaping and irrigation shall be installed. (MC 9.03.040)
- P25. (BF) Prior to building final all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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- P26. (BF) Prior to building final all required lighting shall be constructed according to the approved plans on file in the Planning Division. (MC 9.08.100)
- P27. (BF) Prior to building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed. All site perimeter and parking lot landscape and irrigation shall be installed prior building final for the site or pad in question.
- P28. (BF) Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.

Special Conditions

- P29. Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a professional archaeological monitor has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and that the monitor has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project archaeologist, with input from the appropriate Tribe, shall prepare a Cultural Resources Monitoring Plan (CRMP) to document protocols for inadvertent finds, to address the relocation and determine potential protection measures from further damage and destruction for any identified archaeological resource(s)/ tribal cultural resources (TCRs), outline the process for monitoring and for completion of the final Phase IV Monitoring Report. If any archaeological and/or TCRs are identified during monitoring, these will also be documented and addressed per standard archaeological protocols in the Phase IV report, with the exception of human remains which will be addressed per Condition No. P33. The Project Archaeologist shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.
- P30. At least 30 days prior to the issuance of a grading permit the Applicant shall contact the appropriate Luiseño tribe to develop a Cultural Resources Treatment Agreement and shall provide evidence to the City of Moreno Valley that the professionally qualified Luiseño Native American monitor(s) has been secured from the interested tribe(s), and that the shall be allowed to monitor all mass grading and trenching activities. The Tribal representative(s) shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.
- P31. If, during mass grading and trenching activities, the Archaeologist or Tribal representatives suspect that an archaeological resource and/or TCR may have been unearthed, the monitor identifying the potential resources, in consultation

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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with the other monitor as appropriate, shall immediately halt and redirect grading operations in a 50-foot radius around the find to allow identification and evaluation of the suspected resource. The Native American monitor(s) or appropriate representative(s) and the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2. The archaeological monitor and tribal monitor(s) or appropriate representative(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

- P32. Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 50-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."
- P33. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.
- P34. Prior to building permit issuance, the Project archaeologist shall prepare a final Phase Monitoring Report as outlined in the CRMP, which shall be submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. The report shall document project impacts to archaeological and tribal resources, if any. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility.

MORENO VALLEY UNIFIED SCHOOL DISTRICT

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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- S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

- PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

BUILDING AND SAFETY DIVISION

The following conditions have been generated based on the information provided with your application. Please note that future revisions or changes in scope to the project may require additional items. Fee estimates for plan review and permits can be obtained by contacting the Building Safety Division at 951.413.3350.

GENERAL CONDITIONS

1. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
2. The proposed residential project shall comply with The California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Station (EVCS)
3. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
4. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements of the 2016 California Plumbing Code Table 4-1.
5. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
6. The proposed residential project (3 or more dwelling units) shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11A for accessibility standards for the

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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- disabled including access to the site, exits, kitchens, bathrooms, common spaces, pools/spas, etc.
7. The proposed development is subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
 8. The proposed project is subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
 9. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)
 10. Any construction within the city shall only be as follows: Monday through Friday (except for holidays) seven a.m. to seven p.m.; Saturday from eight a.m. to four p.m., unless written approval is first obtained from the Building Official or City Engineer per City of Moreno Valley Municipal Code (MC 8.14.040E).
 11. Contact the Building Safety Division for permit application submittal requirements.

FIRE PREVENTION BUREAU

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes which are in effect at the time of building plan submittal.
- F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1875 gallons per minute for 3 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design. (CFC 507.3, Appendix B)
- F3. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
- F4. Multi-family residences shall display the address in accordance with the

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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- Riverside County Fire Department Premises Identification standard 07-01. (CFC 505.1)
- F5. Prior to issuance of a Certificate of Occupancy or Building Final, “Knox Boxes” shall be provided on the buildings. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. (CFC 506.1)
- F6. Electric powered gates shall be provided with Knox key switches for access by emergency personnel. Where manual operated gates are permitted, they shall be provided with a Knox box or Knox padlock. (CFC 506.1)
- F9. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
- F10. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
- F11. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
- F12. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
- F13. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
- F14. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
- F15. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)

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- F16. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
- F17. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
- F18. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
- F19. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVL 440A-0 through MVL 440C-0)
- F20. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
- a. Be signed by a registered civil engineer or a certified fire protection engineer;
 - b. Contain a Fire Prevention Bureau approval signature block; and
 - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.
- The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
- F21. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
- F22. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

PUBLIC WORKS DEPARTMENT

LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall

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be referred to the Public Works Department – Land Development Division.

General Conditions

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)
- LD2. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD3. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)
- LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.
- LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Public Works Department.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

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- (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

- LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)
- LD7. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
- LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.
- LD9. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

- LD10. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

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- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
- b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
- c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
- d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)
- e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD11. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD12. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
- b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
- c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
- d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
- e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website

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or by contacting the Land Development Division of the Public Works Department.

- LD13. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.
- LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.
- LD15. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
- LD16. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.
- LD17. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.
- LD18. (GP) Prior to issuance of a grading permit, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.
- LD19. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
- LD20. (GP) Prior to issuance of a grading permit, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)
- LD21. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be

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submitted as a guarantee of the completion of the grading required as a condition of approval of the project. (MC 8.21.070)

LD22. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the implementation and maintenance of erosion control measures required as a condition of approval of the project. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the City. (MC 8.21.160)

LD23. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Improvement Plan Approval or Construction Permit

LD24. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD25. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD26. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD27. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

- a. Corner cutbacks in conformance with City Standard MVSI-165-0 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.
- b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)
- c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)
- d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. MVSI-160A-0, or as approved by the City Engineer. (MC 9.14.020)

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- e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.
- LD28. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.
- LD29. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.
- LD30. (IPA) Prior to approval of the improvement plans, the developer shall pothole to determine the exact location of existing underground utilities. The improvement plans shall be designed based on the pothole field investigation results. The developer shall coordinate with all affected utility companies and bear all costs of utility relocations.
- LD31. (IPA) Prior to approval of the improvement plans, all dry and wet utility crossings shall be potholed to determine actual elevations. Any conflicting utilities shall be identified and addressed on the plans. The pothole survey data shall be submitted with the street improvement plans for reference purposes.
- LD32. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.
- LD33. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)
- LD34. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

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- LD35. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)
- LD36. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)
- LD37. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.
- LD38. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in PDF digital format to the Land Development Division of the Public Works Department.
- LD39. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

- LD40. (BP) Prior to issuance of building permits for non-subdivisions, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.
- LD41. (BP) Prior to issuance of building permit for a non-subdivision project, the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities, if applicable. (MC 9.14.110)
- LD42. (BP) Prior to issuance of a building permit for non-subdivision projects, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities. (MC 9.14.110)

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- LD43. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of “Blue-top” markers installed by a registered land surveyor or licensed engineer.
- LD44. (BP) Prior to the first building permit and prior to the payment of the Development Impact Fee (DIF), the developer may enter into a DIF Improvement Credit Agreement to secure credit for the construction of applicable arterial street, traffic signal, and/or interchange improvements, if applicable. If the developer fails to complete this agreement prior to the timing as specified above, no credits will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)
- LD45. (BP) Prior to the first building permit and prior to the payment of the Transportation Uniform Mitigation Fee (TUMF), the developer may enter into a TUMF Improvement Credit Agreement to secure credit for the construction of applicable improvements, if applicable. If the developer fails to complete this agreement by the timing as specified above, no credits will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer’s cost estimate and street improvement plan are required.

Prior to Certificate of Occupancy

- LD46. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.
- LD47. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

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- b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)
- LD48. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of existing and proposed utility lines less than 115,000 volts.
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
- LD49. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)
- LD50. (CO) Prior to issuance of a certificate of occupancy, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

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LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:

- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP)
- b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted to the City for review and approval.

Prior to Acceptance of Streets into the City Maintained Road System

LD52. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to the end of the one-year warranty period of the public streets at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD53. The following project engineering design plans (24"x36" sheet size) shall be submitted for review and approval as well as additional plans deemed necessary by the City during the plan review process:

- a. Rough Grading Plan
- b. Precise Grading Plan
- c. Street Improvement Plan
- d. Signing and Striping Plan
- e. Traffic Control Plan
- f. Final Drainage Study
- g. Final WQMP
- h. As-Built Plans of all "plans" listed above.

LD54. Prior to improvement plan approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

- a. Cactus Ave, Modified Minor Arterial, City Standard No. MVSI-105A-0 shall be constructed to half-width plus 18' south of the street centerline between Lasselle Street and the project's easterly boundary. Improvements shall consist of, but not limited to, pavement, curb and gutter, sidewalk, street lights, striping and medians.

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- b. Lasselle Street, Arterial, City Standard No. MVSI-104A-0 shall be constructed to half-width plus 18' west of the street centerline between Cactus Avenue and the project's northerly boundary. Improvements shall consist of, but not limited to, pavement, curb and gutter, sidewalk, street lights, striping.
 - c. Brodiaea Ave, Collector, City Standard No. MVSI-106B-0 shall be constructed to half-width plus 12' north of the street centerline between Lasselle Avenue and the project's easterly boundary. Improvements shall consist of, but not limited to, pavement, curb and gutter, sidewalk, street lights, striping.
- LD55. Prior to street improvement plan approval, pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.
- LD56. Prior to rough grading plan approval, the following shall be shown on the plans and dedications made, via separate instrument and submitted to the City for review and approval: A 4-foot pedestrian right-of-way dedication behind any driveway approach per City Standard MVSI-112C-0.
- LD57. Any stormwater runoff within Brodiaea Ave right-of-way shall be conveyed via public stormdrain system and shall be directed either easterly or westerly; it shall not be connected to the private storm drain proposed by the project to the north.
- LD58. The Developer shall be required to treat stormwater runoff from Brodiaea Ave along the project's frontage as required per the Municipal Separate Storm Sewer Systems (MS4) permit.
- LD59. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.
- LD60. Prior to precise grading plan approval, the Applicant shall secure approval of the final, project-specific water quality management plan (F-WQMP) for PEN16-0123 Bella Vista Apartments. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Water Quality Management Plan – A Guidance Document for the Santa Ana Region of Riverside County"

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dated October 22, 2012, or current guidance document. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: LID principles, Harvest & Use BMPs (as applicable); Source control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

- LD61. Overall, the proposed LID BMP concept is accepted as the conceptual LID BMP for the proposed site. The Applicant has proposed to incorporate the use of Bioretention facilities. Final design details must be provided in the first submittal of the F-WQMP. The size of the LID BMP is to be determined using the procedures set forth in RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011 or later. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance, subject to "effective area" requirements.
- LD62. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:
- A. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
 - B. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
 - C. That the applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
 - D. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.
- LD63. The Applicant shall substantiate all applicable Hydrologic Condition of Concern (HCOC) issues in the first submittal of the F-WQMP, if applicable.
- LD64. Prior to occupancy, this project will be required to repair, replace or install any damaged, substandard or missing public improvements along the Project's frontage on Lasselle Street and Cactus Ave.

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GENERAL CONDITIONS

- TE1. Lasselle Street is designated a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-0. Any improvements or right-of-way dedication shall be consistent with the City's standards for this facility.
- TE2. Cactus Avenue is designated a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-0. Any improvements or right-of-way dedication shall be consistent with the City's standards for this facility.
- TE3. Brodiaea Avenue is classified as a Collector (66'RW/44'CC) per City Standard Plan No. MVSI-106B-0. Any improvements undertaken by this project shall be consistent with the City's standards for this facility.
- TE4. All proposed on-site traffic signing and striping shall be accordance with the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD).
- TE5. Conditions of approval may be modified if project is phased or altered from any approved plans.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

- TE6. Prior to the final approval of the construction plans, the driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches. Access at the driveways shall be as follows:
- Lasselle Street north driveway shall be an Emergency Vehicle Access (EVA) only. A custom sign must be installed at the driveway entrance with the following message: "Not an Entrance. Emergency Access Only".
 - Lasselle Street south driveway shall be the main entrance for the project with full access. This gated entrance shall be provided with the following, or as approved by the City Traffic Engineer:
 - A. A storage lane with a minimum of 60' provided for queuing.
 - B. A second storage lane for visitors to stop in prior to the gate to utilize a call box (or other device) to receive permission to enter the site.
 - C. Signing and striping for A. and B.
 - D. A turnaround outside the gates of 38' radius.
 - E. No Parking Signs shall be posted in the turnaround areas.
 - F. A separate pedestrian entry.
 - G. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
PAGE 24 OF 40**

All of these features must be kept in working order.

- Cactus Avenue driveway shall be a right-in/right-out only access for residents. Left-turn in/left-turn out at this driveway shall be restricted by traffic signs and raised median on Cactus Avenue.
- TE7. Prior to the final approval of the street improvement plans, a median construction plan shall be prepared for the raised concrete median on Cactus Avenue along the project frontage to restrict left-turn in/left-turn out at the project driveway.
- TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and City of Moreno Valley Standard Plans for all street frontages.
- TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval or as required by the City Traffic Engineer.
- TE10. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

- TE11. (CO) Prior to issuance of a Certificate of Occupancy, all approved street improvements, including the Cactus Avenue raised median, shall be installed per City standards and to the satisfaction of the City Engineer.
- TE12. (CO) Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.

SPECIAL DISTRICTS DIVISION

The following are the Special Districts Division's Conditions of Approval for PEN16-0123 (PA14-0028); this project shall be completed at no cost to any Government Agency. All questions regarding the following Conditions including but not limited to intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480 or by emailing specialdistricts@moval.org.

General Conditions

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
PAGE 25 OF 40**

Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.

- SD-2 The Moreno Valley Community Services District Zone A (Parks & Community Services) tax is assessed per parcel or per dwelling unit for parcels with more than one dwelling unit. Upon the issuance of building permits, the Zone A tax will be assessed based on 220 dwelling units.
- SD-3 Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
- SD-4 The ongoing maintenance of any landscaping required to be installed behind the curb on Lasselle St., Cactus Ave., and Brodiaea Ave. shall be the responsibility of the property owner.
- SD-5 Street Light Authorization forms for all street lights that are conditioned to be installed as part of this project must be submitted to the Special Districts Division for approval, prior to street light installation. The Street Light Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison. For questions, contact the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.

Prior to Building Permit Issuance

- SD-6 (BP) This project has been identified to potentially be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but will retain the right to object any eventual assessment that is not equitable should the financial burden of the assessment not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a 90 day process in compliance with the provisions of Article 13C of the California Constitution. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100).

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
PAGE 26 OF 40**

- SD-7 (BP) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. The Developer shall satisfy this condition with one of the options below.
- a. Participate in a special election for annexation into Community Facilities District No. 1 and pay all associated costs with the special election process and formation, if any; or
 - b. Establish an endowment fund to cover future maintenance costs for new neighborhood parks.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance of its selected financial option. If option a. is selected, the special election will require a 90 day process prior to building permit issuance. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

Annexation to CFD No. 1 shall be completed or proof of payment to establish the endowment fund shall be provided prior to the issuance of the first certificate of occupancy for the project.

- SD-8 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
- SD-9 (BP) This project is conditioned to provide a funding source for the following special financing program(s):
- a. Street Lighting Services for capital improvements, energy charges, and maintenance.

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance. The Developer shall satisfy this condition with one of the options below.

- i. Participate in a special election (mail ballot proceeding) and pay all associated costs of the special election and formation, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- ii. Establish a Property Owner's Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting the application for building permit issuance. The option for participating in a special election requires approximately 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

SD-10 (BP) This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.

- a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- b. Establish an endowment fund to cover the future maintenance and/or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

- SD-11 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, storm water utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated storm water regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)
- SD-12 (BP) Prior to the issuance of the first building permit for this project, the Developer shall pay Advanced Energy fees for all applicable Residential and Arterial Street Lights required for this development. Payment shall be made to the City of Moreno Valley and collected by the Land Development Division. Fees are based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges, and Rates adopted by City Council. The Developer shall provide a copy of the receipt to the Special Districts Division (specialdistricts@moval.org). Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee. Questions may be directed to the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.

Moreno Valley Utility

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PEN16-0123 (PA14-0028); this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY

- MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
- MVU-2 (BP) City of Moreno Valley Municipal Utility Service – Electrical Distribution: Prior to constructing the MVU Electric Utility System, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
PAGE 30 OF 40**

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

- MVU-3 This project is subject to a Reimbursement Agreement. The project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. Payment shall be required prior to issuance of building permits.
- MVU-4 For all new projects, existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer expense, for any and all costs associated with the relocation of any of Moreno Valley Utility's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.

PARKS AND COMMUNITY SERVICES (PCS)

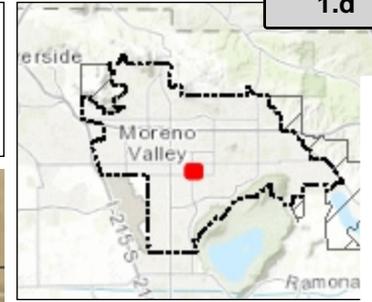
GENERAL CONDITIONS:

- PCS-GC-1 This project may be required to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. This can be achieved through annexing into Community Facilities District No. 1 (Park Maintenance). Please contact the Special Districts Division at 951.413.3480 or specialdistricts@moval.org to complete the annexation process.
- PCS-GC-2 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone 'A' charge for operations and capital improvements. Proof of such shall be supplied to Parks and Community Services upon Final Map and at Building Permits.
- PCS-GC-3 This project is subject to current Development Impact Fees, at time of building permit issuance.
- PCS-GC-4 This project is subject to current Quimby Fees, at time of building permit

**CONDITIONS OF APPROVAL
PLOT PLAN PEN16-0123 (PA14-0028)
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issuance.

Aerial Photograph



Legend

- Public Facilities
 - Public Facilities
 - ★ Fire Stations
- Parcels
- ⊞ City Boundary
- ⊞ Sphere of Influence

Attachment: Aerial Photograph (2469 : PEN16-0123 (PA14-0028) Plot Plan)

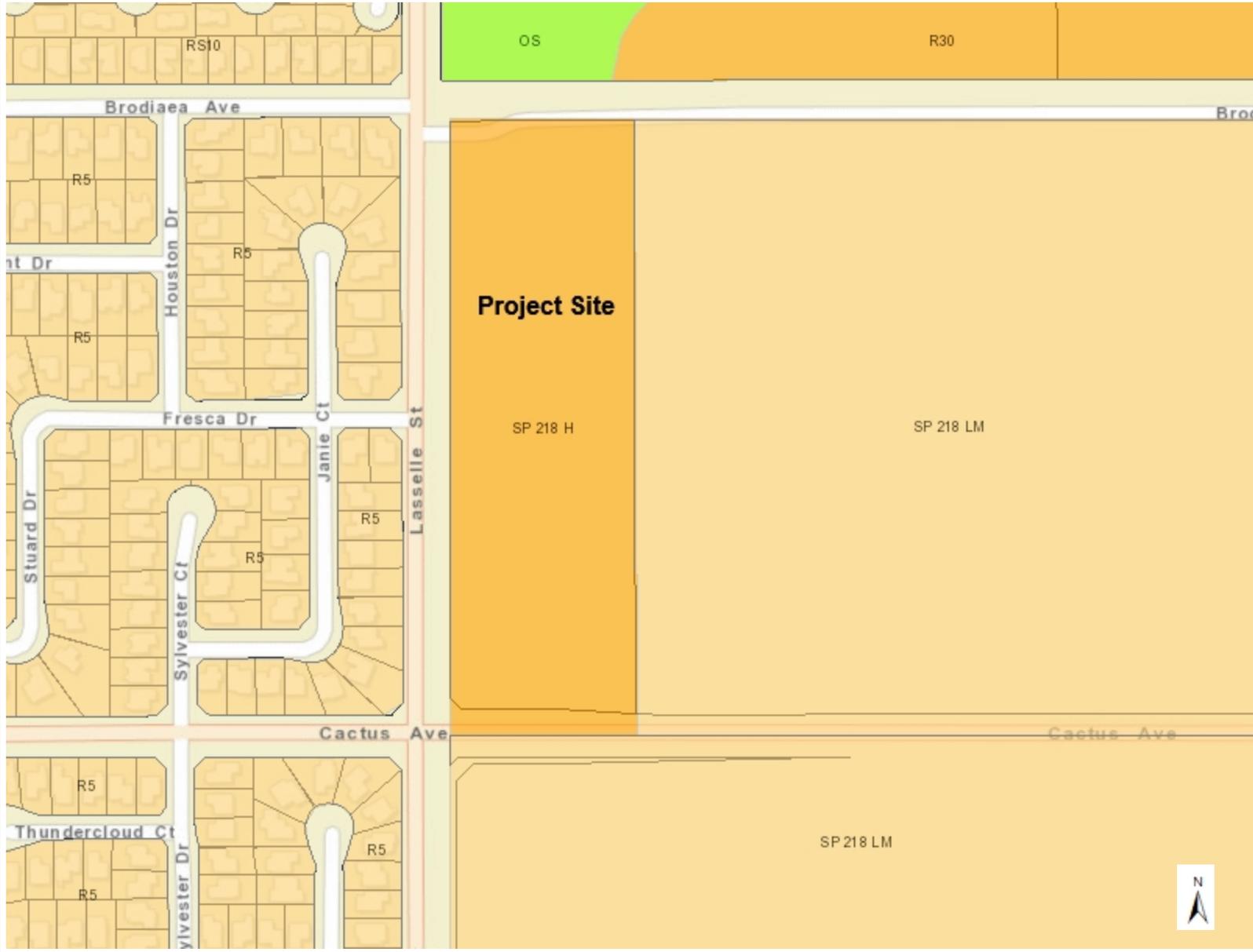
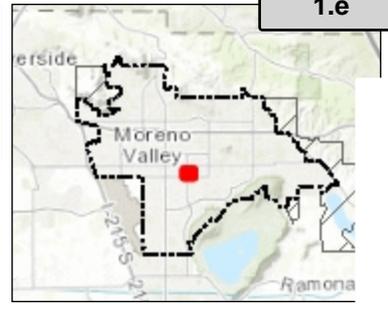
Notes

APN: 486-280-054

631.0 0 315.48 631.0 Feet

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

Zoning Map



Legend

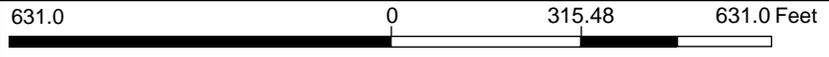
Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

- Parcels
- City Boundary
- Sphere of Influence



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Notes

APN: 486-280-054

Attachment: Zoning Map (2469 : PEN16-0123 (PA14-0028) Plot Plan)

SURVEYOR'S NOTES

BASIS OF BEARINGS
 THE CENTERLINE OF CACTUS AVENUE, BEING NORTH 89°47' WEST, AS SHOWN ON TRACT NO. 14950-1, RIVERSIDE COUNTY CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK
 AT THE SOUTHEAST CORNER OF MASON STREET AND ALESSANDRO BLVD, 56' EAST OF CENTERLINE OF MASON STREET, 48' SOUTH OF ALESSANDRO BLVD, 19' WEST OF TP 867-7006, 1.0' NORTH OF A 4"x4" MARKER POST, A BRASS DISK SET IN TOP OF A CONCRETE POST, MARKED M-40-R, RESET 1976, COUNTY OF RIVERSIDE, M-40-R, RESET ELEVATION: 158.421 FEET (NVD 29 / 1976 ADJ.)

UTILITIES
 THIS SURVEY DOES NOT INCLUDE ANY LOCATION FOR UNDERGROUND UTILITIES OR OTHER FACILITIES, IF ANY, EXCEPT AS SHOWN. SURFACE VISIBLE INDICATIONS OF UTILITIES ARE SHOWN HEREON.

LEGAL DESCRIPTION
 LOT 1 OF TRACT NO. 14950-1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 433 PAGE 93 TO 96 MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.
 APN: 436-290-054-5

LAND USE

EXIST: VACANT
 PROPOSED LAND USE: HIGH DENSITY RESIDENTIAL (UP TO 20 DU/AC)

UTILITY COMPANIES

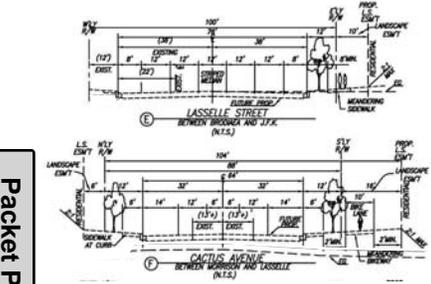
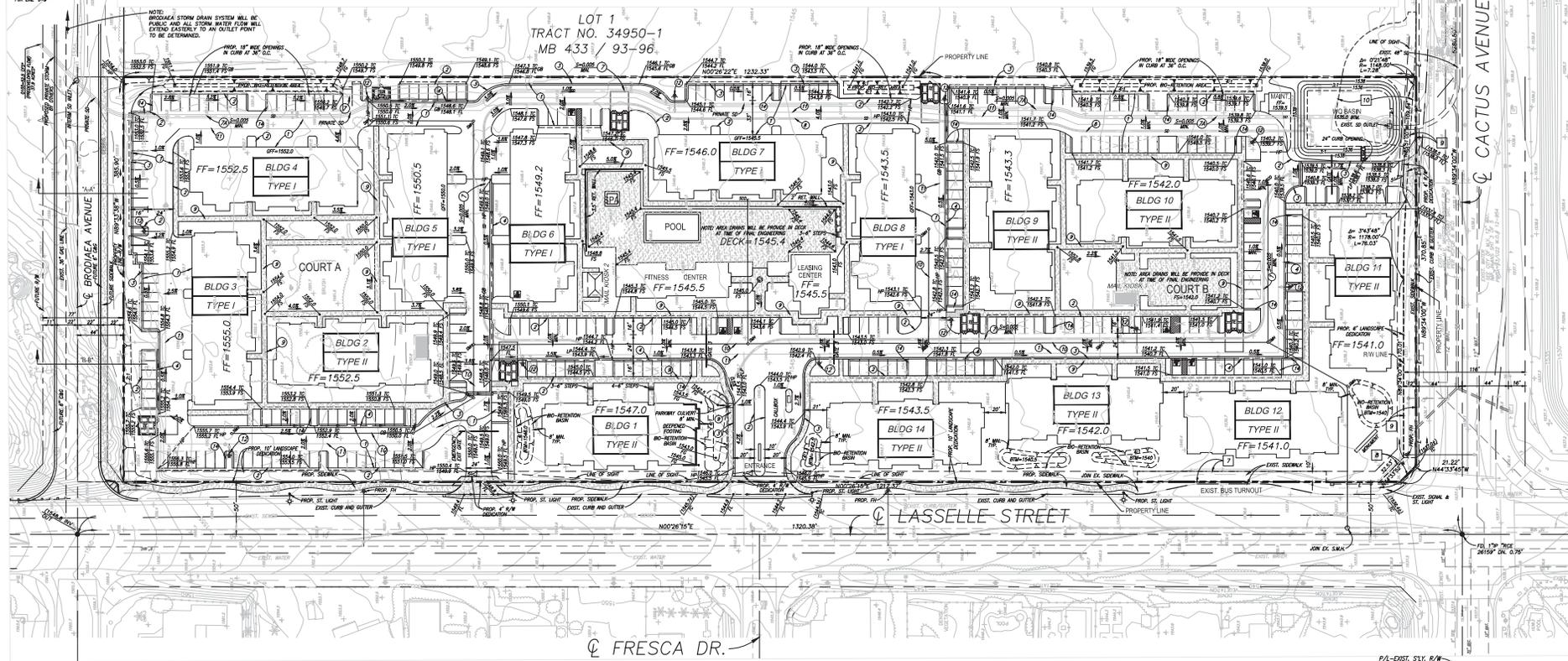
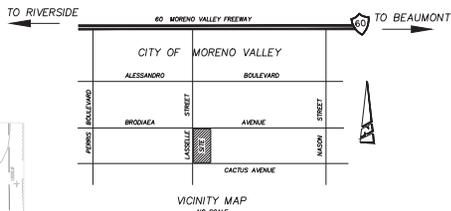
EASTERN MUNICIPAL WATER DISTRICT (EMWD)	(951) 928-3777
VERIZON	(951) 929-9412
MORENO VALLEY ELECTRIC UTILITIES (MVEU)	(951) 413-3000
SOUTHERN CALIFORNIA GAS COMPANY (SCG)	(951) 335-3919
TIME WARNER (TWC)	(909) 748-6656
RIVERSIDE TRANSIT AGENCY (RTA)	(951) 684-1007
RIVERSIDE COUNTY FLOOD CONTROL DISTRICT (RCFCD)	(951) 955-8170

EASEMENT / TITLE EXCEPTIONS

EXCEPTIONS TO TITLE COVERAGE LISTED IN THE REPORT REFERRED HEREIN ARE AS FOLLOWS:

- 1-3. GENERAL AND SPECIAL TAXES, ASSESSMENTS, & WATER RIGHTS.
4. INTENTIONALLY DELETED
5. INTENTIONALLY DELETED
6. INTENTIONALLY DELETED
7. AN EASEMENT IN FAVOR OF THE CITY OF MORENO VALLEY, FOR RESTRICTION ACCESS, RECORDED MAY 23, 2008 AS INSTRUMENT NO. 2008-0277064 OR.
8. AN EASEMENT IN FAVOR OF THE CITY OF MORENO VALLEY, FOR PUBLIC ROAD AND UTILITY PURPOSES, RECORDED MAY 23, 2008 AS INSTRUMENT NO. 2008-0277065 OR.
9. AN EASEMENT IN FAVOR OF THE CITY OF MORENO VALLEY, FOR PUBLIC HIGHWAY PURPOSES, RECORDED MARCH 21, 2012 AS INSTRUMENT NO. 2012-130378 OR.
10. AN EASEMENT IN FAVOR OF THE CITY OF MORENO VALLEY, FOR STORM DRAIN EGRESS, RECORDED MARCH 21, 2012 AS INSTRUMENT NO. 2012-130378 OR.

TITLE ITEMS REFERRED TO HEREON ARE BASED ON INFORMATION CONTAINED IN FIRST AMERICAN TITLE INSURANCE COMPANY'S POLICY NO. 99406, AS FILE NO. NCS-99406-LA2, DATED AS OF JULY 29, 2013.
MVU EASEMENT NOTE:
 A NON-EXCLUSIVE EASEMENT SHALL BE PROVIDED TO THE MORENO VALLEY UTILITY TO INCLUDE ALL SUCH COMMON AREAS, WHERE THE INSTALLATION OF ELECTRIC DISTRIBUTION FACILITIES ARE PROPOSED. ALL EASEMENTS SHALL INCLUDE THE RIGHTS TO INGRESS AND EGRESS FOR THE PURPOSE OF OPERATION, MAINTENANCE, FACILITY REPAIR, AND METER READING.



IMPROVEMENT NOTES:

1. CONSTRUCT AC
2. CONSTRUCT CURB ONLY
3. CONSTRUCT CURB AND GUTTER
4. CONSTRUCT RAINBOW CUTTER
5. CONSTRUCT CATCH BASIN
6. CONST. STORM DRAIN (24" MIN.)
7. CONST. STORM DRAIN (18" MIN.)
8. CONST. STORM DRAIN (36" MIN.)
9. CONST. STORM DRAIN (12" MIN.)
10. CONCRETE SIDEWALK
11. CONST. SEWER LINE (8" MIN.)
12. CONST. WATERLINE (8" MIN.)
13. CONSTRUCT FUL ASSEMBLY
14. INSTALL DRAIN INLET
15. 18" WIDE STEP OUT (TYP.)

GENERAL NOTES:
 - ALL PARKING STALLS TO BE DOUBLE STRIPED
 - TRANSFORMER CABINETS AND COMMERCIAL GAS METERS SHALL NOT BE LOCATED WITHIN PROPOSED SIDEWALKS AND SHALL BE SCREENED FROM PUBLIC VIEW BACK-FLOW PREVENTORS SHALL BE SCREENED BY LANDSCAPING.

LEGEND:

CL	CENTRALINE	---	TRACT BOUNDARY
EXST.	EXISTING	---	TOP OF SLOPE
C&G	CURB AND GUTTER	---	EDGE OF SLOPE
CB	CATCH BASIN ASSEMBLY	---	PROTECTED SLOPE
HP	HIGH POINT	---	EXIST. CONTOUR
RET. WALL	RETAINING WALL	---	CENTRALINE
LP	LOW POINT	---	EASEMENT LINE
FL	FLOORLINE	---	STORM DRAIN LINE W/ CATCH BASIN
EP	EDGE OF PAVEMENT	---	PROPOSED
R/W	RIGHT OF WAY	---	LOT NUMBER
PROP.	PROPOSED	---	FRESH FLOOR ELEVATION
4/5	4" DRAIN WITH INLET	---	SEWER LINE W/ MAN.
FL-AL	FRESH FLOOR ELEVATION	---	WATER LINE
T.C.	TOP OF GRADE/FL. IN	---	PROPOSED CONTOUR
T.E.	TRASH ENCLOSURE	---	EXISTING MVU ELECTRIC FACILITIES
W.C.	WALKWAY	---	

DATE	BY	REVISION
12/27/14	PL	1. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS
12/27/14	PL	2. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS
3/1/15	PL	3. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS
6/9/15	PL	4. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS
9/29/15	PL	5. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS
12/27/15	PL	6. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS
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12/27/15	PL	49. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS
12/27/15	PL	50. REVISED CDPG PER PER SITE PLAN/PHIC COMMENTS

BELLA VISTA APARTMENT HOMES
CONCEPTUAL GRADING AND UTILITY PLAN
MORENO VALLEY, CALIFORNIA

PREPARED FOR:
OWNER/DEVELOPER:
 MV BELLA VISTA LP
 555 S. CAMP AVE. # 377
 COVINGTON, CA 95926
 (916) 292-4203
 WWW.MVLP.COM

PREPARED BY:
PROACTIVE ENGINEERING CONSULTANTS WEST
 2310 HOFFERMAN AVE. SUITE 208
 COVINGTON, CA 95926
 (916) 292-6640
 WWW.PECON.COM

SHEET
 1
 OF
 1
 SHEETS

MORENO VALLEY APARTMENTS

LANDSCAPE ARCHITECTURAL DESIGN

LandStudio360
LandscapeArchitecture

CLIENT M.V. Bella Vista, LP

1925 Century Park East, Suite 500
Los Angeles, CA 90067

ENTITLEMENT PACKAGE

7TH SUBMITTAL PACKAGE | 2016-11-21

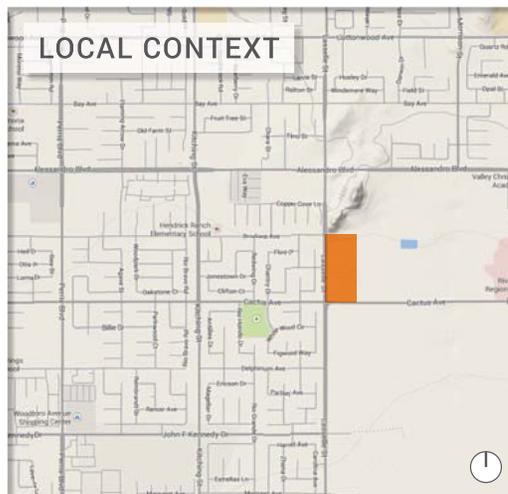
SHEET INDEX

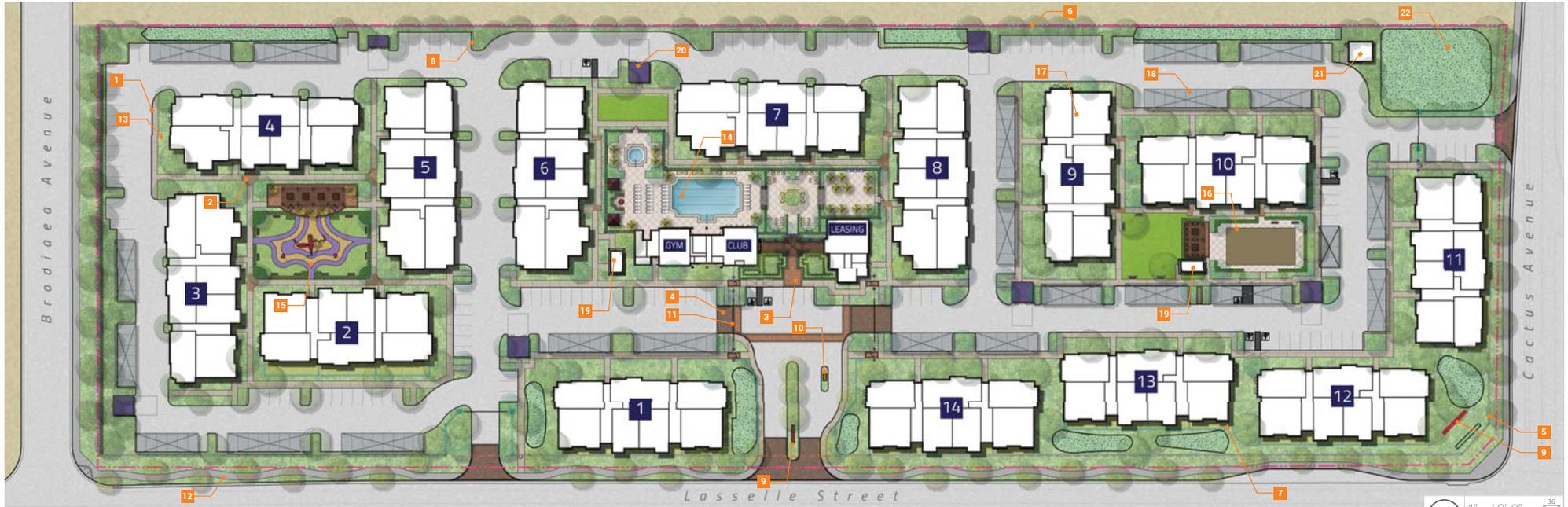
- LANDSCAPE CONCEPT PLAN **L1**
- PLANTING PLAN **L2**
- POOL AREA ENLARGEMENT **L3**
- COURTYARD ENLARGEMENTS **L4**

REGIONAL CONTEXT



LOCAL CONTEXT





CONSTRUCTION LEGEND

- 1 Concrete paving and ramps
- 2 Enhanced concrete paving at walk intersections
- 3 Accent paving such as interlocking concrete paver field and banding
- 4 Accent vehicular paving at main entry and main vehicular gates
- 5 CMU block walls and pilasters along west and south property lines
- 6 Tubular steel fence along north and east property lines
- 7 Private walled yards to improve desirability of perimeter wall adjacent units
- 8 18" step-off paving at parking stalls adjacent planters (typical)
- 9 Monument sign at entry and corner
- 10 Call box
- 11 Vehicular entry gate
- 12 Sidewalk within public right-of-way
- 13 Landscape planting areas - refer to sheet L2
- 14 Pool area - refer to sheet L3
- 15 North courtyard - refer to sheet L4
- 16 South courtyard - refer to sheet L4
- 17 Building per architect
- 18 Carport per architect
- 19 Mail Kiosk per architect
- 20 Trash enclosure per architect
- 21 Maintenance building per architect
- 22 Bio-retention basins per engineer. Plants around perimeter shall screen basins as necessary per sheet L2. Plants within basins shall be capable of tolerating both wet and dry periods. Independent irrigation valve shall provide supplemental water as required and shall be turned off when the basins are actively infiltrating storm water.

GENERAL NOTES

01. The images, illustrations, drawings, and statements ("information") contained herein are conceptual only and are based upon a preliminary review of entitlement requirements; thus are subject to change during the design review process. The information is provided merely to assist in exploring how the site might be eventually developed. Consequently, there is no guarantee that the improvements depicted will be built, or if built, will be of the same type, material, size, density, appearance, or use as presented.
02. All landscape improvements shall follow the City of Moreno Valley's design guidelines.

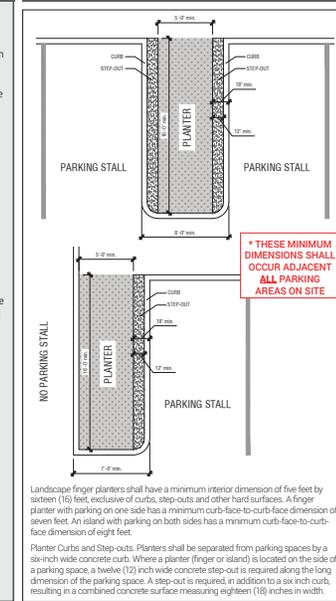
PLANTING NOTES

01. The selection of plant material is based on cultural, aesthetic, water efficiency, and maintenance considerations.
02. All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from a sample taken from the site.
03. Groundcovers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotranspiration and run-off. All shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.
04. The shrubs shall be allowed to grow to their natural forms. All landscape improvements shall follow the City of Moreno Valley's requirements.
05. Final landscape plans shall accurately show placement of trees, shrubs, and groundcovers.
06. All required landscape planting areas shall be maintained by owner per the City of Moreno Valley's requirements.
07. All landscape and irrigation improvements shall follow the City of Moreno Valley's guidelines and water efficiency ordinance AB 1881.
08. Landscape architect shall be aware of all project utilities and easements and place plantings accordingly.
09. Root barriers shall be installed around any tree within 10 feet of any structure or paving.
10. All plant material shall be 24 inches clear of all structures.
11. All trees shall be 5 feet clear of buildings, 3 feet clear of paving, and 10 feet clear of drive entries.
12. All plants used shall be selected according to the County of Riverside landscape guidelines or Sunset zone 18.

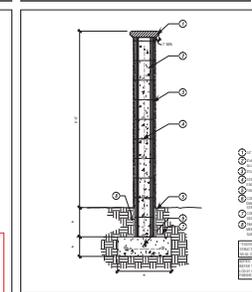
PLANTING NOTES - CONT.

13. Shrubs shall be planted at a rate of one (1) per every 15 sqft. of planter minimum and shall cover 80% of planter within 24 months.
14. Groundcovers shall be planted at a spacing of 12 inches on center minimum and shall cover 80% of planter within 12 months.
15. An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off. Irrigation systems shall use high quality, automatic control valves, controllers, and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.
16. Project entry drives shall incorporate enhanced landscaping (size and variety of vegetation) as well as enhanced pavement.
17. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls, and/or grading separations.
18. Any damage to existing landscape areas maintained by the City due to project construction shall be repaired/replaced by the developer at no cost to the City.
19. The ongoing maintenance of any landscaping required to be installed behind the curb on Cactus Avenue, Lasselle Street, and/or Brodiaea Avenue shall be the responsibility of the property owner.
20. Transformer cabinets, gas meters, backflow preventers, and any other utilities requiring screening per the City of Moreno Valley shall be screened by landscaping that will provide complete screening upon maturity.
21. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City.
22. The ongoing maintenance of any landscaping required to be installed behind the curb on Lasselle St., Cactus Ave., and Brodiaea Ave. shall be the responsibility of the property owner.

TYPICAL PLANTER FINGERS / STEP-OUTS



WALL AND FENCE DETAILS



LANDSCAPE AREA

TOTAL SITE AREA	LANDSCAPE AREA	PERCENT LANDSCAPE	REQUIRED	NET DIFFERENCE	PERCENT TURF	REQUIRED
469,595 SF	205,196 SF	43.7%	35%	+8.7%	2.6%	<10.0%

*Landscape Area' has been calculated as all areas within the site except for footprints of buildings and permanent structures (such as trash enclosures) and vehicular-use areas including drive-aisles and parking stalls.

LANDSCAPE CONCEPT PLAN

moreno valley apartments LandStudio360 LandscapeArchitects 016-11-21



PLANTING LEGEND

SYMBOL	PLANT NAME	SIZE	MATURE HxS	WATER USE	REMARKS
TREES					
	PLATANUS X ACERIFOLIA LONDON PLANE TREE	24" BOX	40-80' H x 30-40' S	MEDIUM	STANDARD FORM (STREET TREE - LASSELLE)
	RHUS LANCEA AFRICAN SUMAC	24" BOX	20-30' H x 20-35' S	LOW	STANDARD FORM (STREET TREE - CACTUS)
	CINNAMOMUM CAMPHORA CAMPHOR TREE	36" BOX	40-60' H x 40-60' S	MEDIUM	STANDARD FORM
	QUERCUS AGRIFOLIA COAST LIVE OAK	36" BOX	20-70' H x 20-80' S	LOW	MULTI FORM
	MAGNOLIA GRANDIFLORA SOUTHERN MAGNOLIA	36" BOX	40-80' H x 30-60' S	MEDIUM	STANDARD FORM
	PISTACHIA CHINENSIS CHINESE PISTACHE	24" BOX	30-60' H x 30-50' S	MEDIUM	STANDARD FORM
	ROBINIA PSEUDOACACIA LOCUST	24" BOX	40-75' H x 30-60' S	LOW	STANDARD FORM
	CERCIDIUM FLORIDUM 'DESERT MUSEUM' PALO VERDE	24" BOX	30-50' H x 20-25' S	LOW	MULTI FORM
	PINUS ELDARICA AFGHAN PINE	24" BOX	30-80' H x 15-25' S	LOW	STANDARD FORM
	BRACHYCHITON POPULNEUS BOTTLE TREE	24" BOX	30-50' H x 25-35' S	LOW	STANDARD FORM
	X CHITALPA TASHKENTENSIS CHITALPA	36" BOX	20-30' H x 20-30' S	LOW	STANDARD FORM
	PROSOPIS GLANDULOSA 'MAVERICK' HONEY MESQUITE	36" BOX	20-30' H x 20-30' S	LOW	STANDARD FORM
	LAGERSTROEMIA INDICA CRAPE MYRTLE	24" BOX	20-25' H x 20-25' S	MEDIUM	MULTI FORM
	OLEA EUROPAEA OLIVE	24" BOX	25-30' H x 25-30' S	LOW	MULTI FORM
	ARBUTUS UNEDO STRAWBERRY TREE	24" BOX	8-35' H x 8-35' S	LOW	STANDARD FORM
	CUPRESSUS SEMPERVIRENS ITALIAN CYPRESS	24" BOX	50-60' H x 5-10' S	LOW	STANDARD FORM

Pedestrian sight distance - limited use landscape area (yellow)*

Street sight distance - limited use landscape area (orange)*

*Street sight distance triangles shall be measured 5' from the curb face and follow the City of Moreno Valley's standard drawing MVS-164 for clear sight distance. Pedestrian sight distance triangles shall be measured 5 feet from the back of the crosswalk and provide 100 feet of clear sight distance to the pedestrian walkway. No trees shall obstruct either of these zones.

SYMBOL	PLANT NAME	SIZE	MATURE HxS	WATER USE	REMARKS
SHRUBS AND GROUNDCOVERS					
	AGAVE SPP. AGAVE	15 GAL.	2-6' H x 3-10' S	LOW	
	ALOE SPP. ALOE	5 GAL.	1-3' H x 1-3' S	LOW	
	BOUGAINVILLEA SPP. BOUGAINVILLEA	5 GAL.	10-15' H x 10-15' S	LOW	GROUNDCOVER OR CLIMBING VINE
	CISTUS SPP. ROCKROSE	5 GAL.	3-5' H x 3-5' S	LOW	
	CITRUS SPP. CITRUS	15 GAL.	10-25' H x 10-25' S	MEDIUM	
	DODONEA VISCOSA HOP BUSH	15 GAL.	10-15' H x 10-12' S	MEDIUM	SCREENING HEDGE
	ECHEVERIA SPP. ECHEVERIA	1 GAL.	<1' H x <1' S	LOW	
	JUNIPERUS SPP. JUNIPER	15 GAL.	4-30' H x 4-30' S	LOW	
	LAVANDULA SPP. LAVENDER	5 GAL.	3-4' H x 4-6' S	LOW	
	LIGUSTRUM JAPONICUM PRIVET	15 GAL.	8-10' H x 8-10' S	MEDIUM	SCREENING HEDGE
	LONICERA JAPONICA 'HALLIANA' HALL'S HONEYSUCKLE	5 GAL.	2-5' H x 5-10' S	LOW	GROUNDCOVER
	MYRTUS COMMUNIS MYRTLE	5 GAL.	5-6' H x 4-5' S	MEDIUM	LOW HEDGE
	NERIUM OLEANDER OLEANDER	15 GAL.	3-20' H x 4-12' S	LOW	LARGE SCREEN
	PHORMIUM SPP. NEW ZEALAND FLAX	5 GAL.	4-5' H x 3-4' S	MEDIUM	
	PRUNUS ILICIFOLIA HOLLY-LEAF CHERRY	15 GAL.	10-25' H x 10-25' S	VERY LOW	LARGE SCREEN
	RHAPHIOLEPIS SPP. INDIAN HAWTHORNE	5 GAL.	4-5' H x 5-6' S	MEDIUM	

SYMBOL	PLANT NAME	SIZE	MATURE HxS	WATER USE	REMARKS
SHRUBS AND GROUNDCOVERS (CONT.)					
	ROSA SPP. ROSE	5 GAL.	2-6' H x 2-6' S	MEDIUM	
	SALVIA SPP. SAGE	5 GAL.	3-5' H x 3-5' S	LOW	
	SEDUM SPP. STONECROP	1 GAL.	<1' H x 1-2' S	LOW	
	SENECIO MANDRALISCAE CHALK STICKS	1 GAL.	1-2' H x 1-2' S	MEDIUM	
	WESTRINGIA FRUTICOSA COAST ROSEMARY	5 GAL.	3-6' H x 5-10' S	LOW	
	XYLOSMA CONGESTUM SHINY XYLOSMA	15 GAL.	8-10' H x 8-12' S	MEDIUM	SCREENING HEDGE
TURF					
	TURFGRASS	SOD		HIGH	

WATER BUDGET

MAXIMUM ALLOWED (MAWA) 3,432,787 gal./yr.	ESTIMATED USE (ETWU) 2,931,215 gal./yr.	AMOUNT UNDER MAWA 501,572 gal./yr.
--	--	---------------------------------------

LA = 137,125 SQFT.
SLA = 4,797 SQFT. (TURF)
MONTHLY AVG. ETo = 56.83

HA 1 (HIGH) = 2,025 SQFT. (POOLS)
HA 2 (MED) = 67,550 SQFT.
HA 3 (LOW) = 67,550 SQFT.

PLANTING PLAN
moreno valley apartments
LandStudio360
LandscapeArchitecture
L2
016-11-21

CABANA ELEVATION



Tropitone "Basta Sole" Aluminum Cabana, 10' Square w/ Fabric Curtains & Vent. Model # NS010A238V

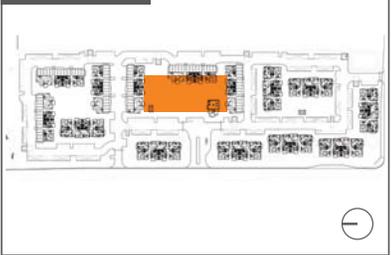


LEGEND

- 1 Concrete paving and ramps
- 2 Enhanced concrete paving at walk intersections
- 3 Accent paving such as interlocking concrete paver field and banding
- 4 Concrete pool deck and plaza surface
- 5 60' x 30' lap pool
- 6 15' x 15' spa
- 7 Firepit with built-in banquette seating
- 8 Cabana (2)
- 9 Non-climbable pool fence
- 10 Pool entry gate
- 11 Eyebrow trellis
- 12 Chaise lounge
- 13 Casual seating clusters with chairs, sofas, coffee tables, and side tables
- 14 Dining furniture
- 15 Barbecue center with three (3) grills
- 16 Parterre garden highlighting forecourt of guest parking
- 17 Trellis element connecting club house and leasing buildings and elevated trellis structure in the center as a focal element
- 18 Clubhouse/Gym - per architect
- 19 Leasing center - per architect
- 20 Building - per architect
- 21 Mail kiosk - per architect
- 22 Turf lawn for passive recreational use



KEYMAP



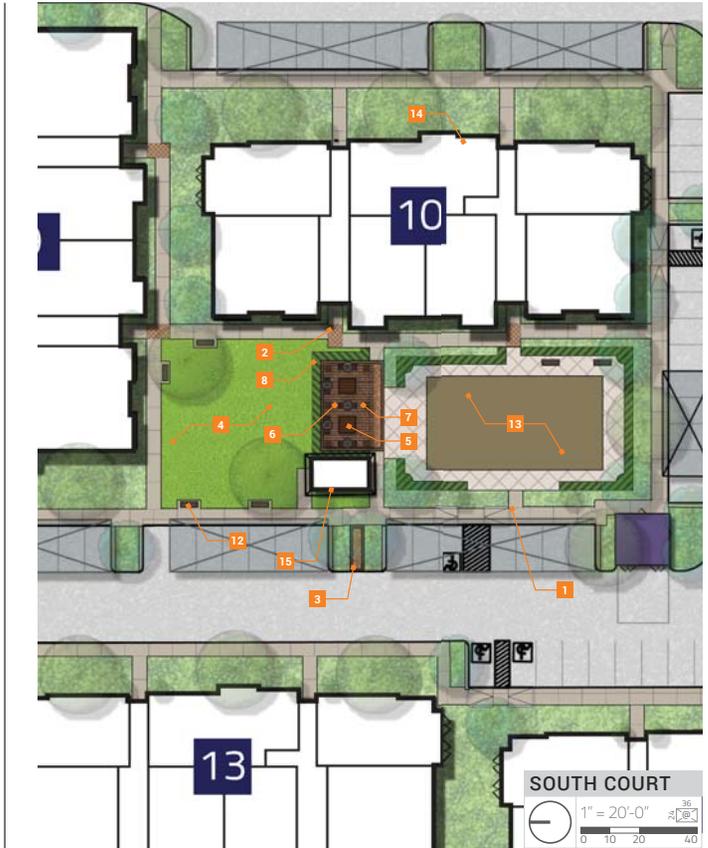
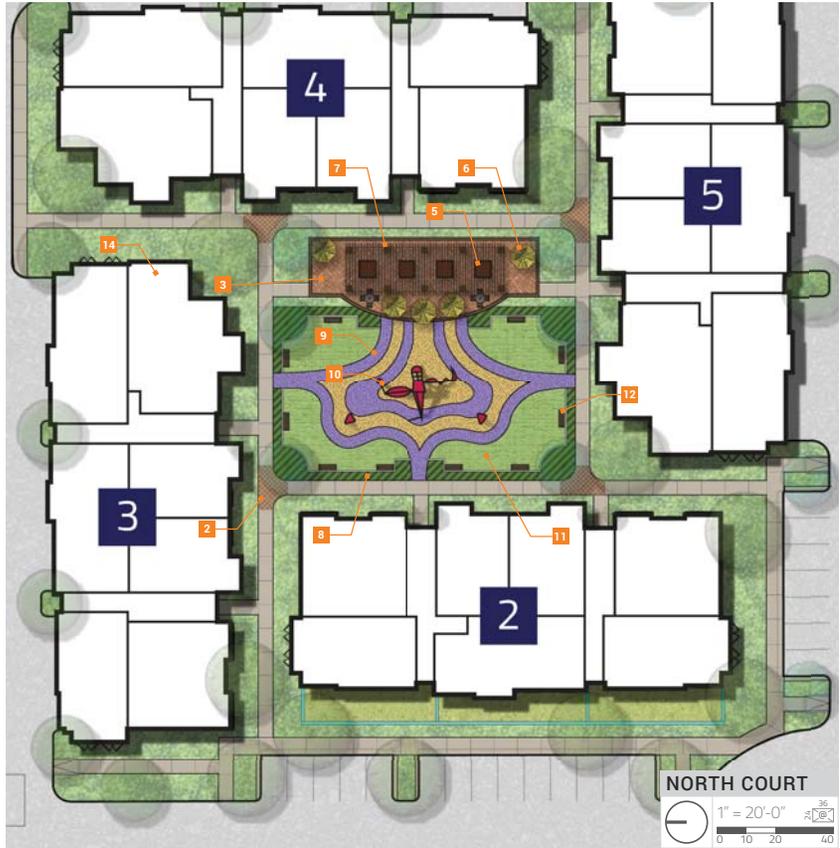
POOL AREA ENLARGEMENT

moreno valley apartments

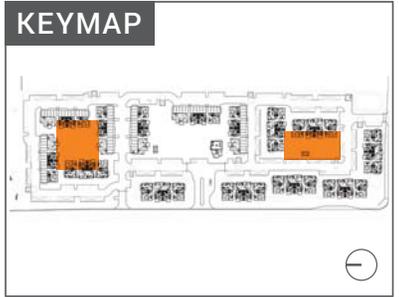
LandStudio360
LandscapeArchitecture

L3

16-11-21

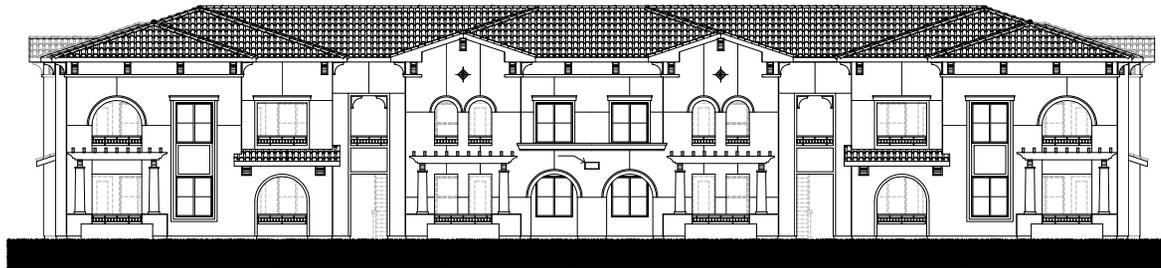


LEGEND	
1	Concrete paving and ramps
2	Enhanced concrete paving at walk intersections
3	Accent paving such as interlocking concrete paver field and banding
4	Turf lawn for passive recreational use
5	Barbecue area
6	Dining furniture
7	Trellis shade structure
8	Screening hedge
9	Resilient play surface
10	Playground equipment (Kompan or similar)
11	Artificial turf around play area
12	Bench
13	Potential location for future sports court
14	Building - per architect
15	Mail kiosk - per architect



BELLA VISTA APARTMENT HOMES

PA14-0028 (PRE-APPLICATION)
MORENO VALLEY, CALIFORNIA
SITE DEVELOPMENT PLAN



PROJECT TEAM

APPLICANT/DEVELOPER:

M.V. BELLA VISTA, LP
556 S. FAIR OAKS AVENUE
SUITE # 337
PASADENA, CA 91105
TEL: (626) 263-4205
ATTN: PAUL ONUFER

CIVIL:

PROACTIVE ENGINEERING WEST
1875 CALIFORNIA AVE
CORONA, CA 92881
TEL: (562) 587-8848
ATTN: HENRY A. LOZANO

ARCHITECT:

ARCHITECTS ORANGE
144 NORTH ORANGE STREET
ORANGE, CA 92866
TEL: (714) 639-9860
ATTN: DAVE GILMOUR

LANDSCAPE:

LANDSTUDIO 360
58 PLAZA SQUARE, STUDIO I
ORANGE, CA 92866
(949) 798-1032
ATTN: DAVID LING/
ALEX POLEN

SHEET INDEX

SHT. NO.	ARCHITECTURE SHEET TITLES
A-0	COVER SHEET
A-1	CONCEPTUAL SITE PLAN
A-2	OPEN SPACE PLAN
A-3	BUILDING I FLOOR PLANS
A-4	BUILDING I ELEVATIONS
A-5	BUILDING II FLOOR PLANS
A-6	BUILDING II ELEVATIONS
A-7	CLUBHOUSE FLOOR PLAN
A-8	LEASING ELEVATION
A-9	CLUBHOUSE & FITNESS ELEVATIONS
A-10	OVERALL UNIT PLANS
A-11	A1, A2 & B1 UNIT PLANS
A-12	B2 & C1 UNIT PLANS
A-13	CARPORT AND TRASH ENCLOSURE
A-14	MAINTENANCE, MAIL KIOSK, AND BUILDING SECTION
A-15	MATERIAL BOARD

ORIGINAL SUBMITTAL MAY 20, 2014
REVISION  03/24/14
REVISION  12/18/14
REVISION  03/05/15

BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
MORENO VALLEY, CALIFORNIA 92552

COVER SHEET

M.V. BELLA VISTA, LP

PAUL ONUFER MANAGING PARTNER
556 S. FAIR OAKS AVENUE, SUITE 337 PASADENA, CA 91105
PH: (626) 263-4205

ARCHITECTS ORANGE

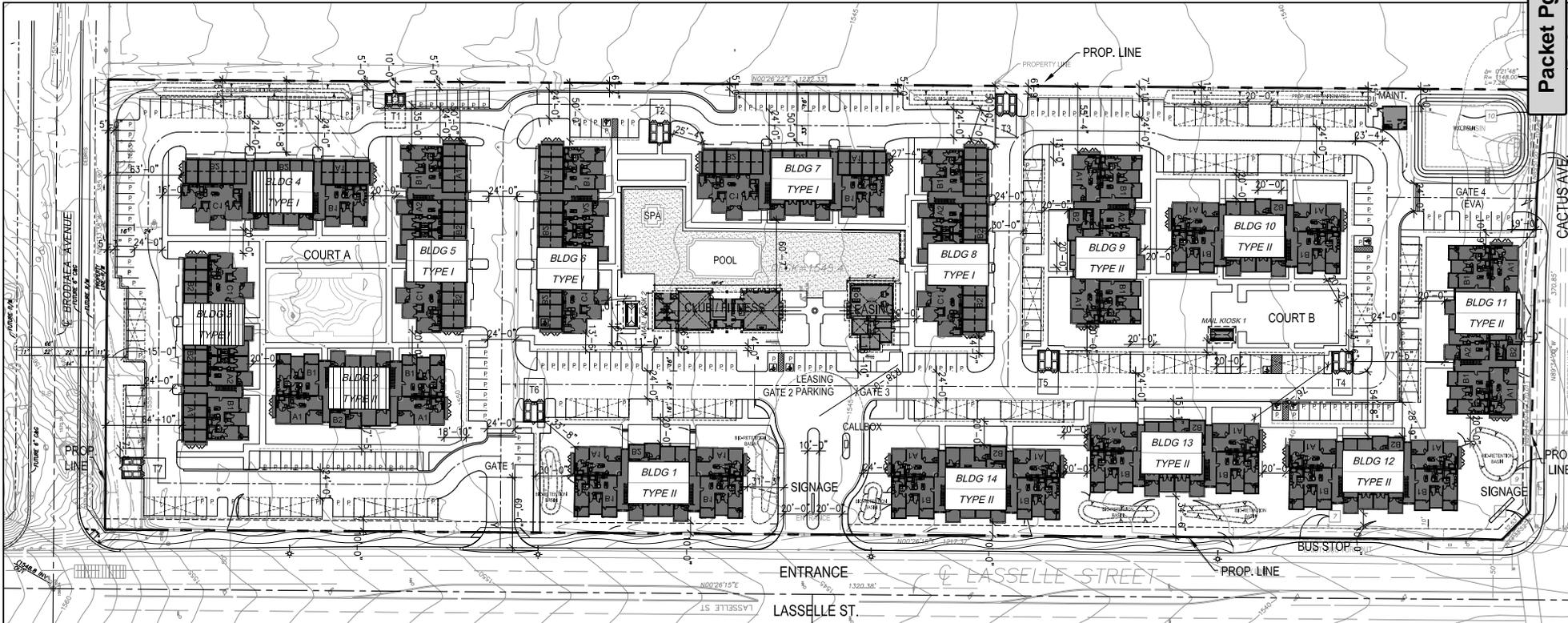
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

A-0

2013-345 MAY 20, 2014



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LEGAL DESCRIPTION

LOT 2 OF TRACT NO. 34959-1, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOL 433, PAGES 83 TO 96 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.
APN: 486-280-054-5

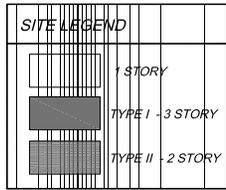
PROPOSED USE: APARTMENTS
EXISTING ZONING: HIGH DENSITY MULTI-FAMILY 20 DU/AC

LOT COVERAGE:
REQUIRED: 50% MAXIMUM (5.46 Acres)
PROVIDED: 27% (2.95 Acres)

FAR:
REQUIRED: 0.75 (2 STORY)
PROVIDED: 0.62 - Excludes Carports
USEABLE COMMON OPEN SPACE (See Sheet A-2)
REQUIRED: 20% MINIMUM (2.18 Acres)
PROVIDED: 39% (4.23 Acres)

PROJECT SUMMARY

	DATA
TOTAL GROSS SITE AREA:	19.91 AC
PROPOSED TOTAL # OF DWELLING UNIT	220 UNITS
PROPOSED DENSITY OF UNITS (GROSS)	20.2 DU/AC



CONSTRUCTION TYPE - TYPE V

BUILDING/UNIT MIX

BLDG. DEST.	TYPE	QTY.	1 BDRM					TOTAL UNIT	TOTAL ATTACHED GARAGE
			A1	A2	B1	B2	C1		
1	II	1	4	4	4	2	0	14	0
2	II	1	4	4	4	2	0	14	0
3	I	1	2	6	3	4	3	18	14
4	I	1	2	6	3	4	3	18	14
5	I	1	2	6	3	4	3	18	14
6	I	1	2	6	3	4	3	18	14
7	I	1	2	6	3	4	3	18	14
8	I	1	2	6	3	4	3	18	14
9	II	1	4	4	4	2	0	14	0
10	II	1	4	4	4	2	0	14	0
11	II	1	4	4	4	2	0	14	0
12	II	1	4	4	4	2	0	14	0
13	II	1	4	4	4	2	0	14	0
14	II	1	4	4	4	2	0	14	0
SUB-TOTAL	-	-	44	68	50	40	18	220	84
TOTALS	-	-	14	112	90	18	220	84	-
%	-	-	-	50.9%	40.9%	8.2%	100%	-	-

PARKING SUMMARY

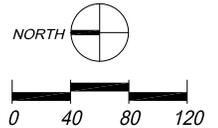
TOTAL REQUIRED

UNIT TYPES	UNITS	RATIO	QTY.
1 BDRM UNITS	112	1.5	166
2 BDRM UNITS	90	2.0	180
3 BDRM UNITS	18	2.5	45
TOTAL UNITS	220		
TOTAL REQUIRED PARKING			393

PARKING SUMMARY

TOTAL PROVIDED

	%	QTY.
TOTAL PARKING PROVIDED	3%	6
TOTAL GARAGE	21%	84
TOTAL OPEN STALLS	41%	155
CARPPTS	39%	154
TOTAL PROVIDED PARKING	100%	393
(PARKING TO UNIT RATIO)		1.79 /DU



1"=40'-0"

- ORIGINAL SUBMITTAL-MAY 20, 2014
- REVISION 09/24/14
- REVISION 12/18/14
- REVISION 03/05/15
- REVISION 06/28/15
- REVISION 10/12/15
- REVISION 02/08/16
- REVISION 11/22/16

A-1

2013-345 NOVEMBER 21, 2016

BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
MORENO VALLEY, CALIFORNIA 92552

CONCEPTUAL SITE PLAN

M.V. BELLA VISTA, LP

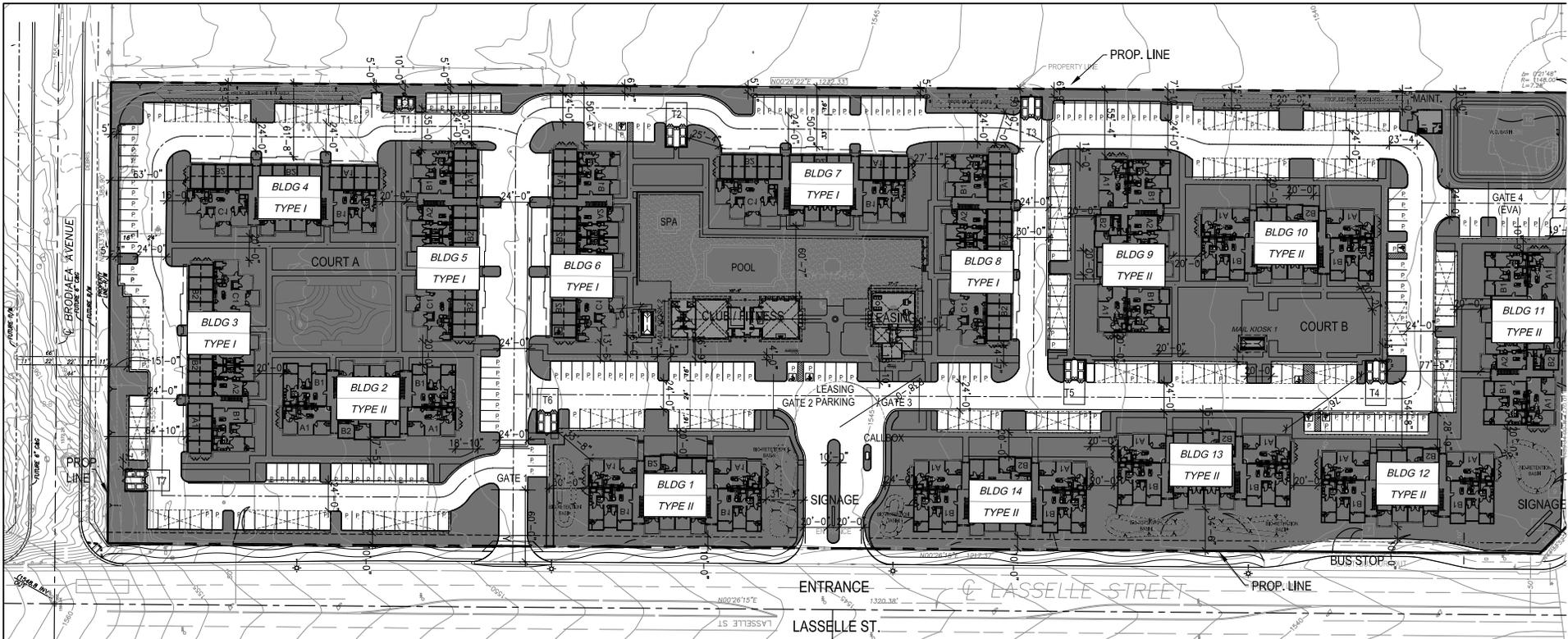
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ARCHITECTS ORANGE

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TOTAL USEABLE COMMON OPEN SPACE REQUIRED

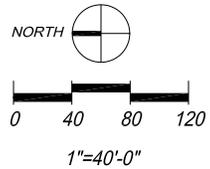
	SQ. FT.	AC.	%
USABLE COMMON OPEN SPACE (20%)	94,960	2.18	20%

TOTAL USEABLE COMMON OPEN SPACE PROVIDED

	SQ. FT.	AC.	%
TOTAL	184	4.23	39%

OPEN SPACE LEGEND

- COMMON OPEN SPACE
- PROPERTY LINE
- LANDSCAPE EASEMENTLINE



ORIGINAL SUBMITTAL-MAY 2

REVISION	06
REVISION	12
REVISION	03
REVISION	06
REVISION	10
REVISION	02
REVISION	11

BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
MORENO VALLEY, CALIFORNIA 92552

OPEN SPACE PLAN

M.V. BELLA VISTA, LP

PAUL ONUFER MANAGING PARTNER
556 S. FAIR OAKS AVENUE, SUITE 337 PASADENA, CA 91105
PH: (626) 263-4205

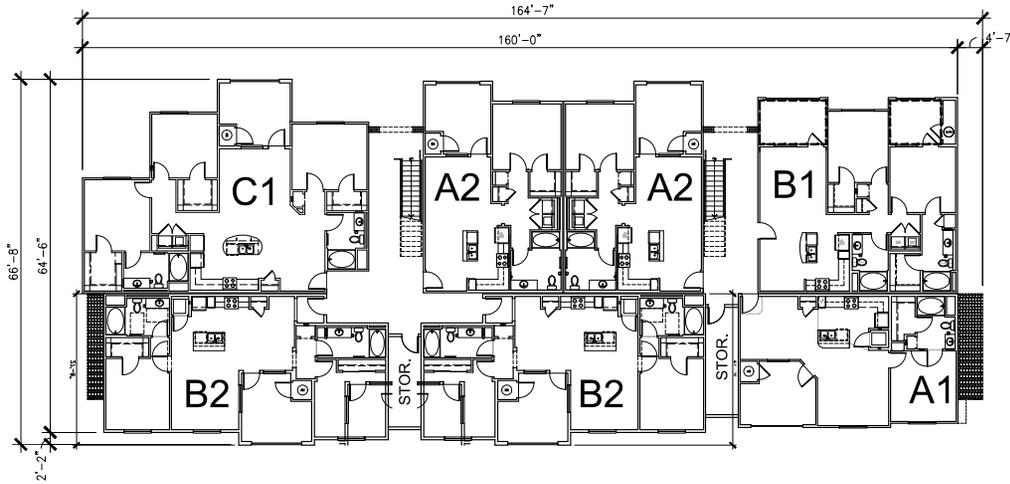
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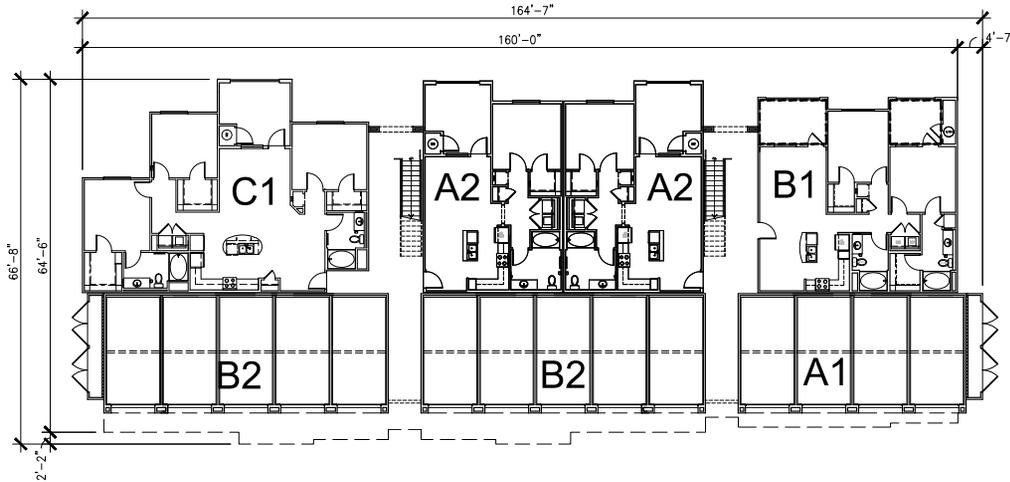
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Attachment: Project Plans [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)



BUILDING TYPE I - 2nd & 3rd FLOOR PLAN

SCALE: 3/32" = 1'-0"



BUILDING TYPE I - 1st FLOOR PLAN

SCALE: 3/32" = 1'-0"

ORIGINAL SUBMITTAL	MAY 20, 2014
REVISION	▲ 03/24/14
REVISION	▲ 12/18/14
REVISION	▲ 03/05/15

A-3

2013-345 MAY 20, 2014

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2600 CACTUS AVENUE
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BUILDING TYPE I - FLOOR PLANS

M.V. BELLA VISTA, LP

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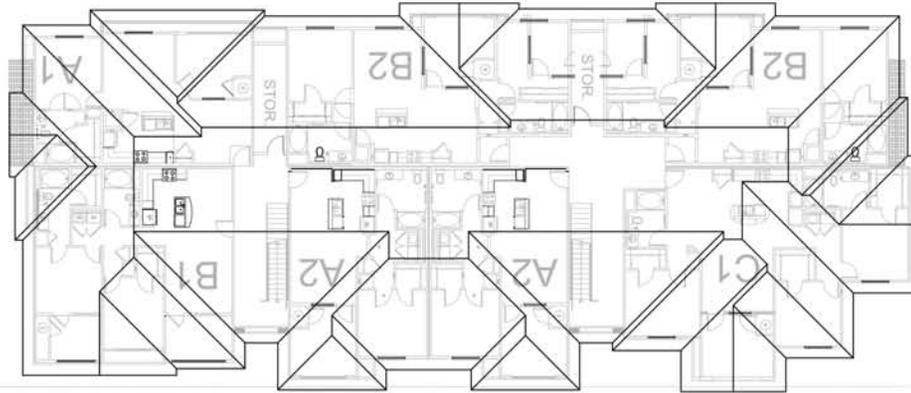
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LEFT ELEVATION



CONCEPTUAL ROOF PLAN



RIGHT ELEVATION



CONCEPTUAL FRONT ELEVATION - BLDG. 8 TYPE I



REAR ELEVATION

BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
MORENO VALLEY, CALIFORNIA 92552

CONCEPTUAL ELEVATION

SCALE: 3/32" = 1'-0"

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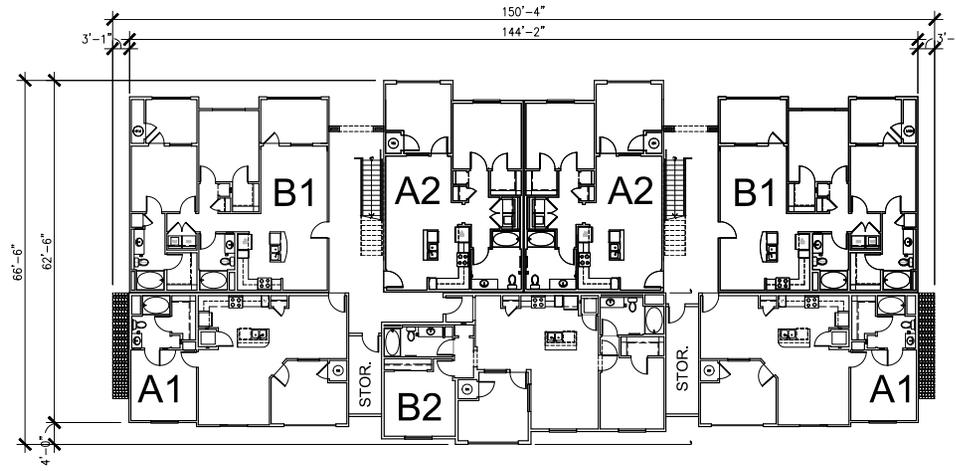
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ORIGINAL SUBMITTAL	MAY 20
REVISION	09
REVISION	12
REVISION	03



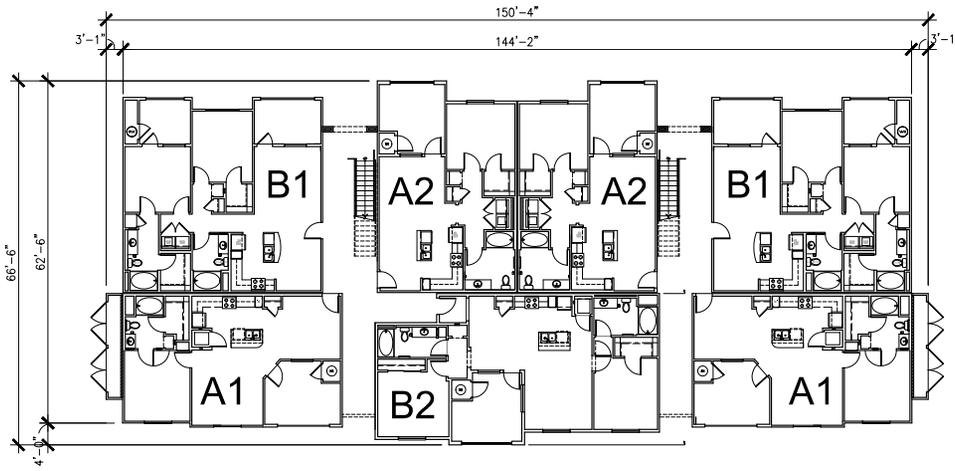
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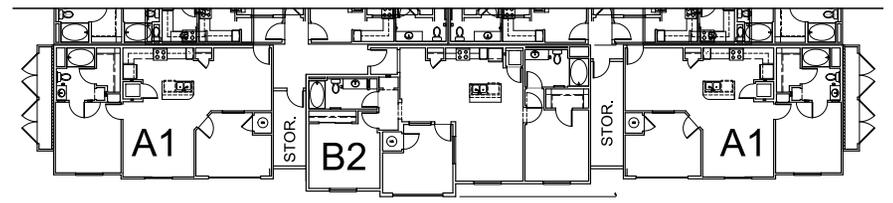


BUILDING TYPE II - 2nd FLOOR PLAN

SCALE: 3/32" = 1'-0"



ALTERNATIVE STORAGE AT BREEZEWAY ONLY APPLY AT 1ST FLOOR, BLDG. 2 AND BLDG. 11



BUILDING TYPE II - 1st FLOOR PLAN

SCALE: 3/32" = 1'-0"

ORIGINAL SUBMITTAL MAY 20, 2014
 REVISION 03/24/14
 REVISION 12/18/14
 REVISION 03/05/15

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2013-345 MAY 20, 2014

BELLA VISTA APARTMENT HOMES

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BUILDING TYPE II - FLOOR PLANS

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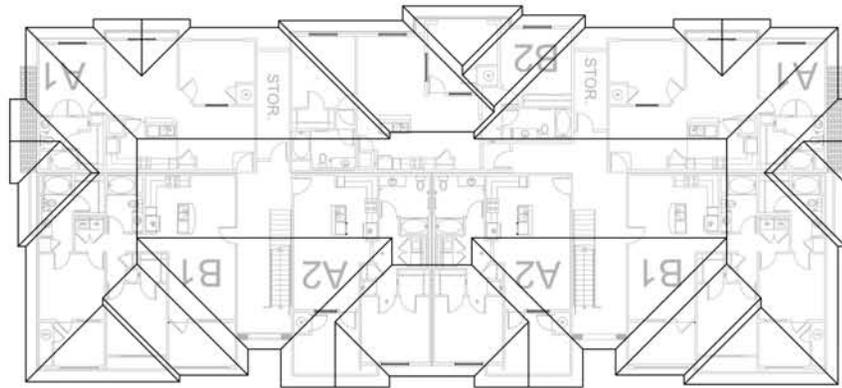
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LEFT ELEVATION



CONCEPTUAL ROOF PLAN



RIGHT ELEVATION



CONCEPTUAL FRONT ELEVATION - BLDG.2 TYPE II



PASEO FRONT ELEVATION

ORIGINAL SUBMITTAL	MAY 20
REVISION	09
REVISION	12
REVISION	03

BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
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CONCEPTUAL ELEVATION

SCALE: 3/32" = 1'-0"

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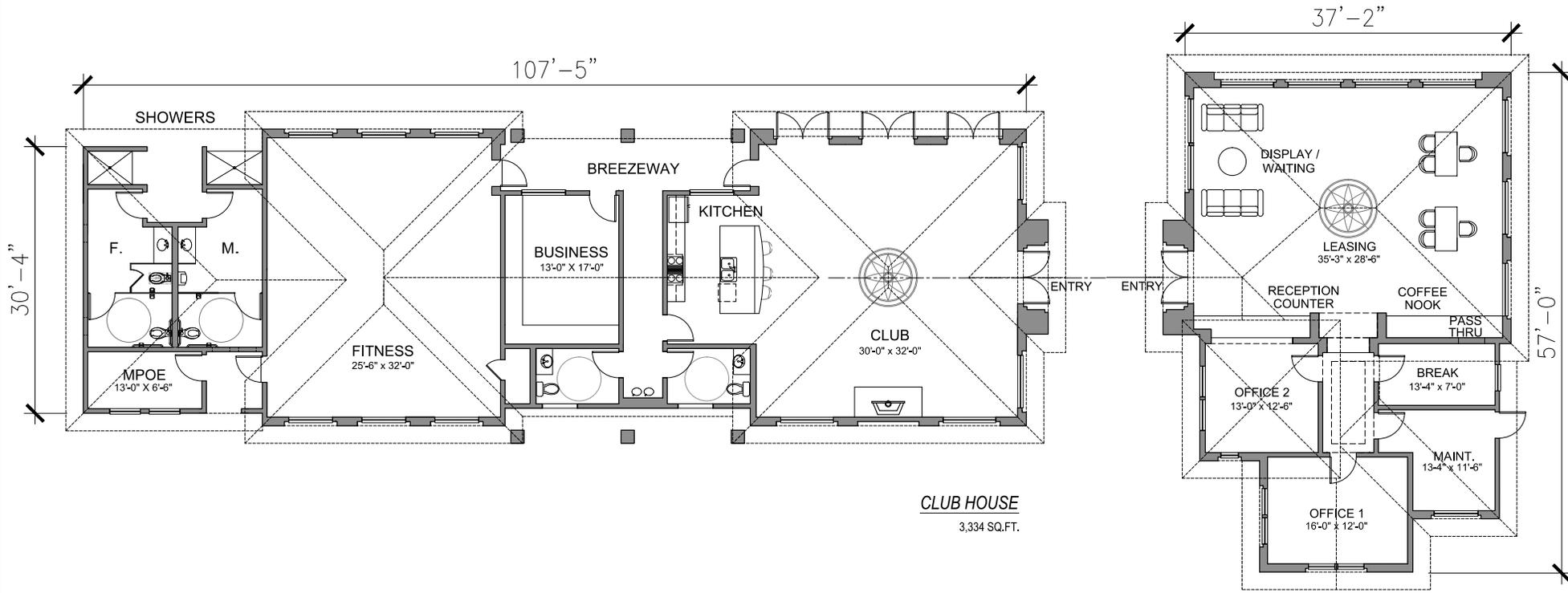
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Attachment: Project Plans [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)



CLUB HOUSE
3,334 SQ.FT.

LEASING
1,919 SQ.FT.

OVERALL SQ.FT. = 5,253 SQ.FT.

**LEASING , CLUB HOUSE & FITNESS
FLOOR PLANS**

SCALE: 3/16" = 1'-0"

ORIGINAL SUBMITTAL	MAY 20, 2014
REVISION	08/24/14
REVISION	12/18/14
REVISION	03/05/15

BELLA VISTA APARTMENT HOMES

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(NORTH) ELEVATION

FRONT (WEST) ELEVATION



(SOUTH) ELEVATION

REAR (EAST) ELEVATION

BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
MORENO VALLEY, CALIFORNIA 92552

LEASING ELEVATIONS

SCALE: 3/16" = 1'-0"

M.V. BELLA VISTA, LP

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REVISION	12
REVISION	03



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FRONT (WEST) ELEVATION

(SOUTH) ELEVATION



REAR (EAST) ELEVATION

(NORTH) ELEVATION

ORIGINAL SUBMITTAL MAY 20
 REVISION 09
 REVISION 12
 REVISION 03

BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
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M.V. BELLA VISTA, LP

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CLUBHOUSE / FITNESS ELEVATIONS

SCALE: 3/16" = 1'-0"

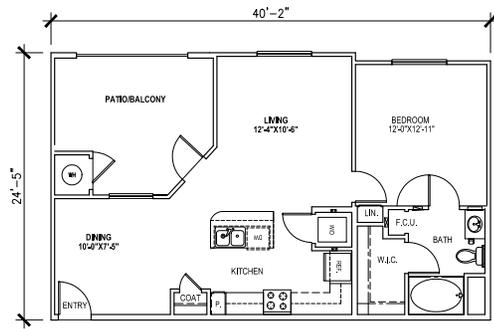
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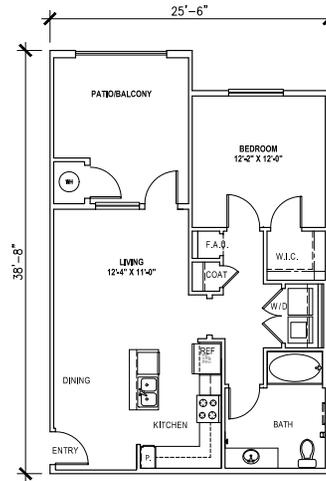


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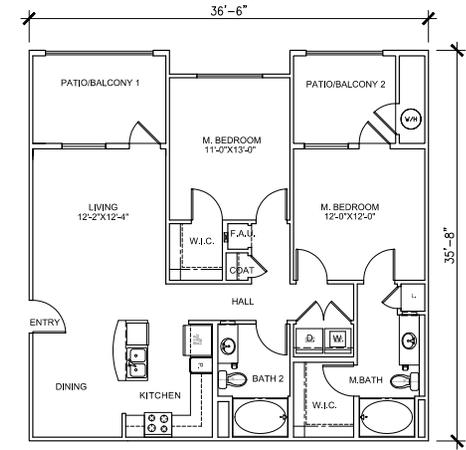
Attachment: Project Plans [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)



UNIT A1: 1BR / 1BA
 GROSS UNIT AREA: 789 SQ. FT.
 PATIO/BALCONY: 158 SQ. FT.

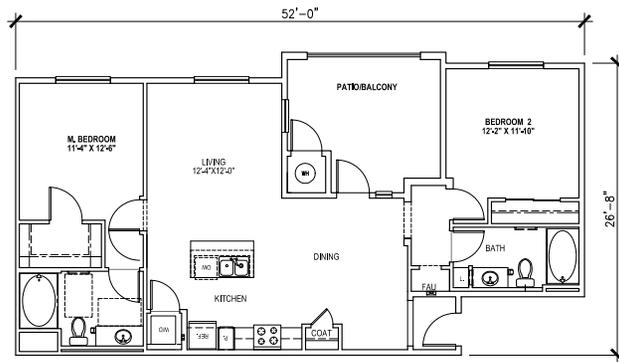


UNIT A2: 1BR / 1BA
 GROSS UNIT AREA: 762 SQ. FT.
 PATIO/BALCONY: 151 SQ. FT.

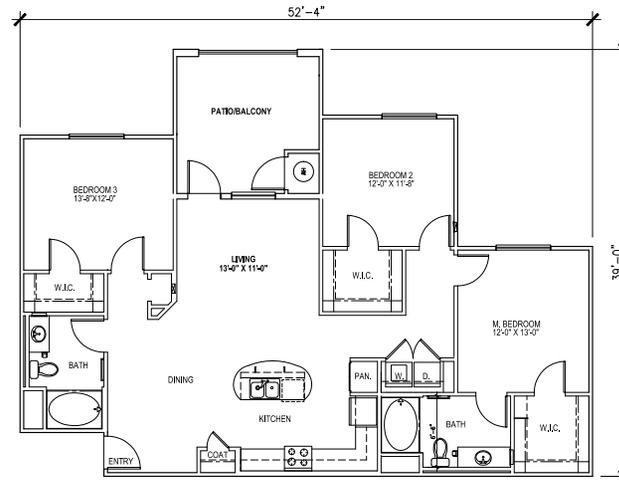


UNIT B1: 1st FLOOR 2BR / 2BA
 GROSS UNIT AREA: 1063 SQ. FT.
 PATIO/BALCONY 1: 97 SQ. FT.
 PATIO/BALCONY 2: 75 SQ. FT.

TOTAL PATIO/BALCONY AREA: 172 SQ. FT.



UNIT B2: 2BR / 2BA
 GROSS UNIT AREA: 1119 SQ. FT.
 PATIO/BALCONY: 151 SQ. FT.



UNIT C1: 3BR / 2BA

GROSS UNIT AREA: 1412 SQ. FT.
 PATIO/BALCONY: 150 SQ. FT.

BELLA VISTA APARTMENT HOMES

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OVERALL UNIT PLANS

SCALE: 3/16" = 1'-0"

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 REVISION 1 03/24/14
 REVISION 2 12/18/14
 REVISION 3 03/05/15

A-10

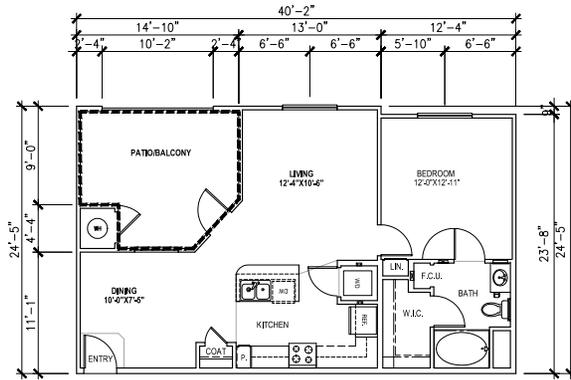
2013-345 MAY 20, 2014



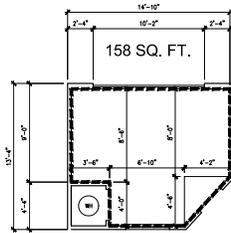
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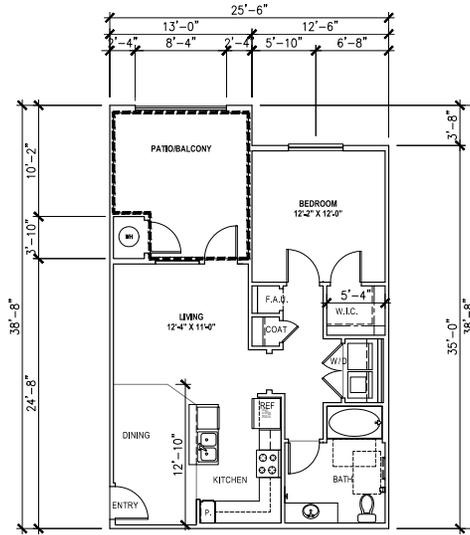
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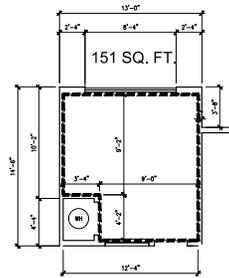
UNIT A1: 1BR / 1BA
 GROSS UNIT AREA: 789 SQ. FT.
 PATIO/BALCONY: 158 SQ. FT.



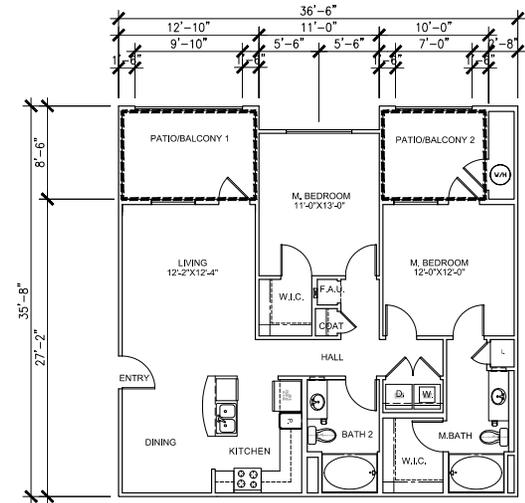
A1 UNIT BALCONY/PATIO



UNIT A2: 1BR / 1BA
 GROSS UNIT AREA: 762 SQ. FT.
 PATIO/BALCONY: 151 SQ. FT.

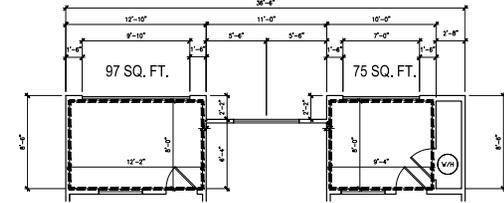


A2 UNIT BALCONY/PATIO



UNIT B1: 1st FLOOR 2BR / 2BA
 GROSS UNIT AREA: 1063 SQ. FT.
 PATIO/BALCONY 1: 97 SQ. FT.
 PATIO/BALCONY 2: 75 SQ. FT.

TOTAL PATIO/BALCONY AREA: 172 SQ. FT.



B1 UNIT BALCONY/PATIO

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UNIT PLANS A1, A2 & B1

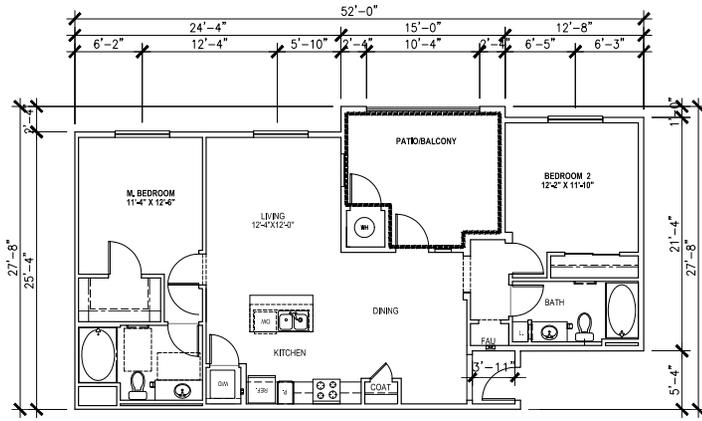
SCALE: 3/16" = 1'-0"

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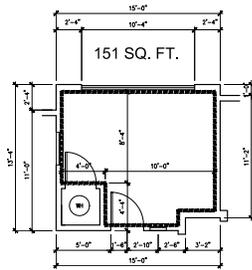


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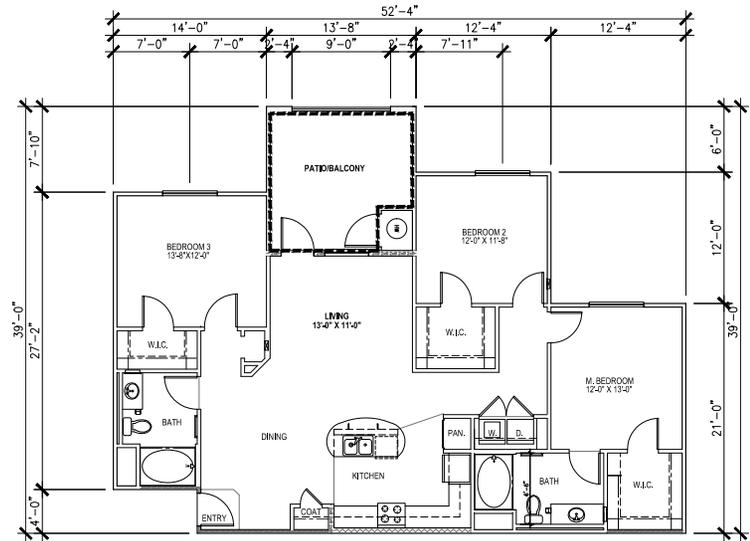


UNIT B2: 2BR / 2BA

GROSS UNIT AREA: 1119 SQ. FT.
PATIO/BALCONY: 151 SQ. FT.

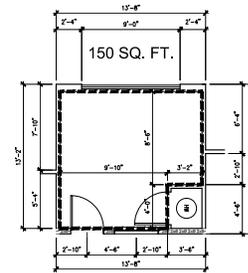


B2 UNIT BALCONY/PATIO



UNIT C1: 3BR / 2BA

GROSS UNIT AREA: 1412 SQ. FT.
PATIO/BALCONY: 150 SQ. FT.



C1 UNIT BALCONY/PATIO

ORIGINAL SUBMITTAL MAY 20, 2014
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 REVISION 03/05/15

BELLA VISTA APARTMENT HOMES

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M.V. BELLA VISTA, LP

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UNIT PLANS B2 & C1

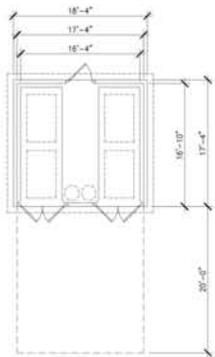
SCALE: 3/16" = 1'-0"

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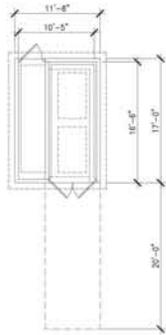
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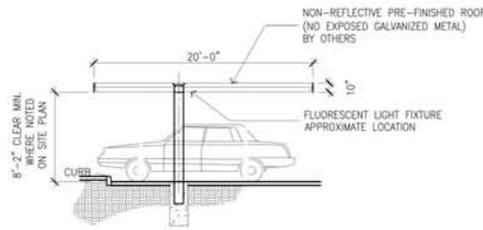


TRASH ENCLOSURE B

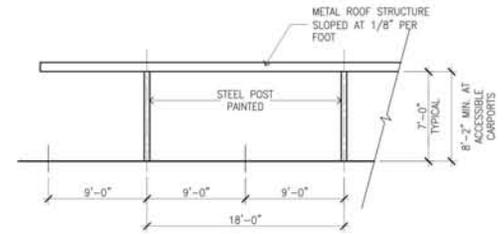


TRASH ENCLOSURE A

TRASH ENCLOSURE LAYOUT SCALE: 1/8" = 1'-0"

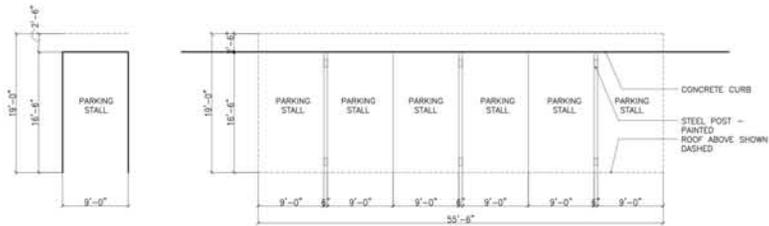


SIDE ELEVATION

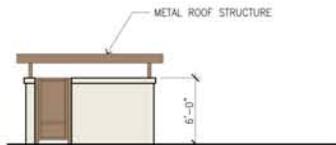
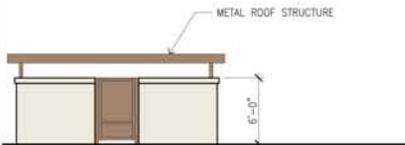


FRONT ELEVATION

STANDARD/ HANDICAP CARPORT ELEVATIONS SCALE: 3/16"



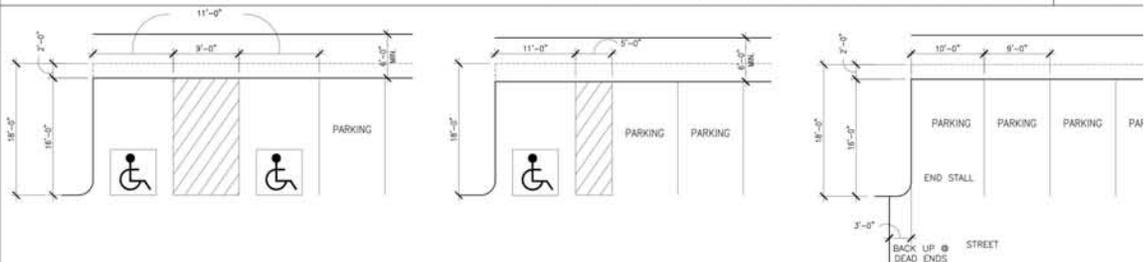
STANDARD/ HANDICAP CARPORT LAYOUT SCALE: 1/8"



TRASH ENCLOSURE B

TRASH ENCLOSURE A

TRASH ENCLOSURE ELEVATIONS SCALE: 3/16" = 1'-0"



P11. Landscape finger planters shall have minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-out and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

P12. Planter Curbs and Step-outs. Planters shall be separated from parking spaces by a six-inch wide concrete curb. Where a planter (finger or island) is located on the side of a parking space, a twelve (12) inch wide concrete step-out is required along the long dimension of the parking space. A step-out is required, in addition to six inch curb, resulting in a combined concrete surface measuring eighteen (18) inches in width.

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BELLA VISTA APARTMENT HOMES

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CARPORT AND TRASH ENCLOSURE

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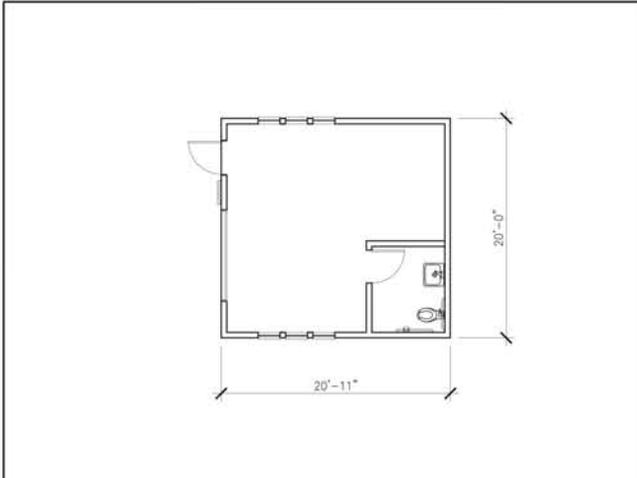
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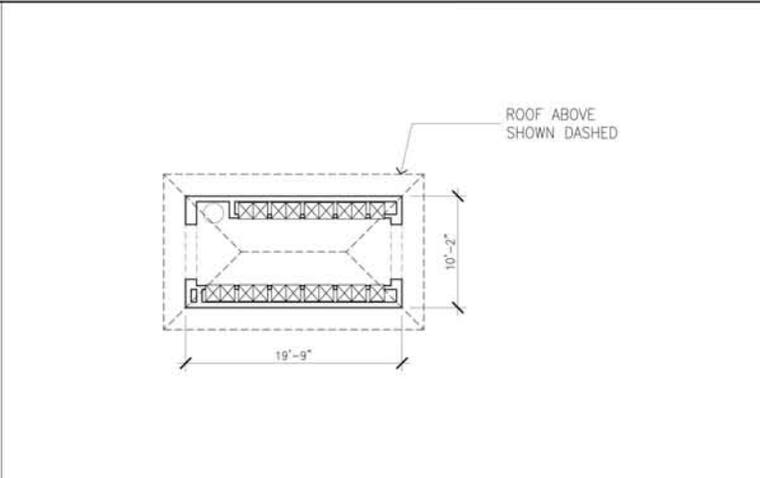


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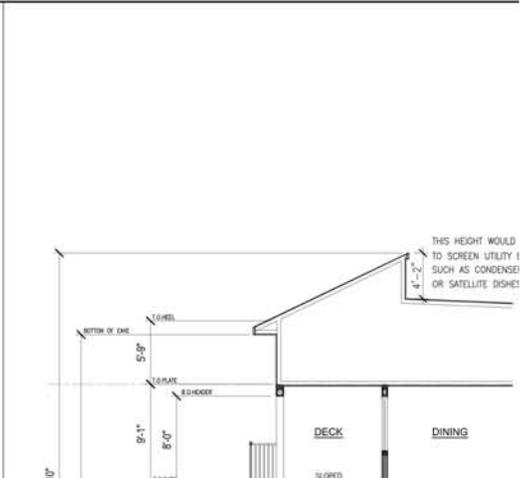
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MAINTENANCE FLOOR PLAN SCALE: 3/16" = 1'-0"



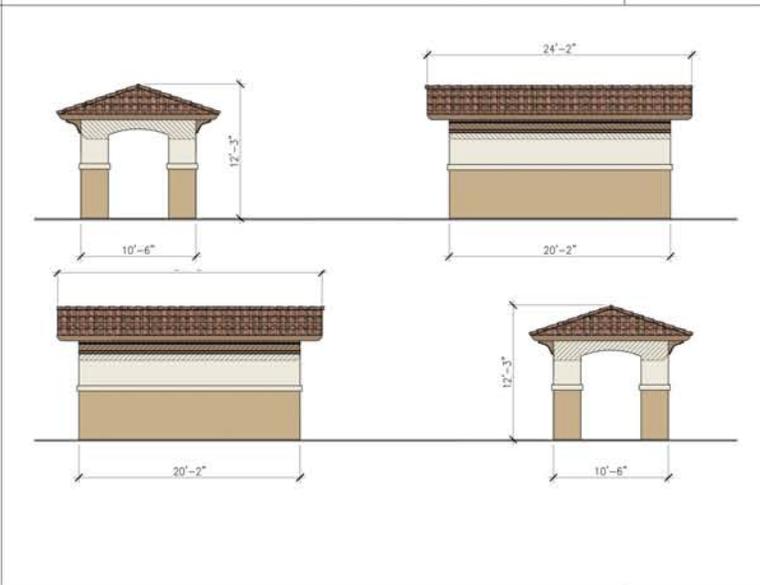
MAIL KIOSK FLOOR PLAN SCALE: 3/16" = 1'-0"



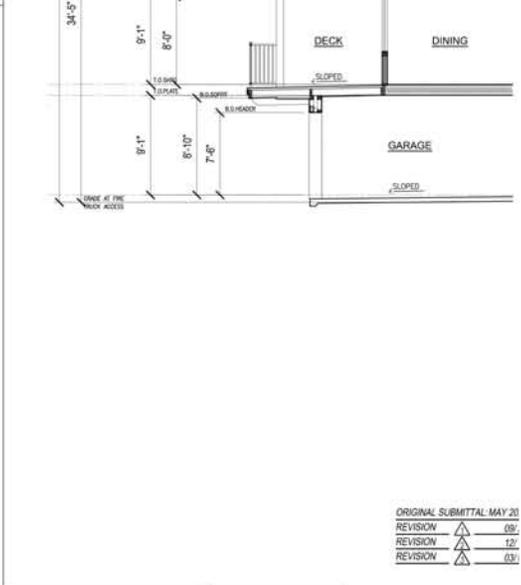
BLDG. SECTION SCALE: 3/16" = 1'-0"



MAINTENANCE ELEVATIONS SCALE: 1/8" = 1'-0"



MAIL KIOSK ELEVATIONS SCALE: 3/16" = 1'-0"



BLDG. SECTION SCALE: 3/16" = 1'-0"

ORIGINAL SUBMITTAL	MAY 20
REVISION	09
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REVISION	03

Attachment: Project Plans [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

BELLA VISTA APARTMENT HOMES

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MAINT., MAIL KIOSK AND BLDG. SECTION

M.V. BELLA VISTA, LP

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CONCEPTUAL FRONT ELEVATION - BLDG. 8 TYPE I



MATERIAL AND COLOR LEGEND

**PAINT AND COLORS WILL BE MATCHED TO SHERWIN WILLIAMS SPECS

- 1 EXTERIOR PLASTER FINISH, TRIM, TRELIS / CREAMY (SW 7012)
- 2 EXTERIOR PLASTER FINISH, TRIM / BASKET BEIGE (SW 6143)
- 3 FASCIA, CORBELS, TRIM, TRELIS, RAILING / MEADOWLARK (SW 7522)
- 4 EXTERIOR PLASTER 16/20 SAND FINISH
- 5 CONCRETE TILE / EAGLE ROOFING - CAPISTRANO PIEDMONT BLEND 3636
- 6 WINDOW
- 7 WOOD/ FAUX WOOD CORBELS
- 8 WOOD/ FAUX WOOD TRELIS
- 9 METAL RAILINGS

ORIGINAL SUBMITTAL	MAY 20
REVISION	09
REVISION	12
REVISION	03

A-1

2013-345 MAY 2



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BELLA VISTA APARTMENT HOMES

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COLOR AND MATERIALS

M.V. BELLA VISTA, LP

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1. Looking East



Looking South



Looking West



2. Looking West



Looking North



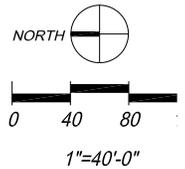
3. Looking East



intersection Lasselle and Cactus



Looking North



4. Looking South



Looking East



BELLA VISTA APARTMENT HOMES

2600 CACTUS AVENUE
MORENO VALLEY, CALIFORNIA 92552

M.V. BELLA VISTA, LP

PAUL ONUFER MANAGING PARTNER
556 S. FAIR OAKS AVENUE, SUITE 337 PASADENA, CA 91105
PH: (626) 263-4205

PHOTO MAP

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

ORIGINAL SUBMITTAL	MAY 2
REVISION	06
REVISION	12
REVISION	03
REVISION	06
REVISION	10
REVISION	02
REVISION	11



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Attachment: Project Plans [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

1. Looking East



2. Looking West



Looking North



Looking South



Looking West



3. Looking East



intersection Lasselle and Cactus



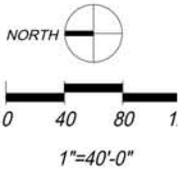
Looking North



4. Looking South



Looking East



ORIGINAL SUBMITTAL	MAY 20
REVISION	09
REVISION	12
REVISION	03

BELLA VISTA APARTMENT HOMES

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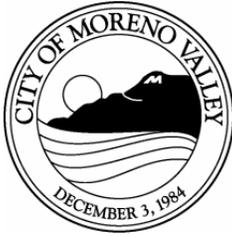
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Attachment: Project Plans [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)



**INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY**

1. Project Title: Bella Vista Apartments
PEN16-0123 (PA14-0028) – Plot Plan
2. Lead Agency Name and Address: City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
3. Contact Person and Phone Number: Gabriel Diaz, Associate Planner
(951) 413-3226
4. Project Location: Northeast corner of Lasselle Street and Cactus Avenue
5. Project Sponsor's Name and Address: MV Bella Vista GP, LLC
556 S. Fair Oaks Ave, Ste. #337
Pasadena, CA 91105
6. Existing General Plan Designation: Residential 20
7. Proposed General Plan Designation: Residential 20
8. Existing Zoning: The Aquabella Specific Plan 218 High Density Residential (SP218H)
9. Proposed Zoning: The Aquabella Specific Plan 218 High Density Residential (SP218H)
10. Description of the Project:

The project is a Plot Plan application for 220 multi-family apartment units on approximately 10.91 acres. The project includes two building types, eight two-story buildings, and six three-story buildings for a total of fourteen apartment buildings with 220 units. The apartments will include a mix of 1-bedroom, 2-bedroom and 3-bedroom units. Parking includes 84 building attached garages, 154 carports, and 155 open guest parking. The project is consistent with the current Aquabella Specific Plan 218 High Density Residential (SP218H) zoning which allows for up to 20 dwelling units per acre. The proposed 220 units are consistent with the designated density provided under the Specific Plan for this parcel.

The project provides numerous amenities including a leasing office, a community clubhouse building with fitness room, showers, kitchen, business room, and clubroom. Other amenities include a 60'X 30' lap pool, spa, cabanas, fire pit, barbecue grills, enhanced concrete paving and pavers, and open space for activities. The project achieves required private space through the patio and balcony design features. Required public common open space is achieved throughout the project in courtyards and other gathering areas.

11. Surrounding Land Uses and Setting:

The project site is bounded by existing single-family tract homes to the west, northwest and southwest zoned Single Family 5 (R5). The property immediately to the north is vacant land zoned Open Space (OS) and Residential 30 (R30). To the east and south is vacant land zoned Aquabella Specific Plan 218 LM (SP218LM) Low/Medium Density residential allowing for four to fifteen dwelling units per acre.

To the north, the proposed Rocas Grandes (PA15-0046 and P16-083), a 426-unit multi-family apartment project was recently entitled by the Planning Commission on September 8, 2016.

Overall, the proposed residential development is compatible with the City's General Plan, Aquabella Specific Plan 218 and existing land uses.

12. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance
	Tribal Cultural Resources				

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a “potential significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. Based on review of the California Environmental Quality Act, the determination based on this Initial Study is that the project qualifies as an Addendum to the prior environmental documentation which includes this property. No modifications or additions to mitigation measures contained in the previous CEQA Documents are required as supported by the analysis included in the Initial Study.	■

February 3, 2017

Signature Date

Gabriel Diaz, Associate Planner For

Printed Name

Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
 - (a) Earlier Analysis Used. Identify and state where they are available for review.
 - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully Analyzed in Previous CEQA Document
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I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?				■
<p>The Moreno Valley General Plan identifies scenic highways, panoramic viewsheds, and photographic viewing locations within the aesthetic resource element. According to General Plan Figure 7-2, the project site is not located within a view corridor, a scenic roadways or panoramic viewsheds in the project vicinity. The project site is comprised of level topography. As designed and conditioned, the proposed project will have no effect on a scenic vista.</p> <p>The Project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.</p>				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				■
<p>The project property topography is flat. Based upon site visits by staff and review of the General Plan and the Aquabella Specific Plan, the subject site does not include scenic resources. There are no rock outcroppings, trees or historic buildings on site. There are no scenic highways in the area. The site has been previously disturbed through weed abatement. As designed and conditioned, the proposed project will not substantially damage scenic resources.</p>				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				■
<p>Implementation of the proposed Project would convert land that was previously vacant and undeveloped to a multi-family residential development with 14 residential buildings and associated infrastructure, a parking lot, landscaping, exterior lighting, signage, water quality/detention basins, and public street improvements. The Project site is located in a portion of the city that has been mostly developed as a residential area, with some vacant land remaining in the area.</p> <p>The Aquabella Specific Plan (SP218) provides a framework that ensures that any new development would be designed and constructed in a manner that is compatible with surrounding land uses. The Aquabella Specific Plan Design Guidelines provide a framework for coordinating architectural style, design, materials, colors, perimeter walls, pedestrian access and circulation for the development. The proposed project as designed is aesthetically compatible with adjacent residential uses. As designed and conditioned, the proposed project would not substantially degrade the existing visual character or quality of the site or its surroundings. Impacts would be less than significant.</p> <p>The Project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.</p>				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				■
<p>The project would introduce some additional new light sources into the area as the project site is currently vacant. The proposed residential development would include required street lighting and exterior wall mounted lights on the residences. The project has been conditioned for compliance with the City's light standards as referenced in Municipal Code Section 9.08.100 including the shielding of lighting and restrictions on the intensity of exterior lighting which will reduce light and glare impacts to City accepted levels on surrounding properties. Therefore, potential impacts related to substantial light or glare are less than significant and no mitigation would be required.</p> <p>The Project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.</p>				
<p>II. AGRICULTURE & FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project?</p>				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				■

Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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The site is designated as 'Farmland of Local Importance' on the 2014 State Important Farmland Map. This category is described as soils that would be classified as Prime and Statewide but lack available irrigation water. The site is bounded on the west, northwest, and southwest by existing single family residential development. There are currently no agriculturally productive activities occurring within the project boundaries. There will be no impact to farmlands as the development of this project will not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance. The potential impacts to farmland resources were fully analyzed in the prior documentation for the Aquabella Specific Plan. Most of the Specific Plan lands were previously graded under approved entitlements.

The project as proposed is consistent with the Specific Plan, and therefore would not result in any impacts related to farmland that were not previously analyzed and considered.

The Project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				■
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The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract within the City limits. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed project does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract. The majority of the Aquabella Specific Plan (SP218) has been previously graded under authorized permit.

The Project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				■
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The project site is not zoned or designated on the City's General Plan for forest land, timberland, or timberland zoned Timberland Production. The City does not have any forest lands, or timberland as defined in the State Public Resources Code and Government Code within the City limits. Therefore, since the project will not result in impacts to forest land, timberland, or timberland zoned timberland production, no impacts would occur and no mitigation measures would be required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?				■
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The project site is not forest land as defined by Public Resources Code section 1220(g). The project site does not involve the loss of forest land or the conversion of forest land to non-forest use. Therefore, since the project will not result in the loss of forest land or the conversion of forest land to non-forest use, no impacts would occur and no mitigation measures would be required.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				■
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There is no immediate surrounding or proposed agricultural use. The proposed project will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use, or conversion of forest land to non-forest land.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?				■
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.				■
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(a and b) The Air Quality Management Plan (AQMP) adopted by the South Coast Air Quality Management District (SCAQMD) in 2012 sets forth a comprehensive program that will lead the air basin into compliance with all federal and state air quality standards. The proposed project is located within the boundaries of the AQMP. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from General Plan land use, population, and employment characteristics defined in consultation with local governments. Moreno Valley's General Plan Land Use Element was considered in the preparation of the 2012 AQMP. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections.

The project would not result in or cause federal and/or state ambient air quality standards (NAAQS or CAAQS) violations. The proposed project would not increase the density allowed in the General Plan or under the approved Aquabella Specific Plan and therefore not result in a land use that is more intense than that anticipated by the General Plan. Furthermore, the Project would not exceed any applicable regional or local thresholds. As such, the project is therefore considered to be consistent with the AQMP.

Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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Construction-Source Emissions

The project does not exceed the number of residential units as originally analyzed in the previous CEQA Documents and proposes the same land use. For regional emissions, the Project would not exceed the numerical thresholds of significance established by the SCAQMD for any criteria pollutant. As designed and conditioned, the project will not result in potential significant impacts. Therefore, a less than significant impact would occur and no mitigation is required. Project construction-source emissions would not conflict with the applicable AQMP.

Operation-Source Emissions

The project does not exceed the number of residential units as originally analyzed in the previous CEQA Documents for the Aquabella Specific Plan and proposes the same land use. For regional emissions, the Project would not exceed the numerical thresholds of significance established by the SCAQMD. The project as designed is consistent with the Aquabella Specific Plan. No further analysis of impacts is required.

The Project's air quality potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			■	
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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CEQA Section 21100 (e) addresses evaluation of cumulative effects allowing the use of approved land use documents in a cumulative impact analysis. CEQA Guidelines Section 15064 (i)(3) further stipulates that for an impact involving a resource that is addressed by an approved plan or mitigation program, the lead agency may determine that a project’s incremental contribution is not cumulatively considerable if the project complies with the adopted plan or program. In addressing cumulative effects for air quality, the AQMP is the most appropriate document to use because the AQMP sets forth a comprehensive program that will lead the air basin, including the project area, into compliance with all federal and state air quality standards and utilizes control measures and related emission reduction estimates based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments.

The Air Quality Management Plan (AQMP) sets forth a comprehensive program that will lead the air basin into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from General Plan land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections. The AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.”

The SCAQMD has recognized that there is typically insufficient information to quantitatively evaluate the cumulative contributions of multiple projects because each project applicant has no control over nearby projects. Nevertheless, the potential cumulative impacts from the Project and other projects are discussed below.

The Project area is designated as an extreme non-attainment area for ozone, and a nonattainment area for PM10, PM2.5, and lead. Related projects could contribute to an existing or projected air quality exceedance because the Basin is currently nonattainment for ozone, PM10, and PM2.5. With regard to determining the significance of the contribution from the Project, the SCAQMD recommends that any given project’s potential contribution to cumulative impacts should be assessed using the same significance criteria as for project-specific impacts. Therefore, this analysis assumes that individual projects that do not generate operational or construction emissions that exceed the SCAQMD’s recommended daily thresholds for project-specific impacts would also not cause a commutatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

d) Expose sensitive receptors to substantial pollutant concentrations?			■	
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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The nearest sensitive receptors include single-family residences across Lasselle Street approximately 102 feet to the west. The Project would not generate substantial concentrations of criteria pollutants. The residences to the west had been constructed prior to the preparation of the previous CEQA documents prepared for the Aquabella Specific Plan. Therefore, the previous documents considered the proximity of the residences. All impacts to sensitive receptors were fully considered in the prior analysis. Since the proposed project is entirely consistent with the proposed land use previously analyzed, all potential impacts were previously analyzed and considered in the prior environmental documentation.

Construction-Source Emissions LST Analysis

The Project emissions during construction activity would not exceed the SCAQMD’s localized significance thresholds for any criteria pollutant and a less than significant impact would occur.

Localized Significance – Long-Term Operational Activity

The proposed project involves the construction and operation of 220 multifamily residential units. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project, if the project includes stationary sources, or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). The proposed project does not include such uses, and thus, due to the lack of significant stationary source emissions, no long-term localized significance threshold analysis is needed.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

e) Create objectionable odors affecting a substantial number of people?			■	
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The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project’s (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City’s solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed Project construction and operations would be less than significant and no mitigation is required.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

IV. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			■	
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			■	

(a and b) The project is within an area of the Specific Plan that did not include any species or riparian habitat or a sensitive natural community that required mitigation. Further, the various mitigation measures related to biological resources for the Specific Plan were addressed for those portions of the Specific Plan for which a grading permit was issued in the mid-2000’s. There are no applicable mitigation measures pertaining to biological resources. Therefore, impacts are less than significant. Consistent with the existing protocol for burrowing owls under the Western Riverside County Multi-species Habitat Conservation Plan (MSHCP), a burrowing owl assessment will be required prior to land disturbance as a condition of approval.

The project’s potential impacts are no different than those analyzed in the previous CEQA documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA documents.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			■	
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Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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The project is within an area of the Aquabella Specific Plan that has limited biological resources, and did not include any species or riparian habitat or a sensitive natural community that required mitigation. Further, the various mitigation measures from the previous CEQA Documents related to biological resources that apply prior to grading permit were addressed in conjunction with grading permits issued in the mid-2000's. There are no applicable mitigation measures pertaining to biological resources. Therefore, impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA documents.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				■
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The project will not interfere with the movement of any resident or migratory fish or wildlife species. There are no applicable mitigation measures pertaining to biological resources. The project is within an area of the Aquabella Specific Plan that has limited biological resources, and did not include any species or riparian habitat or a sensitive natural community that required mitigation. Further, the various mitigation measures from the previous CEQA Documents related to biological resources that apply prior to grading permit were addressed in conjunction with grading permits issued in the mid-2000's. Therefore, impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA documents.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				■
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The project is within an area of the Aquabella Specific Plan that has limited biological resources, and does not conflict with any policies or ordinances protecting biological resources. Further, the various mitigation measures from the previous CEQA Documents related to biological resources that apply prior to grading permit were addressed in conjunction with grading permits issued in the mid-2000's. There are no applicable mitigation measures pertaining to biological resources. Therefore, impacts are less than significant. Consistent with the existing protocol for burrowing owls under the Western Riverside County Multi-species Habitat Conservation Plan (MSHCP), a burrowing owl assessment will be required prior to land disturbance as a condition of approval.

The project's potential impacts are no different than those analyzed in the previous CEQA documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA documents.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?				■
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The project will not conflict with any General Plan or local policies pertaining to the protection of biological resources. The project is consistent with the goals and objectives of the General Plan and the approved Specific Plan. Therefore, impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			■	
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?			■	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			■	

(Source: IS/MND et al, Project Description)

The previous CEQA documents determined that there were no significant unavoidable impacts related to cultural resources. The determination was that the proposed project will not cause a substantial adverse change in the significance of a historical resource as

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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defined in Section 15064.5, and will not cause a substantial adverse change in the significance of an archaeological resource pursuant to this section.

The majority of the Aquabella Specific Plan area was graded under authorized grading permits, and complied with the conditions of approval placed on the related entitlements. In addition, no new information has come to the attention of staff that would suggest that an archaeological resource might be present at the proposed site. Conditions of approval consistent with the prior CEQA Documents have been placed on the project to ensure protection of cultural resources if discovered during grading. Therefore, no impacts are anticipated.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

d) Disturb any human remains, including those interred outside of dedicated cemeteries?			■	
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No known human remains have been identified at the project site. Conditions of approval consistent with the prior CEQA Documents have been placed on the project to ensure protection of cultural resources if discovered during grading.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

VI. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				■
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According to the City's General Plan, the project site is not on, or close to, any known earthquake fault. There is no new information that would indicate the existence of a fault or fault tract in proximity of the site. Accordingly, there is no risk of ground rupture due to faulting at the proposed project site.

(ii) Strong seismic ground shaking?				■
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According to the City's General Plan, the project site is not on, or close to, any known earthquake fault. The nearest fault is the San Jacinto fault system, which is located about 8 miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current building codes. Ground-shaking intensity could be moderately-high during a 100-year interval earthquake. Foundation designs will be reviewed to ensure incorporation of appropriate engineering recommendations to mitigate any such seismicity. There is no new information that was not contemplated in the prior environmental documentation for the Aquabella Specific Plan that would indicate the existence of a fault on the site.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

(iii) Seismic-related ground failure, including liquefaction?				■
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According to the City's General Plan, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could be moderately-high during a 100-year interval earthquake. Based on available resources and the City's General Plan, the potential for seismic related failure or liquefaction on the site is minimal based on the water table and soil conditions at the site. There is no new information that was not contemplated in the prior environmental documentation for the Aquabella Specific Plan that would indicate increased likelihood of potential impacts related to seismic-related ground failure.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

(iv) Landslides?				■
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully Analyzed in Previous CEQA Document
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The project site is generally flat not in proximity to mountainside areas. Due to a lack of slopes within or nearby the project site, seismically induced landslides are not anticipated to pose a danger to the project site. The potential impacts related to landslides were fully considered in the prior environmental documentation under the Aquabella Specific Plan. Development of the project will not result in impacts from landslides and no mitigation measures would be required.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

(b) Result in substantial soil erosion or the loss of topsoil?				■
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The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods. The potential impacts related to erosion were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				■
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According to the City's environmental information, the geologic unit or soil is not known to be unstable (Western Riverside Area Soil Survey – University of California Agricultural Experiment Station, 1971). As designed and conditioned, the potential for the impacts resulting from a landslide, lateral spreading, subsidence, liquefaction or collapse is less than significant. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				■
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According to the City's environmental information and the results of a Geotechnical Report prepared by Leighton and Associates, Inc. on June 9, 2004 and an Update prepared on August 29, 2016, project soils evaluated in a near surface sample have a very low expansion potential. The potential for the project to create substantial risks to life or property is less than significant. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				■
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The proposed apartment project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.

VII. GREENHOUSE GAS EMISSIONS. Would this project?

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				■
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An air quality conformity assessment was prepared along with the previous CEQA document. Recognizing the proposed project's emissions of criteria air pollutants are below recommended South Coast Air Quality Management District thresholds, the proposed project would not represent a cumulatively considerable contribution to pollutant emissions contributing to this phenomenon. Therefore, impacts are less than significant.

The project will utilize construction equipment under the same parameters as was identified for the previously approved project. Impacts to air quality and greenhouse gases by the project are primarily a result of the vehicle travel within the area. The project is consistent with the General Plan and Specific Plan. Therefore, no new traffic would be generated by the project. Thus, no additional greenhouse gas emissions would be generated. Therefore, impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				■
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Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley approved a Climate Action Strategy. At this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. Based on the limited scope of the project, and consistency of the project with the City's adopted General Plan and the Aquabella Specific Plan, the City has chosen to rely on a qualitative analysis. The project involves only a 220 unit multifamily project which was part of a more comprehensive Specific Plan. Therefore, the project would have less of an impact on greenhouse gas emissions or no more than the previously approved project on the same site.

The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the Previous CEQA Documents.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project?

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				■
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The proposed project will not involve the routine transport, use or disposal of hazardous materials. Since the project will not involve the routine transport, use or disposal of hazardous materials, there will be no potential for a significant hazard to the public or the environment. The potential impacts related to hazards were fully considered in the prior environmental documentation under the Aquabella Specific Plan. No changes have occurred with regard to nearby development activity that would require further analysis.

The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				■
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The proposed project will not involve the routine transport, use or disposal of hazardous materials. The proposed project will not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. Since the project will not involve the routine transport, use or disposal of hazardous materials, there will be no potential for a significant hazard to the public or the environment.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				■
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March Middle School is located immediately to the south of the project site and Rainbow Elementary School is located approximately 700 feet further to the south. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				■
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The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan. To ensure that there no new information that might have identified a nearby hazardous material site, the list of hazardous material sites and was reviewed by staff. The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				■
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The nearest airport is the March Air Reserve Base located approximately three-quarters of a mile to the west. The distance to the runway is approximately one mile. The project site is located within Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan where residential density is not restricted. This project was reviewed by the Riverside County Airport Land Use Commission and in a letter dated May 10, 2016 it was determined to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan subject to certain requirements which have been incorporated into the project conditions of approval. The project, as conditioned, will not result in a safety hazard for future residents.

Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				■
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip. The potential impacts were fully considered in the previous CEQA Documents under the Aquabella Specific Plan.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				■
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. The proposed project has been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of passenger vehicles. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				■
The proposed project site is not adjacent to wildlands and is not located within the Very High Fire Hazard Severity Zone. As designed and conditioned, the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area. The potential impacts were fully considered in the previous CEQA Documents under the Aquabella Specific Plan.				
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			■	
<p>The previous CEQA documents determined that the project would not violate any water quality standards or waste discharge requirements.</p> <p>Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a Water Quality Management Plan (WQMP) was prepared for the proposed project. A Preliminary Water Quality Management Plan was prepared. Site Design and Source Control best management practices (BMP) will apply to the project, and will be addressed through project implementation.</p> <p>Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board.</p> <p>The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.</p>				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				■
<p>The Eastern Municipal Water District (EMWD) would provide the proposed project with potable water. Potable water is adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.</p> <p>The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.</p>				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				■

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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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There is no streambed or river on the project site, so the project will not cause a change in the existing on-site drainage pattern that would result in substantial erosion or siltation on- or off-site. During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion control plans are required for projects prior to issuance of grading permits for preventing substantial erosion. The project as designed and conditioned will not change the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				■
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There is no streambed or river on the project site. The on-site project storm drain infrastructure proposes to tie into existing storm drain infrastructure in Perris Boulevard. The project will be responsible for completing both and off-site storm drain infrastructure. The project as designed and conditioned will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				■
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As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. Additionally, the approved Preliminary WQMP prepared by Proactive Engineering West, dated December 8, 2014, proposes Best Management Practices for water quality treatment at both the project construction and operational stages. The project includes several bio-retention basins and one water quality basin. Impacts would be less than significant. The potential impacts related to runoff were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

f) Otherwise substantially degrade water quality?				■
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The proposed project is consistent with the City's General Plan. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. Impacts would be less than significant. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project's potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				■
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h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				■
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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(g and h) The proposed project site is located within Federal Emergency Management Agency Zone “X” area outside of the 100-year flood hazard area. This is an area determined to be outside of the 0.2% annual chance flood plain. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir and will not place housing or structures within a 100-year flood hazard area. There are no mountains or steep slopes in proximity to the project site, therefore, there is no chance of mudflows from local mountains. Therefore, impacts would be less than significant. The project as designed and conditioned will not place structures in a flood hazard area. (FEMA Map, Panel No. 06065C0765G)

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				■
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The proposed project site is located within Federal Emergency Management Agency Zone “X” area outside of the 100-year flood hazard area. This is an area determined to be outside of the 0.2% annual chance flood plain. The project site is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir and will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. (FEMA Map, Panel No. 06065C0765G)

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

j) Inundation by seiche, tsunami, or mudflow?				■
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The project site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. Additionally, due to the position of the proposed project, mudflows from local mountains would be unlikely due to surrounding development. There would be no impacts resulting from inundation by seiche, tsunami, or mudflow. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

X. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?				■
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The project is a Plot Plan application for 220 multi-family apartment units on approximately 10.91 acres. The project includes two building types, eight two-story buildings, and six three-story buildings for a total of fourteen apartment buildings with 220 units. The apartments will include a mix of 1-bedroom, 2-bedroom and 3-bedroom units. Parking includes 84 building attached garages, 154 carports, and 155 open guest parking. The project is consistent with the current Aquabella Specific Plan 218 High Density Residential (SP218H) zoning, which allows for up to 20 dwelling units per acre.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				■
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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The project is a Plot Plan application for 220 multi-family apartment units on approximately 10.91 acres. The project includes two building types, eight two-story buildings, and six three-story buildings for a total of fourteen apartment buildings with 220 units. The apartments will include a mix of 1-bedroom, 2-bedroom and 3-bedroom units. The project is a Plot Plan application for 220 multi-family apartment units on approximately 10.91 acres. The project includes two building types, eight two-story buildings, and six three-story buildings for a total of fourteen apartment buildings with 220 units. The apartments will include a mix of 1-bedroom, 2-bedroom and 3-bedroom units.

The project is consistent with the current Aquabella Specific Plan 218 High Density Residential (SP218H) zoning, which allows for up to 20 dwelling units per acre. As design and conditioned, the project will not conflict with any applicant plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				■
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The project is not within one of the Multiple Species Habitat Conservation Plan (MSHCP) criteria areas, which are potential habitat preservation areas. The proposed project will not conflict with the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) or MSHCP or any other known local, regional or state habitat conservation plans. The project will be conditioned to pay the required SKR mitigation fees. Also, the City participates in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species’ needs, including preservation of habitat and native vegetation in Western Riverside County. This project will also be subject to fees per City ordinance to support the implementation of the Multiple Species Habitat Conservation Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

XI. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				■
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b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				■
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(a and b) The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site or the surrounding area. Consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. No significant impacts would occur. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

XII. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				■
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				■
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully Analyzed in Previous CEQA Document
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(a and b) The General Plan Environmental Impact Report (EIR) Noise Section for the City of Moreno Valley states that “The noise generated by construction is addressed by existing city regulations. It is unlawful to create noise that annoys reasonable people of normal sensitivity. The Public Works Department has a standard condition of approval regarding the public nuisance aspect of the construction activities. The construction operations including building related activities and deliveries shall be restricted to Monday through Friday (except for holidays which occur on weekdays), six a.m. to eight p.m.; weekends and holidays (as observed by the city and described in Chapter 2.55 of the Municipal Code), seven a.m. to eight p.m., unless written approval is obtained from the city building official or city engineer. Although construction activities will result in a noise impact, this impact will be short-term and will cease upon completion of construction. The temporary nature of the impact in conjunction with existing city regulations on hours of operation will lessen the potential of a significant impact due to construction noise.

The proposed residential development as designed and conditioned is consistent with City Municipal Code development standards and the City’s design guidelines for multi-family residential development. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			■	
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Impacts would be less than significant as a result of the proposed project. The proposed residential development as designed and conditioned is consistent with City Municipal Code development standards and the City’s design guidelines for multi-family residential development. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				■
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Impacts would be less than significant as a result of the proposed project. The proposed residential development as designed and conditioned is consistent with City Municipal Code development standards and the City’s design guidelines for multi-family residential development. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				■
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The project occupies the same area that was analyzed under the previous CEQA Documents. Although the March Air Reserve Based Land Use Compatibility Plan was adopted in 2014, this site is not located within a compatibility use zone. Therefore, no impacts are anticipated.

The Modified Project’s potential impacts are no different than those analyzed in the Previous CEQA Documents. No new or significant environmental effects will result from the Modified Project beyond those discussed in the Previous CEQA Documents.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				■
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There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley. Impacts would be less than significant as a result of the proposed project. The proposed residential development as designed and conditioned is consistent with City Municipal Code development standards and the City’s design guidelines for multi-family residential development. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

XIII. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example, by				■
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
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The project will allow for the construction of 220 single-family residential homes. Impacts would be less than significant as a result of the proposed project. The proposed residential development as designed and conditioned is consistent with City Municipal Code development standards and the City’s design guidelines for multi-family residential development. The potential impacts were fully considered in the prior environmental documentation under the Aquabella Specific Plan.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				■
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				■
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(b and c) This property is currently vacant, and no housing is currently located there. No housing will be displaced by development of this project. The project will not displace any residents.

The project’s potential impacts are less than or no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?				■
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b) Police protection?				■
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c) Schools?				■
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d) Parks?				■
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e) Other public facilities?				
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(a-e) The project will not negatively affect services such as fire, police, schools, parks or other public facilities. The various city departments and responsible outside agencies have determined that there will not be a potential significant impact on providing public services for the site. Impact fees will be collected by the City for Police, Fire, City Hall, and City Yard. Therefore, impacts are less than significant.

The nature of the project does not necessitate the construction of new facilities or increase the demand upon fire, police, schools parks, or other public facilities. Impact fees will continue to apply to the construction of the project. Therefore, impacts are less than significant.

The Project’s potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

XV. RECREATION.

a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				■
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				■
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The project would not increase the use of parks. There would be no designated or required recreational facilities, such as a public park, associated with the project. Therefore, impacts are less than significant.

The Modified Project does not include recreational facilities or involve new housing to directly generate users that would result in an increased use of existing parks or recreational facilities. Therefore, impacts are less than significant.

The Project’s potential impacts are no different than those analyzed in the Previous CEQA Documents. No new or significant environmental effects will result from the Modified Project beyond those discussed in the Previous CEQA Documents.

Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				■
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				■
<p>(a and b) The project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. It would also not conflict with any applicable congestion management plan. The project as designed and conditioned, is consistent with the Moreno Valley General Plan and the Aquabella Specific Plan. Therefore, impacts are less than significant.</p> <p>The project will not create traffic related impacts that differ from what was anticipated through development under the General Plan and the Aquabella Specific Plan. Therefore, impacts are less than significant.</p> <p>The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.</p>				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				■
<p>The project would have no direct or indirect effect on air traffic patterns. Therefore, no impacts are anticipated.</p> <p>The project will have no direct or indirect effect on air traffic patterns. Therefore, no impacts are anticipated.</p> <p>The project's potential impacts are no different than those analyzed in the Previous CEQA Documents. No new or significant environmental effects will result from the Modified Project beyond those discussed in the Previous CEQA Documents.</p>				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				■
<p>As designed and conditioned, the project will not result in any hazards. In addition, the prior environmental documentation concluded that the project is not adjacent to any potential incompatible land uses. Therefore, impacts are less than significant.</p> <p>As designed and condition, the project will not increase the hazards to a design feature. The points of access from the site are both to existing streets (Lasselle Avenue and Cactus Avenue). The driveways have been located and designed consistent with City ordinances. Therefore, with respect to substantially increasing hazards due to a design feature or incompatible uses, no impact is anticipated.</p> <p>The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.</p>				
e) Result in inadequate emergency access?				■

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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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As designed and conditioned, all driveways and drive aisles will be built to the specifications of the City Engineer and Traffic Engineer, the Fire Prevention Bureau and the General Plan. This will ensure that no hazardous traffic situations would occur during construction or with completion of the project. An emergency access point is proposed along Brodiaea Avenue. The site will be readily accessible for emergency access.

Construction of the project will not take place in a manner that will cause emergency access, to any existing use in the area, to be compromised. Therefore, because temporary construction activities and subsequent maintenance of the Modified Project will not result in emergency access to the site or existing uses, no impacts are anticipated.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				■
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Construction of the Modified Project will not reconfigure any roadways or alternative transportation services. Thus, it will not conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, no impacts are anticipated.

The Modified Project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the Modified Project beyond those discussed in the previous CEQA Documents.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				■
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b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				■
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(a and b) The prior environmental documentation substantiated that the project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project will also not exceed wastewater treatment capacity of the Moreno Valley Reclamation. Therefore, impacts are less than significant. No impacts were previously identified.

The project does not expand the area examined for this purpose and is consistent with the original environmental documentation. Therefore, no impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				■
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The proposed project does not exceed the number of residential units that were analyzed for this Planning Area of the Aquabella Specific Plan. The project will not result in the construction of new unplanned facilities. Therefore, no impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the Modified Project beyond those discussed in the previous CEQA Documents.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				■
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Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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The previous environmental document concluded that sufficient water supplies are available to serve the project. Therefore, there are sufficient water supplies and impacts are less than significant.

The project does not exceed the number of residential units that were analyzed for this Planning Area of the Aquabella Specific Plan. Thus, the Modified Project will not exceed water supplies. Therefore, no impacts are anticipated.

The modified project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				■
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EMWD has sufficient capacity to treat all wastewater generated by the proposed project. This amount of wastewater is not considered significant demand on EMWD's existing commitments to treat wastewater. The project is also consistent with the General Plan and Aquabella Specific Plan. Therefore impacts are considered less than significant.

The project occupies the same area and does not exceed the square footage of the project as originally analyzed. Thus, there is adequate capacity to serve the project. Therefore, impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				■
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The project does not exceed the number of residential units as originally analyzed in the previous CEQA Documents and proposes the same land use. Thus, the project is still subject to all City standards and will not generate volumes of solid waste beyond what was already analyzed. Therefore, impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

g) Comply with federal, state, and local statues and regulations related to solid waste?				■
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The project will not generate volumes of solid waste beyond what was originally analyzed. Thus, the project does not conflict with federal, state, and local statues and regulations related to solid waste. Therefore, no impacts are anticipated.

Finding

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			■	
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Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. There are no historic structures on the site, and there will be no impact to historic resources. The analysis in the prior environmental documentation demonstrates that project and cumulative impacts would be less than significant. Thus, the proposed project does not have the potential to degrade the quality of the environment. Therefore, impacts are less than significant.

The project is consistent with the original project findings, as the project will not significantly impact sensitive biological resources and is consistent with the Western Riverside MSHCP. Most of the Aquabella Specific Plan area was graded in the mid-2000's as part of authorized grading permits for development. Further, the project is not expected to eliminate the important example of the major periods of California history or prehistory. Although no archaeological, historic or paleontological resources are documented to occur in the Modified Project area due to the disturbed nature, the project is subject to the same conditions and mitigation measures as the original project, ensuring impacts remain less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			■	
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The project is consistent with the prior project approval for the Aquabella Specific Plan, and is consistent with the General Plan. The project consists of 220 multifamily residential units. As the project will be conditioned to pay DIF and TUMF, impacts are less than significant. However, improvements necessary to mitigate the cumulative impacts within the City of Moreno Valley are included in either the City's DIF program or the Transportation Uniform Mitigation Fee (TUMF) program. As the project will be conditioned to pay fair share of DIF and TUMF fees, these cumulative impacts will be less than significant. Thus, the project, either individually or cumulatively, will not exceed an established level of service standard. There are no other factors that would conflict with any applicable congestion management program, including but not limited to travel demand measures or other standards. Therefore, with implementation of conditions of approval, impacts are less than significant.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			■	
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The previous environmental documentation concluded that the proposed project is not anticipated to result in any environmental effects upon human beings directly or indirectly that cannot be mitigated to acceptable levels. Therefore, impacts are less than significant.

The project would have impacts that are less than or equal to the impacts that were evaluated with the previous project. Therefore, the project as designed and implements consistent with the conditions of approval, will not cause substantial adverse effects on humans, either directly or indirectly.

The project's potential impacts are no different than those analyzed in the previous CEQA Documents. No new or significant environmental effects will result from the project beyond those discussed in the previous CEQA Documents.

Previous CEQA Documents:

- Moreno Valley Field Station Specific Plan Final Supplemental Environmental Impact Report, prepared by RECON, May 16, 2003.
- Addendum to the Moreno Valley Field Station Environmental Impact Report and Supplemental Environmental Impact Report, October 4, 2005.

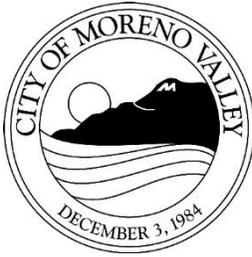
Attachment: PA14-0028 PC Environmental Initial Study Final [Revision 1] (2469 : PEN16-0123 (PA14-0028) Plot Plan)

Issues and Supporting Information	New Potentially Significant Impact	New Less than Significant With Mitigation Incorporated	New Less Than Significant Impact	Impacts Fully analyzed in Previous CEQA Document
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List of Key Documents and Resources:

- City of Moreno Valley General Plan, adopted by City Council on July 11, 2006
- City of Moreno Valley Municipal Code, adopted by City Council in 1997
- Preliminary Water Quality Management Plan, prepared by Proactive Engineering West, December 8, 2014
- Riverside County Integrated Project Long Report, Riverside County Transportation and Land Management Agency, April 15, 2016
- Western Riverside Area Soil Survey – University of California Agricultural Experiment Station, 1971
- Urban Water Management Plan, Eastern Municipal Water District, 2010
- State Important Farmland Map, 2015, <http://maps.conservation.ca.gov/ciff/ciff.html>
- Air Quality Management Plan (AQMP), South Coast Air Quality Management Board, 2012
- Cultural Resources Inventory, Archeological Research Unit, University of California, Riverside), October 1987
- March Air Reserve Base /Inland Port Airport Land Use Compatibility Plan, Riverside County Airport Land Use Commission, adopted November 13, 2014
- Hydrology Study, prepared by Proactive Engineering West
- Flood Insurance Rate Map, Federal Emergency Management Agency, Map Number 06065C0765G, August 28, 2008
- State Wildland Fires Map
- Specific Plan Amendment Aquabella, October 1, 2005.

**The above documents and studies are incorporated by reference and available in the case file for PEN16-0123 (PA14-0028) and the Community Development Department – Planning Division or Public Works Department – Land Development Division.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: February 23, 2017

PEN16-0028 AMENDED CONDITIONAL USE PERMIT FOR EXPANSION OF THE RESOURCE CENTER FOR THE ALTA VISTA PUBLIC CHARTER SCHOOL

Case: PEN16-0028 An Amended Conditional Use Permit for expansion of the Resource Center for the Alta Vista Public Charter School

Applicant: Alta Vista Public Charter School

Owner: Southpointe Center, Ltd.

Representative: Kyle Knowland

Location: 24021 Alessandro Boulevard #116-119A; Southeast corner of Alessandro Boulevard and Heacock Street (APN: 482-481-034)

Case Planner: Julia Descoteax

Council District: 3

PROJECT DESCRIPTION

Project

The Amended Conditional Use Permit PEN16-0028 (P16-112) proposes to expand the existing Resource Center for the Alta Vista Public Charter School by an additional 4,684 square feet. The addition will be within the existing suites of the commercial center located at 24021 Alessandro Boulevard, Suites 116-119A.

The Alta Vista Public Charter School, formerly Diego Public Charter School, was approved with Conditional Use Permit PA13-0035 on October 9, 2013. Alta Vista Public Charter School is a non-profit organization that offers an alternative to the traditional

educational structure that includes personalized education programs for students who can benefit from an independent studies approach in meeting their academic needs.

The proposed facility, referred to as a “Resource Center”, will offer additional meeting space. Students will have predetermined one-hour appointments once weekly with their designated instructor or tutor. In addition to their regularly scheduled appointments, the facility will be used for students to attend seminars, tutoring sessions and vocational education programs. The expansion of the resource center will facilitate the addition of four (4) supplemental small-group instruction classes. The supplemental classes are encouraged to help student perform better in their core and elective courses.

All educational programs and activities will occur within the enclosed building. No recreation activities or facilities are needed. The use of the property as proposed will be similar to an office use and will not compromise the pedestrian retail corridor. As proposed, the resource center will include four (4) supplemental small-group instruction classrooms, a conference room, a teacher work room, restrooms and two offices. Upon reaching peak projected enrollment, the facility proposes to accommodate up to 16 teachers, 66 students and 12 support staff inside the resource center at any given time.

The resource center will operate Monday through Friday between the hours of 8:00 a.m. and 6:00 p.m.

Site

The project site is within an existing commercial shopping center. The shopping center includes the Alta Vista Public Charter School, restaurants, a dental clinic and offices, convenience retail and other service related businesses. The site is located within a Neighborhood Commercial (NC) zone. NC zones are intended to satisfy the daily shopping needs of residents with smaller scale conveniently located neighborhood centers that provide limited retail commercial services. These centers must be compatible with the surrounding residential communities. The proposed “Resource Center” as a part of the existing private school use is conditionally permitted, given its proximity to residential zoning, within the Neighborhood Commercial zone.

Surrounding Area

The area surrounding the existing commercial center includes Neighborhood Commercial (NC) and Residential 5 (R5) uses across Alessandro Boulevard to the north. Immediately adjacent to the east and south of the shopping center are existing single-family residences (R5). Across Heacock Street to the west is vacant land zoned Business Park/Mixed Use (BPX), Business Park (BP) and Light Industrial (LI).

Access/Parking

The shopping center is located on the southeast corner of Alessandro Boulevard and Heacock Street. The center includes four separate buildings and approximately 203 parking spaces. The center has four points of vehicular access. The main driveway entrance is from Alessandro Boulevard at Ramsdell Drive. A secondary right-in right-out driveway is located along Alessandro Boulevard just east of Heacock Street. A secondary driveway is also located on Heacock Street just south of Alessandro. The last secondary driveway is located off of Heacock at the southerly property line and is predominantly used by delivery vehicles needing to access the rear side of the strip center building.

A parking analysis was conducted for the project based on the current code requirements and based on the existing and proposed land uses. Based on the parking analysis, the required number of parking spaces for the center based on the assumed mix of uses is 203 spaces. The existing number of spaces at the center is 203. It is noted that in making the calculations, the number of spaces required for the new resource center is 42 and is based on 10 spaces per new classrooms and one additional space for each of the new offices.

Based on the information provided by the applicant regarding the operation of the school, and staff's review of the parking analysis consideration is given to the unique operation of the resource center, including specific appointment times, the proposed shifts for teachers, and the number of students who use public transportation or who are dropped off. Based on the applicant's background information, eighty percent of students are expected to use public transportation.

REVIEW PROCESS

The application was submitted on October 21, 2016. Based on the City's Municipal Code, the project requires a Conditional Use Permit with review and public hearing by the Planning Commission due to its proximity, 300 feet or less, to a residential zone or use.

The project site plan and floor plans were routed for review to Building & Safety and the Fire Prevention Bureau. All reviewing parties are satisfied with the final project plan and, as warranted, have provided conditions of approval for the project (Exhibit A to Attachment 2).

ENVIRONMENTAL

The proposed resource center is located within an existing commercial shopping center. Based on an assessment of the proposed use, in accordance with the California Environmental Quality Act (CEQA) Guidelines this project is not expected to have a significant effect on the environment. The project qualifies as a Class 1 Categorical Exemption under CEQA Guidelines Section 15301 for existing facilities in that the impacts associated with the operation of a resource center are expected to be similar to

the impacts associated with other permitted uses that could occupy the same tenant space.

NOTIFICATION

In accordance with Section 9.02.200 of the Municipal Code, a public hearing notice was sent to all property owners of record within 300 feet of the project on February 9, 2017 (Attachment 1). In addition, the notice for this project was also posted at the project site and published in the Press-Enterprise newspaper on February 11, 2017.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2017-13, and thereby:

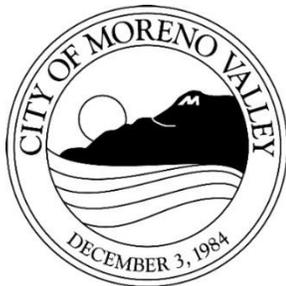
1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities; and
2. **APPROVE** PEN16-0028 (P16-112) Amended Conditional Use Permit (Existing Structure) subject to the attached Conditions of Approval included as Exhibit A.

Prepared by:
Grace Espino-Salcedo
Administrative Assistant

Approved by:
Richard J. Sandzimier
Planning Official

ATTACHMENTS

1. Public Hearing Notice
2. PC Resolution 2017-13
3. Exhibit A Conditions of Approval
4. Site Plan
5. Floor Plan 8x11



Notice of PUBLIC HEARING

This may affect your property.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

Project: PEN16-0028 An Amended Conditional Use Permit for expansion of the Resource Center for the Alta Vista Public Charter School

Applicant: Alta Vista Public Charter School

Owner: Southpointe Center, Ltd.

Representative: Kyle Knowland

Location: 24021 Alessandro Boulevard #116-119A, located at the southeast corner of Alessandro Boulevard and Heacock Street (APN: 482-481-034).

Proposal: The project is an Amended Conditional Use Permit to expand the existing Resource Center for the Alta Vista Public Charter School by an additional 4,684 square feet. The addition will be within the existing suites of an existing commercial center. The proposed facility will add four (4) supplemental small-group instruction classrooms, a conference room, a teacher work room, restrooms and two offices. The facility will offer students an opportunity to attend seminars and the option to take vocational education programs. Students have predetermined appointments once a week for one hour with an instructor. The resource center will operate Monday through Friday between the hours of 8 a.m. and 6 p.m.

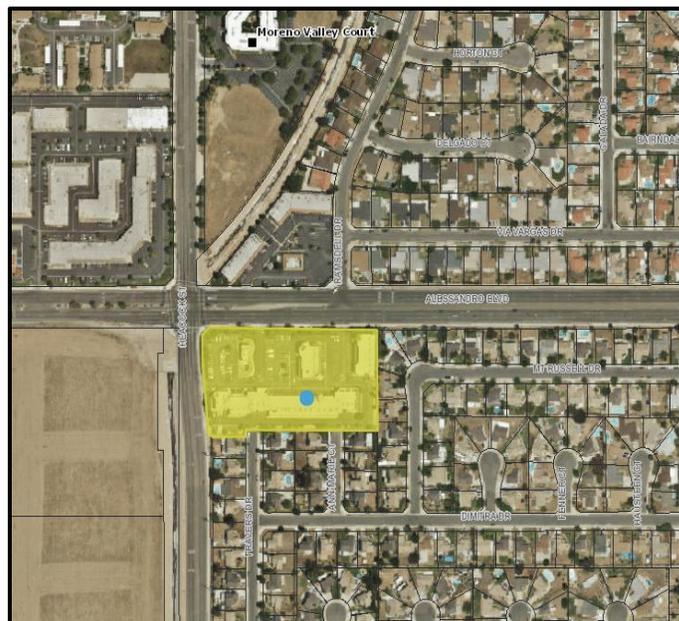
Council District: 3

The project will not have a significant effect on the environment. The project qualifies as a Class 1 Categorical Exemption under CEQA Guidelines Section 15301 for existing facilities in that the impacts associated with the operation of a resource center are expected to be similar to the impacts associated with other permitted uses that could occupy the same tenant space. Furthermore, the lease of the office space for the resource center will not result in expansion of the existing building.

A public hearing before the Planning Commission has been scheduled for the proposed project. Any person interested in commenting on the proposal and recommended environmental determination may speak at the hearing or provide written testimony at or prior to the hearing. The project application, supporting plans and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30

p.m., Friday), or you may telephone (951) 413-3206 for further information.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal. If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



LOCATION N ↑

PLANNING COMMISSION HEARING

City Hall Council Chamber
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: February 23, 7:00 PM

CONTACT PLANNER: Grace Espino-Salcedo

PHONE: (951) 413-3451

Upon request and in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 4 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

RESOLUTION NO. 2017-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PEN16-0028 (P16-112), AN AMENDED CONDITIONAL USE PERMIT FOR THE EXPANSION OF THE EXISTING RESOURCE CENTER FOR THE ALTA VISTA PUBLIC CHARTER SCHOOL BY AN ADDITIONAL 4,684 SQUARE FEET TO BE LOCATED AT 24021 ALESSANDRO BOULEVARD WITHIN AN EXISTING SHOPPING CENTER ASSESSOR PARCEL NUMBER 482-481-034.

WHEREAS, Alta Vista Public Charter School has filed an application for the approval of PEN16-0028 (P16-112) for the expansion of the existing resource center for the Alta Vista Public Charter School by an additional 4,684 square feet to be located at 24021 Alessandro Boulevard within an existing shopping center as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

WHEREAS, the proposed location at 24021 Alessandro Boulevard in the Neighborhood Commercial (NC) zone which allows the assembly use in the Permitted Uses Table under the Private Schools classification with the approval of a Conditional Use Permit if within 300 feet of a residential zone or use; and

WHEREAS, planning staff completed an independent review of the project to ensure consistency with the California Environmental Quality Act (CEQA) and based on a thorough analysis determined that the project qualifies as a Class 1 Categorical Exemption under CEQA Guidelines Section 15301 for existing facilities in that the impacts associated with the operation of a resource center are expected to be similar to the impacts associated with other permitted uses that could occupy the same tenant space with no expansion to the existing building; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendaized and noticed for a public hearing before the Planning Commission of the City of Moreno Valley Planning Commission; and

WHEREAS, the public hearing notice for this project was published in the local newspaper on February 11, 2017. Public notice was sent to all property owners within 300 feet of the project site on February 9, 2017. The public hearing notice for this project was also posted on the site on February 11, 2017; and

WHEREAS, on February 23, 2017, the Planning Commission held a public hearing to consider the application; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on February 23, 2017 including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
 - 1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The project proposes the expansion of an existing Resource Center in the existing commercial shopping center. The General Plan land use designation for the site is Commercial.

The project is consistent with General Plan policies and objectives. General Plan Objective 2.4 states the City shall provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the needs of the residents and Objective 2.15 states the City shall ensure that all Moreno Valley residents have access to high-quality education facilities, regardless of their socioeconomic status or location within the City. The proposed project in the existing shopping center meets Objectives 2.4 and 2.15, along with General Plan Policy 2.4.1 that states areas designated Commercial provide property for business purposes including but not limited to retail stores, restaurants,

banks, hotels, professional offices and personal services with zoning regulations to identify particular uses permitted.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: The Neighborhood Commercial (NC) zone allows for private schools with the approval of a conditional use permit if the use is within 300 feet from a residential zone or use. The proposed expansion of the existing resource center for the Alta Vista Public Charter School is located approximately 250 feet from the nearest home in the Residential 5 (R5) property to the east and approximately 50 feet from the Residential 5 (R5) property to the south.

The primary purpose of the zone is to satisfy the daily shopping needs of Moreno Valley residents by providing construction of conveniently located neighborhood centers which provide limited retail commercial services. These centers must be compatible with the surrounding residential communities. The impacts associated with the operation of a resource center are expected to be similar to the impacts associated with other permitted uses that could occupy the same tenant space. Furthermore, the lease of the office space for the resource center will not result in expansion of the existing building. As proposed and designed, the use complies with all applicable Municipal Code provisions and will not negatively impact the surrounding commercial center and neighborhood.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The Amended Conditional Use Permit will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. The project is exempt from the requirements of the California Environmental quality Act (CEQA) Guidelines as provided for in Section 15301 (Existing Facilities). The establishment of the proposed expansion to an existing resource center will not result in the expansion of the existing building. The impacts associated with the operation of a resource center are expected to be similar to the impacts associated with other permitted uses that could occupy the same tenant space with no expansion to the existing building.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The location, design and operation of the proposed use is compatible with existing and planned land uses in the vicinity, and will not negatively impact surrounding properties. This use has been determined to be similar in intensity to other uses conditionally permitted in the Neighborhood Commercial (NC) zone.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PEN16-0028 (P16-112), incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2017-13 and thereby:

1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities.
2. **APPROVE** PEN16-0028 (P16-112) Amended Conditional Use Permit (Existing Structure) subject to the attached Conditions of Approval included as Exhibit A; and,

APPROVED this 23rd day of February, 2017.

Brian Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

Attachment: PC Resolution 2017-13 (2475 : PEN16-0028 Amended Conditional Use Permit for Alta Vista Charter School (P16-112))

CITY OF MORENO VALLEY
PLANNING DIVISION
CONDITIONS OF APPROVAL

Amended Conditional Use Permit PEN16-0028 (P16-112) for the expansion of the Resource Center for the Alta Vista Public Charter School by an additional 4,684 square feet within an existing commercial center.
24021 Alessandro Boulevard
APN: 482-481-034

APPROVAL DATE: _____
EXPIRATION DATE: _____

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

- P1. This approval will allow the expansion of the Resource Center for the Alta Vista Public Charter School by an additional 4,684 square feet within the existing suites of an existing commercial center. The proposed facility will add four (4) supplemental small-group instruction classrooms, a conference room, a teacher work room, restrooms and two offices.
- P2. The resource center shall operate Monday through Friday between the hours of 8:00 a.m. and 6:00 p.m.
- P3. At peak enrollment, there shall be no more than 16 teachers, 66 students and 12 support staff occupying the resource center at any given time.
- P4. Students shall have a predetermined appointment once a week. Loitering before and after the students' scheduled appointments shall be prohibited.
- P5. A change or modification shall require a separate approval. Violation may result in revocation of the approved Permit.
- P6. A current Certificate of Occupancy and Business License are required at all times. Please contact the Building & Safety Division at (951) 413.3350 for a Certificate of Occupancy and/or Tenant Improvement Permit prior to start of business or any construction.

General Conditions

- P7. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

Attachment: Exhibit A Conditions of Approval (2475 : PEN16-0028 Amended Conditional Use Permit for Alta Vista Charter School (P16-112))

**PLANNING DIVISION
CONDITIONS OF APPROVAL
AMENDED CONDITIONAL USE PERMIT PEN16-0028 (P16-112)
PAGE 2**

- P8. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
- P9. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
- P10. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P11. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)

BUILDING & SAFETY

The following conditions have been generated based on the information provided with your application. Please note that future revisions or changes in scope to the project may require additional items. Fee estimates for plan review and permits can be obtained by contacting the Building Safety Division at 951.413.3350.

- B1. All remodeled structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
- B2. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements of the 2016 California Plumbing Code Table 4-1.
- B3. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
- B4. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations,

**PLANNING DIVISION
 CONDITIONS OF APPROVAL
 AMENDED CONDITIONAL USE PERMIT PEN16-0028 (P16-112)
 PAGE 3**

Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.

- B5. The proposed development is subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
- B6. The proposed project is subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
- B7. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)
- B8. Any construction within the city shall only be as follows: Monday through Friday (except for holidays) seven a.m. to seven p.m.; Saturday from eight a.m. to four p.m., unless written approval is first obtained from the Building Official or City Engineer per City of Moreno Valley Municipal Code (MC 8.14.040E).
- B9. Contact the Building Safety Division for permit application submittal requirements.

FIRE PREVENTION BUREAU

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
- F2. Address numbers and/or suite numbers shall be provided and maintained for the building and suite in a visible location from the emergency access road or driveway. Suite letters or numbers shall be visible on the front and rear doors of units.
- F3. A fire department key box (Knox Box) shall be provided for the business if one is not already provided. Knox boxes shall be mounted on the structure adjacent to the front door at a height of 6 feet. The keys to gain access into the building shall be provided to the Fire Department and maintained inside of the Knox box.

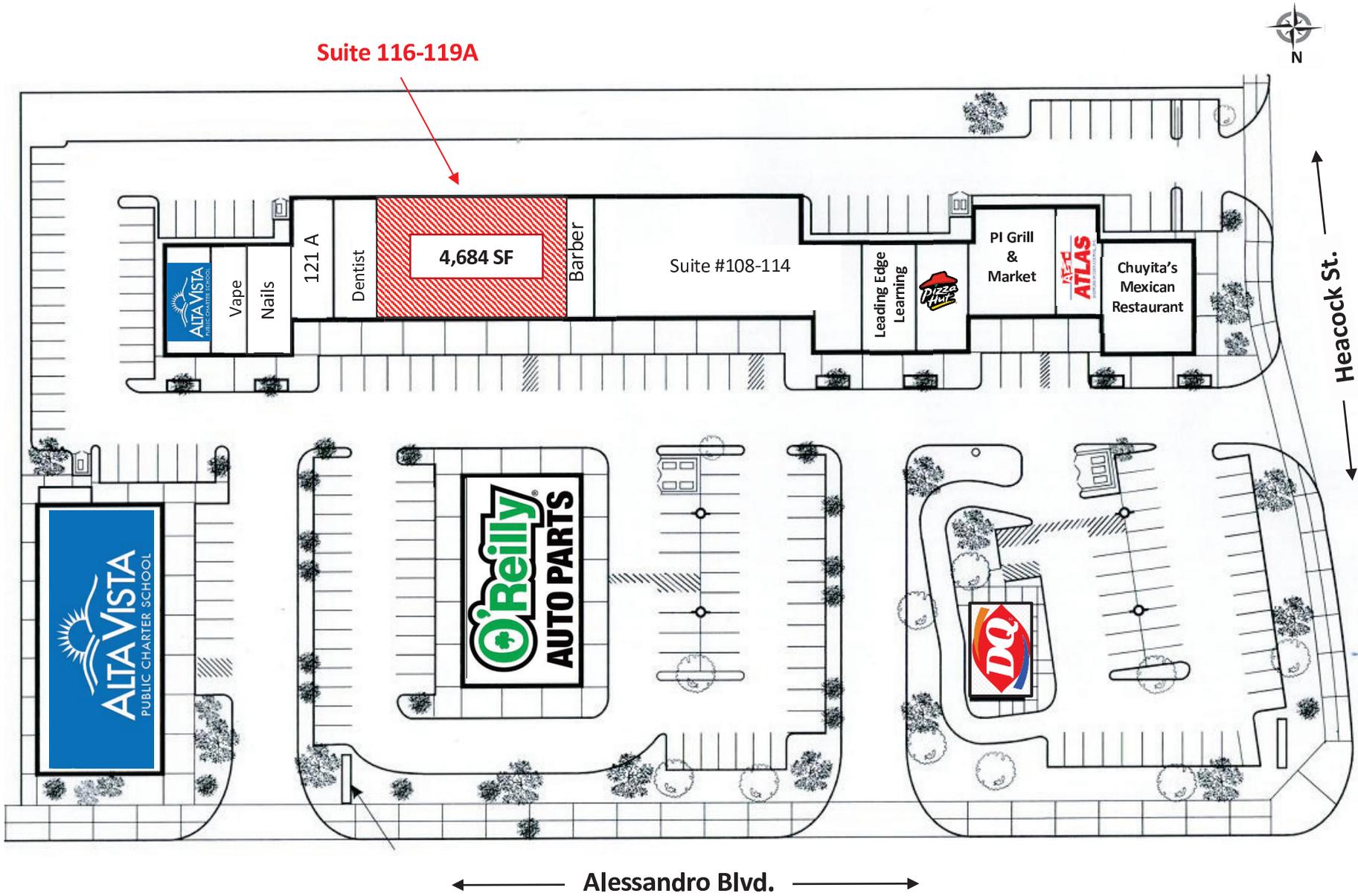
**PLANNING DIVISION
CONDITIONS OF APPROVAL
AMENDED CONDITIONAL USE PERMIT PEN16-0028 (P16-112)
PAGE 4**

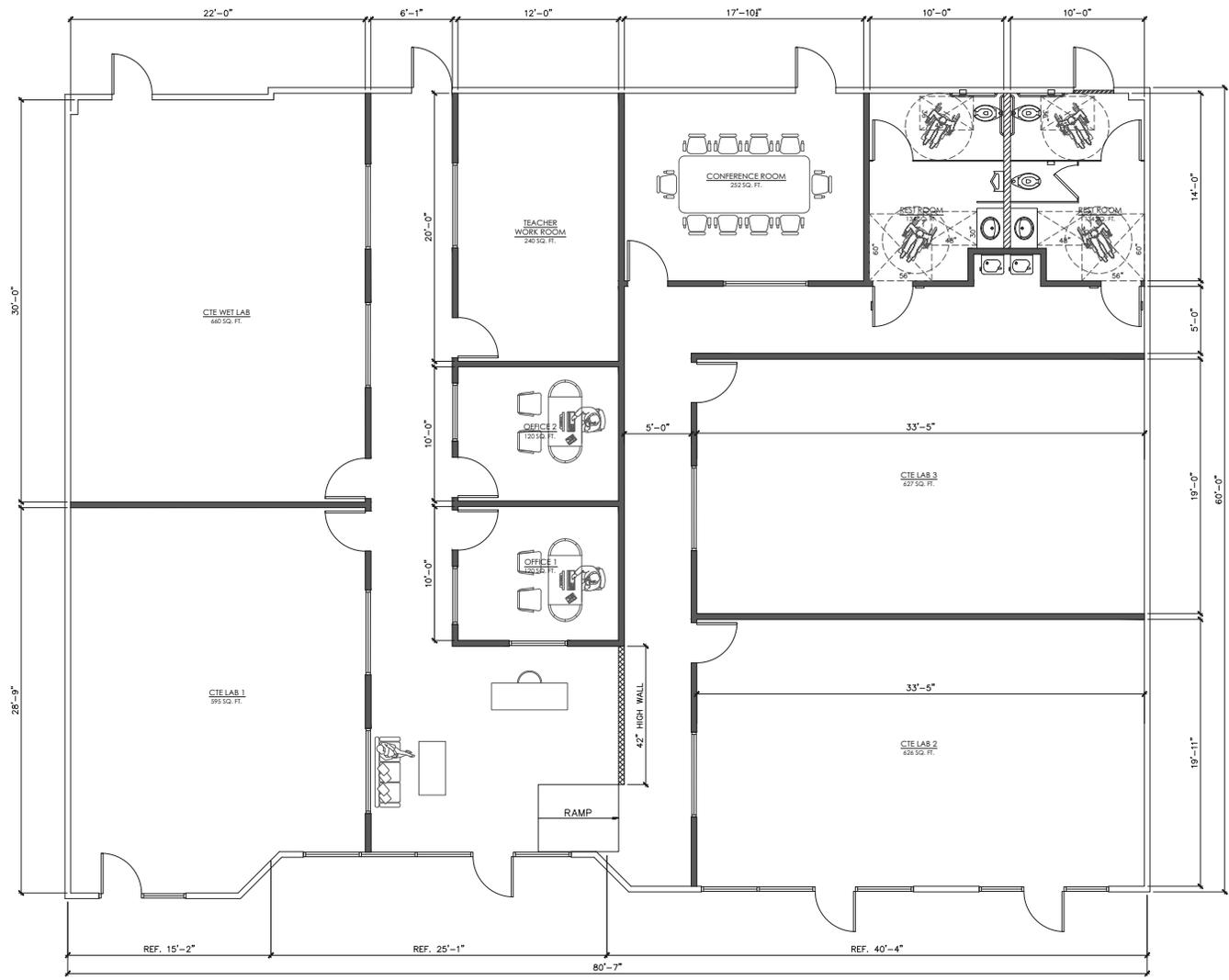
- F4. Fire protection systems such as automatic fire sprinkler systems and fire alarm systems shall be maintained operational. Periodic inspection, testing and maintenance is required for such systems. Reports of inspections and tests shall be made available to the Fire Department upon request.
- F5. The existing fire sprinkler system may need to be modified. Plans for the fire sprinkler system modification shall be submitted to the Fire Prevention Bureau for review and approval prior to modification.
- F6. A manual and automatic fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system shall be installed in E occupancies with an occupant load of 50 or more persons or containing more than one classroom. Plans for the fire alarm system shall be submitted to the Fire Prevention Bureau for review and approval prior to installation. (CFC 907.2.3)
- F7. A pre-fire plan shall be submitted to the Fire Department for approval that specifies the procedures to follow in case of fire or other emergency. The procedures shall include the following and be posted in the following locations: A.) Posting of the 911 emergency number in the main office. B) Assignment of a responsible person to call the Fire Department upon notification of any fire or activation of the fire alarm system for any reason other than fire drills. C) Posting in a conspicuous place in each classroom or assembly area a plan showing paths of travel to evacuate the room in case of emergency and including an alternate route. D) Posting in each classroom instructions to be followed by the teacher. These should include: maintaining of order during evacuation. Removal of roll call book and calling of roll when designated evacuation area is reached. (CFC 408.3.1.1)
- F8. The evacuation plan shall be posted showing the paths of egress travel in case of an emergency. (CFC 408.3.1.1)

Southpointe Shopping Center

24021 ALESSANDRO BLVD., MORENO VALLEY, CA 92553

GLA: 42,635sf

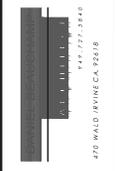




1. SUITES 116A - 119A

SCALE: 1/4" = 1'-0"

REVISIONS	BY



TENENT IMPROVEMENT - SOUTHPOINTE
 24021 ALESSANDRO BOULEVARD, SUITES 116A-119A MORENO VALLEY, CA. 92553

Date	9/19/16
Scale	AS NOTED
Drawn	D. BEAUCHAMP
Job	S-PNF-116A-119A
Sheet	A0.0

2/e

Moreno Valley Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames

[Title 9 PLANNING AND ZONING](#)
[Chapter 9.02 PERMITS AND APPROVALS](#)

9.02.200 Public hearing and notification procedures.

A. Purpose. This section defines procedures for conducting public hearings for applications pursuant to this title unless otherwise specified in this title. The purpose of this section is to ensure public awareness and full and open public discussion and debate regarding proposed actions pursuant to this title.

B. Public Hearing Date.

1. Where required by state law, and unless otherwise specified in this title, a public hearing on any application shall be scheduled before the planning commission, on the earliest appropriate date.

2. A public hearing upon an application shall be heard before the appropriate hearing body when:

a. The community development director has determined that the application complies with all applicable ordinances and requirements of the city; and

b. All procedures required by the city's rules and procedures for the implementation of the California Environmental Quality Act to hear a matter has been completed.

C. **Notice of Hearing. Whenever a public hearing is prescribed in this title, notice of public hearings shall be given by:**

1. Publication in a newspaper of general circulation within the city at least ten (10) calendar days prior to the public hearing;

2. Mailing, at least ten (10) calendar days prior to the public hearing, to all owners of property within a radius of three hundred (300) feet from the exterior boundaries of the property involved in the application. For this purpose, the last known name and address of each property owner, as contained in the records of the latest equalized Riverside County assessor rolls, shall be used. If the number of owners to whom notice would be mailed or delivered pursuant to this subsection is greater than one thousand (1,000), in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one eighth page in at least one newspaper of general circulation in the city at least ten (10) days prior to the hearing;

3. Mailing, at least ten (10) calendar days prior to the public hearing, or delivering at least ten (10) calendar days prior to the public hearing, to each local agency expected to provide water, sewer, schools, or other essential services or facilities to the project whose ability to provide those facilities and services may be significantly affected;

4. Mailing, at least ten (10) calendar days prior to the public hearing, or delivering at least ten (10) calendar days prior to the public hearing, to the owner of the subject real property or to the owner's duly authorized agent, to the project applicant and the applicant's authorized representative, if any;

5. Mailing, at least ten (10) calendar days prior to the public hearing, to any person who has filed a written request with the community development director and has provided the community development director with a self-addressed stamped envelope for that purpose;

6. For a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, such notice shall also be given by mail to each tenant of the subject property, and, in addition to notice of time and place of the public hearing, shall include notification of the tenant's right to appear and the right to be heard;

7. The community development director may require that additional notice of the hearing be given in any other manner deemed necessary or desirable by the director or the director's representative to ensure that all notice requirements provided by law for the proposal are complied with;

8. The public review period for a draft EIR shall not be less than thirty (30) days nor should it be longer than sixty (60) days except under unusual circumstances. When a draft EIR is submitted to the State Clearinghouse for review by state agencies, the

Attachment: City public notification procedures (2496 : Public Notice Requirements)

public review period shall not be less than forty-five (45) days, unless a shorter period, not less than thirty (30) days, is approved by the State Clearinghouse.

The public review period for a proposed negative declaration or mitigated negative declaration shall be not less than twenty (20) days. When a proposed negative declaration or mitigated negative declaration is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than thirty (30) days, unless a shorter period, not less than twenty (20) days, is approved by the State Clearinghouse;

9. All notices of public hearings shall include a description of the project, the identity of the hearing body or officer(s), shall describe the property, and the date, time and place of the scheduled hearing, a statement that application and associated documents and environmental review are available for public inspection at a specified location, and the manner in which additional information and/or testimony may be received.

D. Conduct of Public Hearings.

1. Public hearings held pursuant to the provisions of this title shall be held according to such public hearing rules as the planning commission and city council may, from time to time, adopt.

2. The chairperson of the planning commission and mayor may require that witnesses be sworn.

E. Proceeding Before the City Council. Where the authority for approval is not vested solely with the city council, the decision of the planning commission is considered final and no decision by the city council is required unless an appeal is filed or, prior to the end of the appeal period, the city council assumes jurisdiction by the request of any member thereof. (Ord. 694 1.1, 2005; Ord. 575 § 2.2, 2000; Ord. 475 § 1.4, 1995; Ord. 386 § 1.8, 1993; Ord. 359, 1992)

View the [mobile version](#).

Attachment: City public notification procedures (2496 : Public Notice Requirements)

be developed and adopted by the association at a noticed public hearing.

(Added by Stats. 2004, Ch. 931.)

65089.14. Audit of Program

The City/County Association of Governments of San Mateo County shall have an independent audit performed on the program with the review and report provided to the board at a noticed public hearing.

(Added by Stats. 2004, Ch. 931.)

65089.15. Report to Legislature

The City/County Association of Governments of San Mateo County shall provide a report to the Legislature on the program by July 1, 2006.

(Added by Stats. 2004, Ch. 931.)

Chapter 2.7. Public Hearings

65090. Notice of hearing

(a) When a provision of this title requires notice of a public hearing to be given pursuant to this section, notice shall be published pursuant to Section 6061 in at least one newspaper of general circulation within the jurisdiction of the local agency which is conducting the proceeding at least 10 days prior to the hearing, or if there is no such newspaper of general circulation, the notice shall be posted at least 10 days prior to the hearing in at least three public places within the jurisdiction of the local agency.

(b) The notice shall include the information specified in Section 65094.

(c) **In addition to the notice required by this section, a local agency may give notice of the hearing in any other manner it deems necessary or desirable.**

(d) Whenever a local agency considers the adoption or amendment of policies or ordinances affecting drive-through facilities, the local agency shall incorporate, where necessary, notice procedures to the blind, aged, and disabled communities in order to facilitate their participation. The Legislature finds that access restrictions to commercial establishments affecting the blind, aged, or disabled is a critical statewide problem; therefore, this subdivision shall be applicable to charter cities.

(Added by Stats. 2000, Ch. 785.)

65091. Notification procedures

(a) When a provision of this title requires notice of a public hearing to be given pursuant to this section, notice shall be given in all of the following ways:

(1) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to the owner of the subject real property as shown on the latest equalized assessment roll. Instead of using the assessment roll, the local agency may use records of the county assessor or tax collector if those records contain more recent information than the information contained on the assessment roll. Notice shall also be mailed

to the owner's duly authorized agent, if any, and to the project applicant.

(2) When the Subdivision Map Act (Div. 2 (commencing with Section 66410)) requires notice of a public hearing to be given pursuant to this section, notice shall also be given to any owner of a mineral right pertaining to the subject real property who has recorded a notice of intent to preserve the mineral right pursuant to Section 883.230 of the Civil Code.

(3) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

(4) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the hearing. In lieu of using the assessment roll, the local agency may use records of the county assessor or tax collector which contain more recent information than the assessment roll. If the number of owners to whom notice would be mailed or delivered pursuant to this paragraph or paragraph (1) is greater than 1,000, a local agency, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the local agency in which the proceeding is conducted at least 10 days prior to the hearing.

(5) If the notice is mailed or delivered pursuant to paragraph (3), the notice shall also either be:

(A) Published pursuant to Section 6061 in at least one newspaper of general circulation within the local agency which is conducting the proceeding at least 10 days prior to the hearing.

(B) Posted at least 10 days prior to the hearing in at least three public places within the boundaries of the local agency, including one public place in the area directly affected by the proceeding.

(b) The notice shall include the information specified in Section 65094.

(c) In addition to the notice required by this section, a local agency may give notice of the hearing in any other manner it deems necessary or desirable.

(d) Whenever a hearing is held regarding a permit for a drive-through facility, or modification of an existing drive-through facility permit, the local agency shall incorporate, where necessary, notice procedures to the blind, aged, and disabled communities in order to facilitate their participation in any hearing on, or appeal of the denial of, a drive-through facility permit. The Legislature finds that access restrictions to commercial establishments affecting the blind, aged, or disabled, is a critical statewide problem; therefore, this subdivision shall be applicable to charter cities.

(Added by Stats. 2000, Ch. 785; Amended by Stats. 2006, Ch. 363.)

CITY OF MORENO VALLEY

PLANNING COMMISSION RULES OF PROCEDURE

I. RULES OF ORDER, ORGANIZATION AND OFFICERS

A. RULES OF ORDER

Except as otherwise provided in these Rules of Procedure, "The Standard Code of Parliamentary Procedure 4th Edition," shall be used as a guide to the conduct of the meetings of the Planning Commission; except as may otherwise be provided by applicable law, no omission to conform to said rules of order shall in any instance be deemed to invalidate any action taken by the Commission.

B. ORGANIZATION

The Planning Commission shall consist of seven regular members and two alternate members and shall be organized and exercise such powers as prescribed by Ordinance of the City of Moreno Valley.

C. OFFICERS

1. SELECTION

- a. A Chairperson and Vice-Chairperson shall be elected annually from among the Commission's membership at the first meeting in April, to serve at the pleasure of the Commission. The term of office for Chairperson and Vice-Chairperson shall be one (1) year. No person shall serve more than two consecutive terms as either Chairperson or Vice-Chairperson, however a commissioner may serve for two consecutive terms as Vice-Chairperson followed by two consecutive terms as Chairperson, or vice versa.
- b. If the Chairperson vacates his or her office before the term of office is completed, a new Chairperson shall be elected at the next regular meeting. A new Vice-Chairperson shall also be elected if the former Vice-Chairperson is elected Chairperson.
- c. In the absence of the Chairperson and Vice-Chairperson, any other member may call the Commission to order, whereupon a Chairperson pro tem shall be elected from the members present to preside. Alternate members shall not be eligible to serve as Chairperson or Vice-Chairperson.

2. RESPONSIBILITIES

The responsibilities and powers of the officers and staff of the Planning Commission shall be as follows:

a. Chairperson

- 1) Preside at all meetings of the Commission.
- 2) Call special meetings of the Commission in accordance with legal requirements and these Rules of Procedure.
- 3) Sign documents of the Commission.
- 4) See that all actions of the Commission are properly taken.
- 5) Assist staff in determining agenda items.
- 6) The Chairperson shall be an ex-officio member of all committees of the Planning Commission with voice but not vote.

b. Vice-Chairperson

During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

- c. The Planning Official with the assistance of his staff, shall be responsible for providing the Commission with proposed minutes of its meetings, with proposed forms of resolutions when appropriate, with staff reports and recommendations on matters of business which come before the Commission, and with proposed forms of recommendations and reports for the Commission.

D. POWERS AND DUTIES

The functions, powers and duties of the Planning Commission shall be all those functions, powers and duties of a Planning Commission and Board of Zoning Adjustment as provided in Chapters 3 and 4 of Title 7 commencing with Section 65100 of the Government Code of the State (the Planning and Zoning Law), as the same may be hereafter amended. The Planning Commission shall perform such other duties and functions as may be designated by the City Council.

E. ETHICAL PROCESS AND PROCEDURE

1. Whenever after appointment, a Commissioner possesses or is likely to possess a financial interest in a project which is pending or likely to be pending in the foreseeable future before the Commission, it is the duty of the Commissioner to disclose for the

record the interest and abstain not only from discussion and voting, but a higher duty to abstain from discussion with any other Commissioner or staff concerning any matters relevant to the project, wherein the Commissioner has a financial interest in the decision.

2. It is equally unethical and improper for such Commissioner to recommend to other individuals that they contact other Commissioners or staff with respect to any matter relevant to the project.
3. Whenever a Commissioner discovers the existence of a possible conflict of interest and is unsure as to that situation, the Commissioner should consult with the City Attorney or the staff of the FPPC for clarification of his or her position; in the event a financial interest or likely financial interest exists in a project, the record should so disclose and be available for review.
4. No Commissioner should continue to serve as a Commissioner if it appears likely that he or she will receive substantial financial gain (obtain a financial interest as defined in the FPPC) from a large number of Planning Commission decisions on projects in a broad area of interest.
5. Nothing contained herein shall be construed to relieve a Commissioner of any duty imposed by State law or to change the law and regulations applicable to conflict and disclosure matters.
6. With respect to membership by a Commissioner in any other organization which may be incompatible with membership on the Planning Commission, the Commissioner should consider, to the extent recognized by law, any or all of the following, as may be applicable:
 - a. Withdrawal of membership from either the Commission or the said organization.
 - b. Leave of absence from the conflicting organization.
 - c. Inactivity during Commission tenure.
 - d. Being a non-voting participant in the conflicting organization.
 - e. Being a non-office holder in the conflicting organization.
 - f. Being a non-policy making member in the conflicting organization.

- g. Making no public statements within or about the organization.

F. FITNESS TO SERVE; STATEMENT OF PRIOR CONVERSATIONS

1. Any Planning Commissioner who wishes to serve the City of Moreno Valley shall adhere to the goals, performance objectives, duties, responsibilities, ethical process and procedure, and public relations standards as herein listed.
2. Present Commissioners who wish to serve but cannot justifiably adhere to the contents of these Rules of Procedure must evaluate their fitness to serve.
3. Any Commissioner shall declare, prior to voting in the recorded minutes, whether or not they talked or otherwise communicated independently with the developer, with the proponents, or with the opponents or with a representative of the developer, proponents or opponents concerning a project under consideration. Commissioners shall further publicly disclose the substance of any such communication.

G. ABSENCES AND VACANCIES

1. Permanent or long term Commissioner vacancies shall be filled by alternate Commissioners in accordance with Ordinance 890 of the City of Moreno Valley.
2. Regular and alternate Commissioners should attempt to attend all meetings. In the event of an absence of a regular Commissioner for all, or any part of a meeting, an alternate Commissioner who is present shall be seated to serve as a full voting member of the Commission. If alternate Commissioners are not available to serve or are disqualified from serving for any reason, the Commission shall continue with the remaining regular Commissioners as long as a quorum is present. The minutes shall reflect the attendance, seating and voting record of all regular and alternate Commissioners.
3. Alternate Commissioners shall be called on a rotational basis if available. Each meeting will have a Primary and Secondary alternate Commissioner, which assignment shall rotate every meeting. If there is more than one absence or vacancy, the secondary alternate Commissioner may also be called to serve. The service or non-service of one or both alternate Commissioners at any meeting shall not affect the rotational order for any future meeting. For the first meeting after any appointment, the rotational order shall be established in alphabetical order by the last name of the Alternate Commissioner.

4. If a regular or alternate Commissioner is seated on the first day of any public hearing item, such Commissioner shall continue to be seated for that item until the completion of the vote on that item, without regard to the number of meeting dates the item is continued over. In the event of an absence on any subsequent hearing date, no new Commissioner shall be seated in the vacant seat. A regular or alternate Commissioner may fill a previously absent seat on a public hearing item only if he/she makes a statement on the record that he/she has attended all prior hearing dates, read all prior hearing transcripts, or listened to the recordings if all prior hearings on the item. If a Commissioner has not met the aforementioned requirements, they shall be declared ineligible to be seated on the Commission for that item. In no case shall two different Commissioners fill the same vacant seat on any single public hearing item.
5. Alternate members shall be deemed to be participating in a meeting if they are seated as a voting member for all, or any part, of a meeting.
6. Commissioners may participate in the discussion and debate of an agenda item only if seated as a voting Commissioner.

II. MEETINGS

A. PUBLIC MEETINGS

All meetings shall be held in full compliance with state law, ordinances of the City, and these Rules of Procedure.

B. REGULAR MEETINGS

1. Regular meetings shall be held on the second and fourth Thursdays of each month at 7:00 p.m in the Council Chambers at City Hall, 14177 Frederick Street, Moreno Valley, California, unless otherwise determined by the Commission.
2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting shall occur on the next business day, or cancelled by motion adopted by the Planning Commission.

C. ADJOURNED MEETINGS

In the event it is determined by the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn, and the meeting so adjourned.

D. SPECIAL MEETINGS

Special meetings of the Planning Commission may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Commission or upon request of the City Council following at least 48 hours' notice to each member of the Commission and to the press, and to each person who has duly requested notice of such meetings. The time and place of the special meeting shall be determined by the convening authority, except that the meeting place shall be within the corporate limits of the City. Only those matters of business described in the call and notice for a special meeting shall be considered by the Commission.

E. STUDY SESSIONS/WORKSHOPS

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. All study sessions shall be open to the public.

F. AGENDA

1. An agenda for each meeting of the Commission shall be prepared by the Planning Official or his delegate with the cooperation and approval of the Chairperson or in the absence of the Chairperson, by the Vice-Chairperson.
 - a. The Commission cannot guarantee that applicants meeting filing deadlines will be placed on the agenda of the first meeting thereafter.
 - b. A copy of the agenda for each meeting of the Commission shall be posted at City Hall seventy-two (72) hours prior to each regular meeting and at least twenty-four (24) hours prior to each special meeting of the Commission.

G. ORDER OF MEETINGS

1. Unless the Chairperson in his or her discretion otherwise directs, the order of business shall be as follows:
 - a. The Chairperson shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.
 - b. Members present and absent shall be recorded, including any alternate members. Alternate members shall be seated on the Commission, if necessary. If all regular Commissioners are present and no conflicts of interest have been announced or appear to be likely, the alternate

- members may be excused and review the video or transcript of the meeting in lieu of attendance.
- c. Pledge of Allegiance shall be made.
 - d. The agenda shall be approved as submitted or revised (to the extent permitted by law).
 - e. The public shall be advised of the procedures to be followed in the meeting.
 - f. The minutes of any preceding meeting shall be submitted for approval.
 - g. Public comment shall be taken, during which any member of the audience may comment on any matter which is not listed on the agenda. A time limit of three minutes shall be imposed on each individual.
 - h. The Commission shall then hear and act upon those proposals scheduled for consideration at public hearing, followed by such other matters of business and reports as the Commission or Planning Official finds to require Commission consideration, and as may be properly considered at that time.
 - i. No action shall be taken by the Commission during any regular meeting on any item not appearing on the posted agenda unless any of the following conditions apply:
 - 1) A majority of the Commission determines that an “emergency situation” exists.
 - 2) The Commission determines by a two-thirds vote, or by a unanimous vote if less than two-thirds of the members are present, that the “need to take action” on the item arose subsequent to the posting of the agenda, or
 - 3) The item was included in a properly posted agenda for a prior meeting occurring not more than five days prior to the date of the meeting at which the action is taken and was continued to the meeting at which the action is taken.
 - j. At 11:00 p.m., or as soon thereafter as practicable, a Commissioner may make a motion to adjourn the meeting and continue any remaining items to a future date.
 - k. Adjournment.

2. PRESENTATION OR HEARING OF PROPOSALS

The following shall be the order of procedure for public hearings or other proposals concerning planning and zoning matters, and for testimony, unless the Chairperson in his or her discretion shall otherwise direct.

- a. The Chairperson shall announce the subject of the public hearing or other proposals as advertised.
- b. If a request is made for continuance, a motion may be made, seconded and voted upon to continue the public hearing to a definite time, date and place. The Commission may elect to open the hearing and receive evidence prior to acting upon a request or motion to continue the matter.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions from the Commission.
- d. ORDER OF TESTIMONY
 - 1) Applicant's statement.
 - 2) Public comment.
 - 3) A rebuttal from the applicant.
 - 4) The Chairperson may allow further comments from opponents, proponents and applicant as deemed appropriate by the Chairperson.
 - 5) Public Hearing closed.
 - 6) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.
- e. RULES OF TESTIMONY
 - 1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
 - 2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesman should be selected to speak for the entire group, if possible. The spokesman will thus have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
 - 3) To avoid unnecessary cumulative evidence, the Chairperson may limit the number of witnesses or the time of testimony on a particular issue.

- 4) Irrelevant and off-the-subject comments will be ruled out of order.
- 5) The Chairperson will not permit personal remarks regarding the staff or individual Commissioners during a Public Hearing. Complaints should be submitted in writing or presented verbally as a separate item on the agenda.
- 6) No person shall address the Commission without first securing the permission of the Chairperson to do so.
- 7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

H. MOTIONS

1. Action upon an order, resolution or other action of the Commission may be proposed by any commissioner by a motion. Before a motion can be considered it must be seconded, at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of a second.
2. A motion to adjourn shall always be in order except during roll call.
3. The Chairperson of the Commission, or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Commission. However, since the Chairperson is primarily responsible for the conduct of the meeting, if he or she personally desires to engage in extended debate on questions before the Commission, he or she should consider turning the Chair over to another Commissioner.

I. VOTING

1. VOTING REQUIREMENTS

- a. Four regular members shall constitute a quorum. Alternate members shall not be counted in determining if a quorum is present. An affirmative vote of a majority of Commissioners present and voting (but not less than three votes) shall be required to carry a motion, unless a larger number of votes is required by applicable ordinance or other law.
- b. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, that member shall not be counted towards meeting any quorum requirement. Furthermore, said vote

shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted with the majority.

2. RECORDING OF VOTES

The minutes of the Commissioner's proceedings shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

3. DISQUALIFICATION FROM VOTING

A member shall disqualify himself or herself from voting in accordance with the applicable Conflict of Interest Code. When a person disqualifies himself or herself, he or she shall disclose the disqualification prior to Commission consideration of the matter, and the disqualified member shall then leave the voting area.

4. RECONSIDERATION

A motion for reconsideration of a matter may be made by any commissioner who voted with the prevailing majority on the matter to be reconsidered. Any commissioner may second a motion for reconsideration. If the matter under reconsideration was first considered under a public hearing, the public hearing shall be reopened before any additional evidence is considered. A motion for reconsideration must be made at the same meeting as the meeting where the matter was voted upon.

- J. The Chairperson or such other person who may be presiding at meetings of the Commission is responsible for the maintenance of order and decorum at all times. No person should speak who has not first been recognized by the Chair. All questions and remarks should be addressed to the Chair.
- K. Any Commissioner may move to require the Chairperson or person presiding at the meeting to enforce the rules, and the affirmative vote of a majority of the Commissioners present shall require him or her to so act.
- L. Commissioners shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Commission, and shall refrain at all times from rude and derogatory remarks, negative reflections as to integrity, abusive comments, and statements as to motive and personality.
- M. All written materials to be delivered to the Planning Commission concerning its official business shall be delivered to Planning Division staff for distribution. Staff is advised to distribute written materials concerning any matter on the agenda to the Planning Commission at least seven days (Thursday of the week before each regular meeting) before the date of the meeting when the matter is to be considered by

the Planning Commission. If it is not reasonably possible to distribute the material at least seven days before the meeting when the matter is to be considered, the material may be distributed at the earliest possible time with a copy also distributed at the meeting.

- N. During Planning Commission meetings, all written materials not already included in the materials which have been previously provided to the Planning Commission and which are offered for consideration by the Commission, shall be distributed to the Planning Commission. The Planning Commission shall consider such written materials as reasonably possible at the time of the meeting.
- O. Failure to comply with the strict provisions of these rules shall not necessarily invalidate any action taken by the Commission.

III. REVIEW AND AMENDMENTS PROCEDURE

- A. These Rules of Procedure shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending or not amending these rules.
- B. In addition, these Rules of Procedure may be amended at any meeting of the Planning Commission by a majority of the membership (four affirmative votes) of the Commission provided that notice of the proposed amendment is received by each Commissioner not less than five days prior to said meeting.