

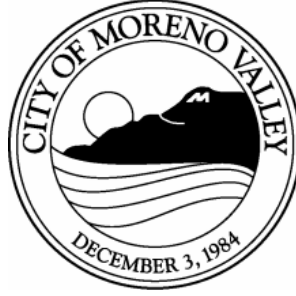
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**PLANNING COMMISSIONERS**

BRIAN LOWELL  
Chair

JEFFREY SIMS  
Vice-Chair

RAY L. BAKER  
Commissioner



JEFFREY BARNES  
Commissioner

CARLOS RAMIREZ  
Commissioner

PATRICIA KORZEC  
Commissioner

MELI VAN NATTA  
Commissioner

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# **PLANNING COMMISSION**

## **Regular Meeting**

### **Agenda**

**Thursday, December 10, 2015 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

#### **SPECIAL PRESENTATION**

Vista Verde Middle School 8th Grade STEM Class on WLC

#### **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**

None

#### **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*

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*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.*

*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 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: PA15-0009 (CUP)  
Applicant: Verizon Wireless  
Owner: Shinder Kaur and Parmjit Singh  
Representative: SAC Wireless (Dail Richard)  
Location: 14058 Redlands Boulevard (Farm Market)  
Case Planner: Claudia Manrique  
Council District: 3  
  
Proposal: Conditional Use Permit (PA15-0009) for a new wireless communications facility.

### **STAFF RECOMMENDATION**

Recommend the Planning Commission **APPROVE** Resolution No. 2015-25.

1. **CERTIFY** that the proposed Verizon wireless telecommunications facility is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, CEQA Guidelines, Section 15303 for New Construction or Conversion of Small Structures; and
  2. **APPROVE** Conditional Use Permit PA15-0009 based on the findings contained in Planning Commission Resolution 2015-25, subject to the conditions of approval included as Exhibit A of the Resolution.
- 
2. Case: PA15-0035 – Tentative Parcel Map No. 36986  
Applicant: Al Rattan  
Owner: Continental East Fund VII, LLC  
Representative: Charlene Kussner  
Location: Southwest corner of Brodiaea Avenue and Moreno

Beach Drive

Case Planner: Mark Gross, AICP

Council District: 3

Proposal: PA15-0035 TENTATIVE PARCEL MAP NO. 36986 -  
FINANCE AND CONVEYANCE MAP

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2015-32, and thereby:

1. **CERTIFY** that the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 15 Categorical Exemption as allowed for Minor Land Division, per CEQA Guidelines Section 15315; and
2. **APPROVE** PA15-0035 Tentative Parcel Map No. 36986 to subdivide 7.4 gross acres of land located in Assessor's Parcel Number 486-250-021 into two (2) parcels for finance and conveyance purposes only, and subject to the attached conditions of approval included as Exhibit A.
3. Case: PA14-0038 (Municipal Code Amendment)  
Applicant: City of Moreno Valley  
Owner: Not applicable  
Representative: City of Moreno Valley  
Location: City-wide  
Case Planner: Chris Ormsby, AICP  
Council District: City-wide  
  
Proposal: Density Bonus Ordinance Related to Energy Efficiency

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2015-33, and thereby recommend to the City Council:

1. **CERTIFY** that the proposed Municipal Code Amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines, per Section 15061 (b)(3); and
2. **APPROVAL** of Municipal Code Amendment PA14-0038 based on the findings contained in Planning Commission Resolution 2015-33.

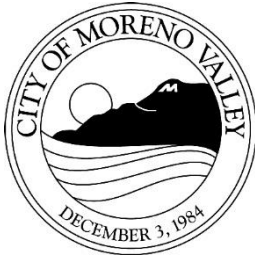
#### **OTHER COMMISSION BUSINESS**

#### **STAFF COMMENTS**

#### **PLANNING COMMISSIONER COMMENTS**

#### **ADJOURNMENT**

Next Meeting: Planning Commission Regular Meeting, January 28, 2015 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.



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## PLANNING COMMISSION

### STAFF REPORT

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Meeting Date: December 10, 2015

CONDITIONAL USE PERMIT (PA15-0009) FOR A NEW WIRELESS COMMUNICATIONS FACILITY.

Case: PA15-0009 (CUP)  
Applicant: Verizon Wireless  
Owner: Shinder Kaur and Parmjit Singh  
Representative: SAC Wireless (Dail Richard)  
Location: 14058 Redlands Boulevard (Farm Market)  
Case Planner: Claudia Manrique  
Council District: 3

#### **SUMMARY**

This item was originally scheduled for a public hearing on the Planning Commission's October 8, 2015 agenda. With some outstanding areas needing further consideration, the Planning Commission voted to continue the item to their meeting of October 22, 2015. At the October 22, 2015 and subsequently the November 12, 2015 Planning Commission meetings, at the request of the applicant, the Planning Commission voted to continue the public hearing again to allow the applicant additional time to revise the design. As a result of the continuance the public hearing is set for December 10, 2015.

The applicant has provided a revised site plan and related exhibits, including photo simulations, which are included with this staff report for the Commission's consideration.

#### **PROJECT DESCRIPTION**

##### **Background**

At the October 8, 2015, Planning Commission hearing, the Commissioners received a written staff report and project related documents for a new Verizon wireless telecommunications facility. The facility is proposed at 14058 Redlands Boulevard, behind the Farm Market, which is under construction. The new tower facility will be disguised as a 60-foot monopine, with associated equipment housed within an adjacent ground level enclosure. The staff presentation provided an overview of the entitlement and environmental review process, the site design, off-site visual simulations, and public comments received. The Commission raised questions and requested clarification on the CEQA determination, project location, required setbacks, and what considerations were given to the future widening of Kimberly Avenue. In addition to the staff report, the applicant provided a summary report to the Commission. Responses to Commissioner questions were provided by staff and the project applicant prior to opening the public comments.

During the public comment portion of the meeting, two public speakers raised concerns with the location of the proposed project including potential safety concerns given the proximity to adjacent residential land uses. The public speakers asked if consideration had been given to alternate locations on the property or to other sites.

The Planning Commission, noting the need for additional details, asked if the applicant would be agreeable to a continuance to allow the applicant time to address the comments and questions that had been raised. With agreement of the applicant, the Planning Commission voted to continue the public hearing to their next meeting of October 22, 2015. Prior to the October 22, 2015 meeting the applicant notified City staff that they would need additional time to consider the project design, and asked that the public hearing be continued to the November 12<sup>th</sup> Planning Commission meeting. Subsequently, the applicant made a new request to continue the public hearing to the December 10<sup>th</sup> meeting. On October 22<sup>nd</sup> and November 12<sup>th</sup> the Planning Commission voted to continue the public hearing as requested by the applicant to the date certain meetings. The continuances to the date certain meetings preserve the integrity of the opened public hearing and public noticing previously conducted.

## **Project**

Since the October 8<sup>th</sup> Planning Commission meeting, staff has worked with SAC Wireless and Verizon to review an on-site relocation of the proposed 60 foot monopine Wireless Communication Facility (WCF) further north on the site and away from Kimberly Avenue. The WCF is now proposed to be located on Assessor's Parcel Number (APN) 478-430-029, which is to the east of the Farm Market (14058 Redlands Boulevard and APN 478-430-031) (Attachment 1).

The new location of the WCF provides a 154 foot setback from Kimberly Avenue to the south, 87 feet from Alessandro Boulevard to the north and 117 feet from the residences to the east. Municipal Code Section 9.04.040.B.1 states that wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the

building height (monopine) is required. The proposed new location exceeds the 60 foot setback requirement (based on height of the proposed monopine).

The proposed new Verizon WCF is proposed as a 60 foot tall monopine designed to blend into the surrounding neighborhood design. The selected faux tree type attempts to match existing pine trees around the site (Attachment 2). The WCF will consist of three sectors, each with four antennas, for a total of twelve (12) antennas. One (1) microwave dish or “parabolic antenna” and twelve (12) Remote Radio Units (RRUs) are proposed on the monopine. Antenna arrays and panels will be painted to match the faux pine fronds; helping to blend the equipment with the faux pine. The 190 square foot equipment shelter will be housed, along with the monopine, within a 900 square foot lease area and screened by an 8 foot tall decorative block wall, painted to match the existing Farm Market building.

The design of the monopine tree blends in with the existing tree species near the site and plant species approved for the Farm Market. Two (2) additional 24” boxed pine trees will be planted as well. The applicant has prepared photo simulations of the new proposed installation from multiple perspectives, which are included as Attachment 3.

The proposed 60 foot tall monopine will fill a gap in cell coverage for Verizon Wireless. The applicant has provided coverage maps for the project site. The maps show current site condition (Attachment 4), after the WCF is built (Attachment 5), and operating within the area’s wireless network (Attachment 6). The three nearest existing WCFs are located approximately 1.5 miles northeast at Theodore Street and Eucalyptus Avenue, 1.7 miles northwest at Spruce Avenue on the north side of Highway 60 and 2.2 miles southwest at Iris Avenue near the Kaiser Hospital. The three existing WCFs have co-located equipment for various carriers on them. The proposed monopine could serve as a future co-location site, but that would be subject to a separate application and approval process.

## **Site**

The project site is located one parcel to the east of the southeast corner of Alessandro Boulevard and Redlands Boulevard. The site is adjacent to the Farm Market (PA06-0173), which is currently under construction. The market was designed consistent with the Village Commercial (VC) standards. The standards consider the established character of the area and encourage a “turn of the century”/Old Moreno architectural atmosphere. The Village Commercial zone provides limited retail commercial services, which are compatible with the surrounding residential community. The Farm Market building is the largest structure within this commercial zone and provides the best opportunity to blend the necessary height of the proposed WCF with developed property in the area. In addition, the WCF design is considerate of building materials, colors and landscape pallet in the area.

The parcel is within the Village Commercial (VC) zoning district (Attachment 7), which extends through properties at all four corners of the intersection of Alessandro Boulevard and Redlands Boulevard. In addition to the Farm Market discussed above,

the Easter Market is located directly north of the project site, and a small US Post Office station is located to the west. The areas just beyond the VC zoning and surrounding the project site to the north, south, east and west are Residential 3 (R3) zoned parcels. The majority of the parcels are developed with single-story older custom homes. The architectural style, infrastructure and existing landscape establish a somewhat rural feel for the area. The WCF's equipment will be screened from the residences with a wall designed to match the Farm Market's architecture, and the relocated location on the project site is considerate of the proximity of the neighboring homes.

The proposed wireless tower has been evaluated against General Plan policy 7.7.6 and Section 9.09.040 (Communication facilities, antennas and satellite dishes) of the City Municipal Code and staff has confirmed the proposed project does not conflict with any goals, objectives, policies, or programs of the General Plan.

### **Access**

Vehicular access to the site will be from Alessandro Boulevard through the Farm Market's parking lot. The applicant will use one unassigned parking space next to the Farm Market's trash enclosure for maintenance purposes, which parking space provides convenient access to the monopine and equipment. Land Development has conditioned the applicant to record a maintenance access easement (LD 8) or enter into a lease agreement with the property owner clearly identifying the rights and limitations of the access rights to the antenna and its related equipment (LD 9).

### **REVIEW PROCESS**

This project was submitted in March 2015. City staff from various departments including the Fire Prevention Bureau reviewed the proposal and worked with the applicant to resolve the issues and interests raised, as well as taking into account community sensitivities and aesthetics.

The project was originally heard by the Planning Commission at the October 8, 2015 public hearing. During the public comment portion of the meeting, two public speakers raised concerns with the location of the proposed project including potential safety concerns given the proximity of the project to adjacent residential land uses. The public speakers asked if consideration had been given to alternate locations on the property or to other sites. One of the speakers provided a written letter outlining issues (Attachment 8). Given the expressed areas of concern and the Planning Commissioners interest for more details, the Planning Commission voted to continue the public hearing.

Staff has worked with the applicant since the October 8<sup>th</sup> meeting to resolve the outstanding design and site location issues. As a result of the additional consideration the WCF was moved further north on the site, thereby increasing the setbacks from the residences to the south and east.

### **ENVIRONMENTAL**



Staff has reviewed the project in accordance with the CEQA Guidelines and has determined that the project qualifies for a categorical exemption pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines. This exemption includes projects that involve the construction and location of limited numbers of new, small facilities or structures including electrical, gas, and other utility extensions. This Project consists of a wireless cellular facility that is intended to improve the wireless coverage and capacity for both current and new customers. Both the previous location and the proposed relocation site were considered. All public utilities and services will be available to the Project site. Based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that this project will have a significant effect on the environment. Therefore, the proposed Project is exempt from CEQA and no further environmental review is required.

### **NOTIFICATION**

The public hearing notice for the October 8, 2015 public hearing for this project was published in the local newspaper on September 27, 2015. Public notice was sent to all property owners of record within 300 feet of the project site on September 27, 2015. The public hearing notice for this project was also posted on the project site on September 27, 2015. Planning Commission formally continued the hearing to October 22, 2015 then to November 12, 2015 and then to December 10, 2015. Given the prior action of the Planning Commission to formally continue the hearing to a date certain, no additional public noticing has been required.

### **STAFF RECOMMENDATION**

Recommend the Planning Commission **APPROVE** Resolution No. 2015-25.

1. **CERTIFY** that the proposed Verizon wireless telecommunications facility is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, CEQA Guidelines, Section 15303 for New Construction or Conversion of Small Structures; and
2. **APPROVE** Conditional Use Permit PA15-0009 based on the findings contained in Planning Commission Resolution 2015-25, subject to the conditions of approval included as Exhibit A of the Resolution.

Prepared by:  
Claudia Manrique  
Associate Planner

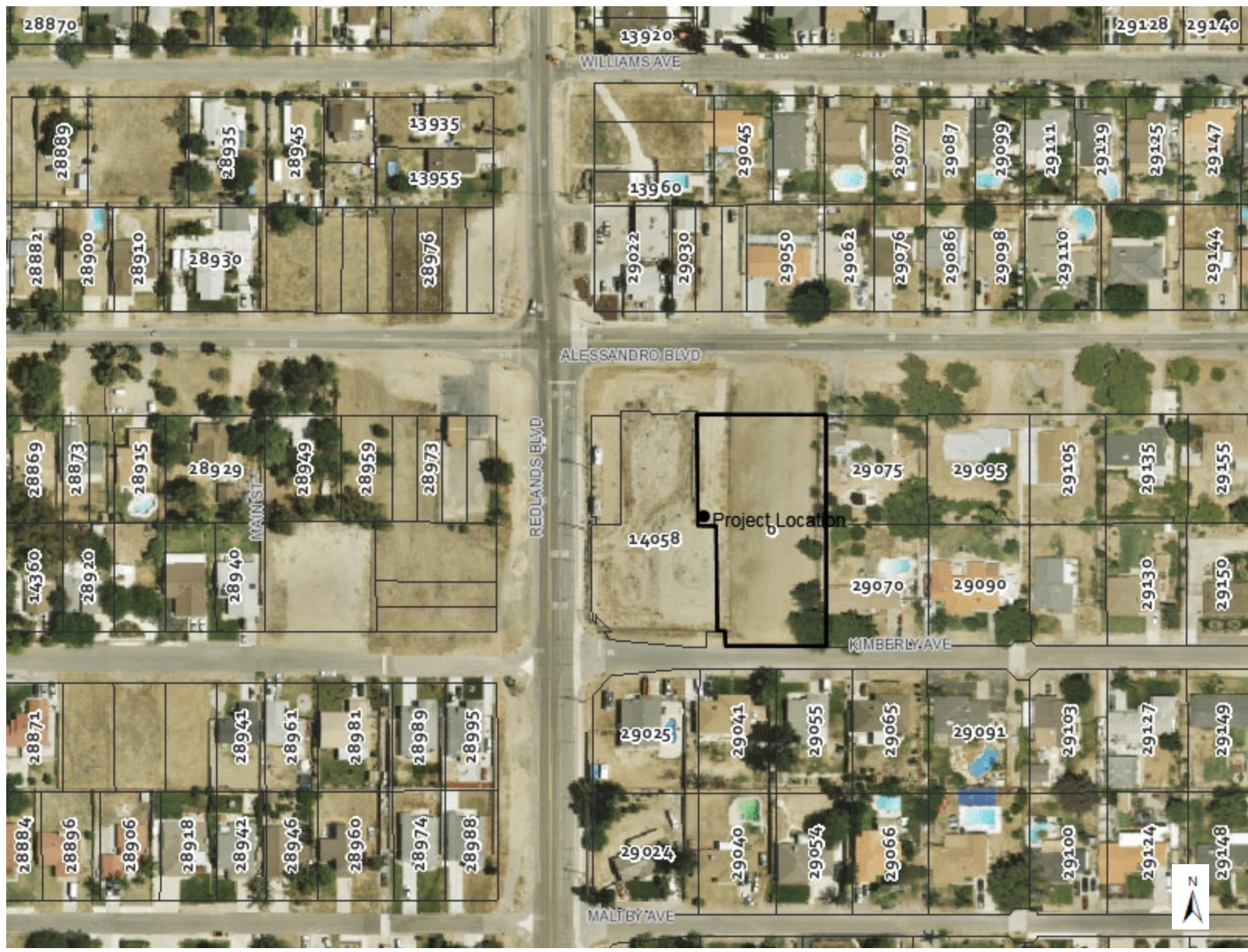
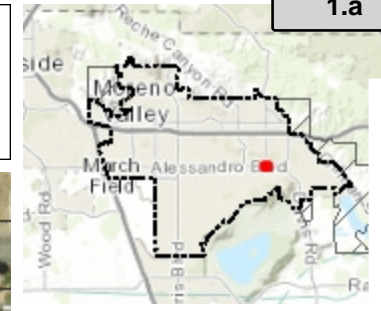
Approved by:  
Allen Brock  
Community Development Director

### **ATTACHMENTS**

1. Project Location
2. Site Plan and Elevations
3. Photosimulations
4. Coverage Map\_Before

5. Coverage Map\_Alone
6. Coverage Map\_After
7. Zoning
8. Letter from Mr. Richard Irvine
9. PC Resolution 2015-25
10. Exhibit A\_Conditions of Approval

# Project Location PA15-0009

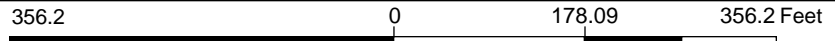


### Legend

- Road Labels
- Parcels

### Notes

Proposed 60 foot Monopine behind the Farm Market at the SEC of Alessandro Blvd and Redlands Blvd.



*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.*

Attachment: Project Location (1785 : Conditional Use Permit (PA15-0009) for a new wireless

**CODE COMPLIANCE**

2013 CALIFORNIA BUILDING CODE  
 2013 CALIFORNIA TITLE 24  
 2013 CALIFORNIA FIRE CODE  
 2013 CALIFORNIA RESIDENTIAL CODE  
 2013 CALIFORNIA ENERGY CODE  
 2013 CALIFORNIA PLUMBING CODE

2013 CALIFORNIA MECHANICAL CODE  
 2013 CALIFORNIA ELECTRIC CODE  
 2013 CALIFORNIA EXISTING BUILDING CODE  
 2013 CALIFORNIA GREEN BUILDING STANDARD CODE  
 ANSI/ASTM-222-C OR LATEST EDITION  
 LOCAL CODES AND AMENDMENTS

**GENERAL NOTES**

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.



DIAL TOLL FREE  
 811  
 AT LEAST TWO WORKING  
 DAYS BEFORE YOU DIG

USA NORTH UNDERGROUND SERVICE ALERT SERVING CALIFORNIA AND HAWAII

**SITE INFORMATION**

**PROPERTY OWNER:**  
 ADDRESS: SHINDER KAUR, PARULJIT SINGH  
 14058 REDLANDS BLVD.  
 MORENO VALLEY, CA 92555  
 CONTACT: SHINDER KAUR, PARULJIT SINGH  
 PHONE: (951) 500-5510

**APPLICANT:**  
 ADDRESS: VERIZON WIRELESS  
 15505 SAND CANYON AVE.  
 IRVINE, CA 92618

**APPLICANT REPRESENTATIVE:**  
 ADDRESS: SAC WIRELESS  
 5885 ENCINAS, SUITE 142B  
 CARLSBAD, CA 92008  
 CONTACT: JENNIFER CHESNEY-DREW  
 PHONE: (949) 235-6262  
 EMAIL: jennifer.chesney@socw.com

**GROUND ELEVATION:** ±1598.97' A.S.M.L.  
**APN #:** 478-430-029, 478-430-030 & 478-430-031  
**ZONING JURISDICTION:** CITY OF MORENO VALLEY  
**CURRENT ZONING:** VC (VILLAGE COMMERCIAL)  
**CONSTRUCTION TYPE:** V-B  
**OCCUPANCY:** U-UNMANNED TELECOMMUNICATIONS FACILITY  
**POWER COMPANY:** SCE (800) 743-5000  
**TELCO COMPANY:** AT&T (855) 637-9527



**MALTBY**

**PROJECT TYPE:  
 NEW SITE BUILD**

**PROJECT ADDRESS:  
 14058 REDLANDS BLVD.  
 MORENO VALLEY, CA 92555**

**ZONING DRAWING**

IF USING 11"x17" PLOT, DRAWINGS WILL BE HALF SCALE

**APPROVALS**

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS & AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT & MAY IMPOSE CHANGES OR MODIFICATIONS.

VERIZON RF ENGINEER: \_\_\_\_\_  
 VERIZON OPERATIONS: \_\_\_\_\_  
 SITE ACQUISITION MANAGER: \_\_\_\_\_  
 PROJECT MANAGER: \_\_\_\_\_  
 ZONING VENDOR: \_\_\_\_\_  
 LEASING VENDOR: \_\_\_\_\_  
 CONSTRUCTION MANAGER: \_\_\_\_\_  
 A/E MANAGER: \_\_\_\_\_  
 PROPERTY OWNER: \_\_\_\_\_

**PROJECT DESCRIPTION**

VERIZON WIRELESS PROPOSES THE CONSTRUCTION OF A NEW TELECOMMUNICATIONS FACILITY. THE SCOPE WILL CONSIST OF THE FOLLOWING:

- INSTALL PROPOSED VERIZON WIRELESS 30'x30'x8' HIGH C.M.U. EQUIPMENT ENCLOSURE TO MATCH EXISTING BUILDING WITH CONCRETE SLAB AND RAISED EQUIPMENT CURBS.
- INSTALL (1) PROPOSED VERIZON WIRELESS 11'-6" x 18'-11" PRE-FABRICATED SHELTER
- INSTALL (2) PROPOSED VERIZON WIRELESS PANEL ANTENNAS.
- INSTALL (12) PROPOSED VERIZON WIRELESS RRUS REMOTE RADIO UNITS.
- INSTALL (12) PROPOSED VERIZON WIRELESS A2 RELOCATE RADIO UNIT MODULE, (1) PER RRUS
- INSTALL (1) PROPOSED VERIZON WIRELESS MICROWAVE DISH.
- INSTALL (1) PROPOSED VERIZON WIRELESS AC GENERATOR.
- INSTALL (1) PROPOSED VERIZON WIRELESS GENERATOR PPLIC.
- INSTALL (1) PROPOSED VERIZON WIRELESS SERVICE DISCONNECT SWITCH.
- INSTALL (2) PROPOSED VERIZON WIRELESS OPS ANTENNAS.
- INSTALL (24) PROPOSED VERIZON WIRELESS 7/8" COAX CABLES, (2) PER ANTENNA.
- INSTALL (2) PROPOSED VERIZON WIRELESS RAYCAP SURGE SUPPRESSORS AT TOP OF MONOPOLE STRUCTURE.
- INSTALL (2) PROPOSED VERIZON WIRELESS RAYCAP SURGE SUPPRESSORS AT BASE OF MONOPOLE STRUCTURE.
- INSTALL PROPOSED VERIZON WIRELESS CABLE TRAY.
- INSTALL (3) PROPOSED VERIZON WIRELESS PINE TREES
- INSTALL (1) PROPOSED VERIZON WIRELESS TRANSFORMER
- INSTALL (1) PROPOSED VERIZON WIRELESS METER PEDESTAL
- INSTALL (3) PROPOSED VERIZON WIRELESS HYBRID CABLES
- INSTALL (2) PROPOSED VERIZON WIRELESS LIVE PINE TREES

**DRAWING INDEX**

SHEET NO:	TITLE SHEET
T-1	TITLE SHEET
A-1	SITE PLAN
A-2	ENLARGED SITE PLAN, EQUIPMENT AND ANTENNA LAYOUT PLANS
A-3	ARCHITECTURAL ELEVATIONS
A-4	ARCHITECTURAL ELEVATIONS

**DO NOT SCALE DRAWINGS**

SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



15505 SAND CANYON AVE.  
 IRVINE, CA 92618

PLANS PREPARED BY:



CLIENTS

NO.	DATE:	DESCRIPTION:	BY:
1	08/11/14	90% ZONING	SL
2	03/24/15	100% ZONING	AE
3	07/28/15	REVISED 100% ZONING	SB
4	08/25/15	REVISED 100% ZONING	SB
5	09/22/15	REVISED 100% ZONING	JB
6	10/07/15	REVISED UTILITY DESIGN	AE
7	10/15/15	REVISED PROPERTY LINES PER SURVEY	AE
8	11/11/15	RELOCATE EQUIPMENT LOCATION	MM
9	11/16/15	100% ZONING	MM

SITE INFORMATION:

**MALTBY**

14058 REDLANDS BLVD.  
 MORENO VALLEY, CA 92555

SEAL:

SHEET TITLE:

**TITLE SHEET**

SHEET NUMBER:

**T-1**

**PROJECT TEAM**

**PROJECT MANAGER:**  
 VERIZON WIRELESS  
 15505 SAND CANYON AVE.  
 IRVINE, CA 92618  
 CONTACT: DIANA MACHENZIE  
 PHONE: (949) 286-7921  
 E-MAIL: diana.machenzie@verizonwireless.com

**ENGINEERING:**  
 NATIONAL ENGINEERING & CONSULTING, INC.  
 27 ORCHARD LAKE FOREST  
 CARLSBAD, CA 92008  
 PHONE: (949) 716-9990  
 FAX: (949) 716-9997

**SITE ACQUISITION:**  
 SAC WIRELESS  
 5885 ENCINAS, SUITE 142B  
 CARLSBAD, CA 92008  
 CONTACT: BRIANNA HOLER  
 PHONE: (760) 900-5024  
 EMAIL: brianna.holer@socw.com

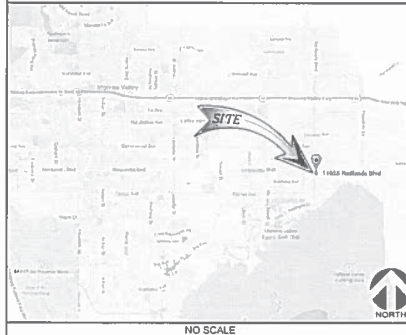
**ZONING:**  
 SAC WIRELESS  
 5885 ENCINAS, SUITE 142B  
 CARLSBAD, CA 92008  
 CONTACT: DAL RICHARD  
 PHONE: (858) 200-6541  
 EMAIL: dal.richard@socw.com

**CONSTRUCTION:**  
 VERIZON WIRELESS  
 15505 SAND CANYON AVE.  
 IRVINE, CA 92618  
 CONTACT: PHOENIX  
 EMAIL: \_\_\_\_\_

**RF ENGINEER:**  
 VERIZON WIRELESS  
 15505 SAND CANYON AVE.  
 IRVINE, CA 92618  
 CONTACT: PHOENIX  
 PHONE: \_\_\_\_\_

**SURVEY:**  
 CALVADA SURVEYING, INC.  
 411 JENKS DR., SUITE 205  
 CORONA, CA 92603  
 CONTACT: RAMON GONZALEZ  
 PHONE: (951) 28-9960 EXT. 108

**VICINITY MAP**



**DRIVING DIRECTIONS**

DIRECTIONS FROM VERIZON WIRELESS OFFICE:

1. HEAD SOUTHEAST TOWARD SAND CANYON TRAIL
2. TURN RIGHT ONTO SAND CANYON AVE
3. TAKE THE 1ST LEFT ONTO BARRANCA PKWY
4. TURN RIGHT ONTO PACIFICA
5. TURN RIGHT ONTO THE STATE HIGHWAY 133 N RAMP
6. MERGE ONTO CA-133 N
7. MERGE ONTO CA-241 N
8. KEEP RIGHT AT THE FORK, FOLLOW SIGNS FOR CA-91 E/RIVERSIDE AND MERGE ONTO CA-91 E
9. TAKE THE CA-60 E/I-215 S EXIT TOWARD SAN DIEGO/INDIO
10. MERGE ONTO CA-60 E
11. CONTINUE ONTO CA-60 E/I-215 S
12. KEEP LEFT TO CONTINUE ON CA-60 E
13. TAKE THE REDLANDS BLVD EXIT TOWARD MORENO
14. TURN RIGHT ONTO REDLANDS BLVD

DESTINATION WILL BE ON THE LEFT  
 14058 REDLANDS BLVD., MORENO VALLEY, CA 92555

**verizon**<sup>✓</sup>

15506 SAND CANYON AVE.  
IRVINE, CA 92618

PLANS PREPARED BY:

**NATIONAL**  
ENGINEERING & CONSULTING, INC.  
BY CONTRACTING & ARCHITECTURE  
PHONE: (949) 271-0000 FAX: (949) 271-0001

CLIENTS

NO.	DATE	DESCRIPTION	BY:
1	08/11/14	90% ZONING	SL
2	03/24/15	100% ZONING	AE
3	07/28/15	REVISED 100% ZONING	SB
4	08/25/15	REVISED 100% ZONING	SB
5	09/22/15	REVISED 100% ZONING	JB
6	10/07/15	REVISED UTILITY DESIGN	AE
7	10/15/15	REVISED PROPERTY LINES PER SURVEY	AE
8	11/11/15	RELOCATE EQUIPMENT LOCATION	MM
9	11/16/15	100% ZONING	MM

SITE INFORMATION:

**MALTBY**

14058 REDLANDS BLVD.  
MORENO VALLEY, CA 92555

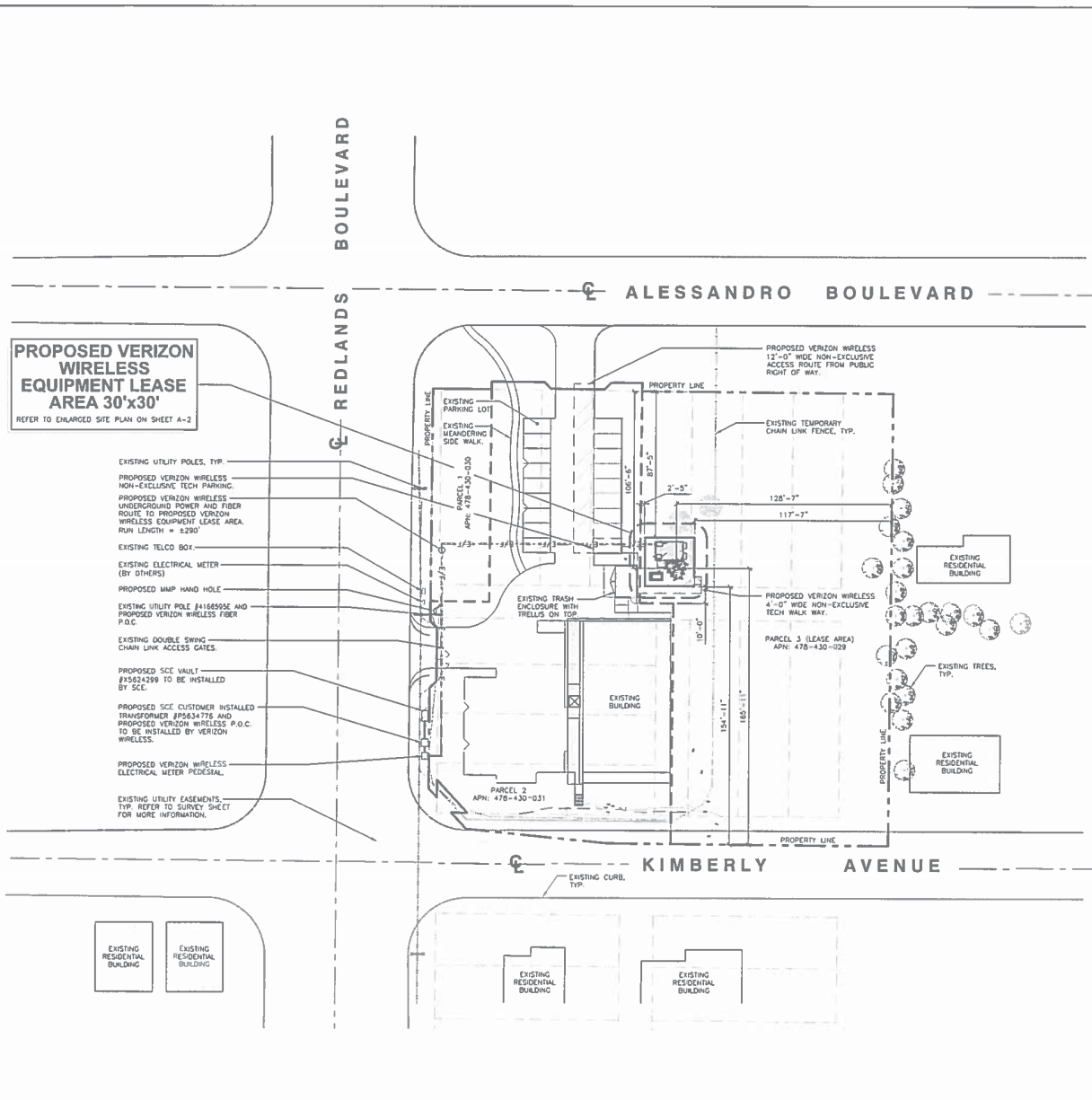
SEAL:

SHEET TITLE:

**SITE PLAN**

SHEET NUMBER:

**A-1**



**PROPOSED VERIZON WIRELESS EQUIPMENT LEASE AREA 30'x30'**  
REFER TO ENLARGED SITE PLAN ON SHEET A-2

- EXISTING UTILITY POLES, TYP.
- PROPOSED VERIZON WIRELESS NON-EXCLUSIVE TECH PARKING.
- PROPOSED VERIZON WIRELESS UNDERGROUND POWER AND FIBER ROUTE TO PROPOSED VERIZON WIRELESS EQUIPMENT LEASE AREA. RUN LENGTH = ±230'
- EXISTING TELCO BOX.
- EXISTING ELECTRICAL METER (BY OTHERS).
- PROPOSED MHP HAND HOLE.
- EXISTING UTILITY POLE #A166956 AND PROPOSED VERIZON WIRELESS FIBER P.O.C.
- EXISTING DOUBLE DRIVING CHAIN LINK ACCESS GATES.
- PROPOSED SCE VAULT #P5624399 TO BE INSTALLED BY SCE.
- PROPOSED SCE CUSTOMER INSTALLED TRANSFORMER #P5634776 AND PROPOSED VERIZON WIRELESS P.O.C. TO BE INSTALLED BY VERIZON WIRELESS.
- PROPOSED VERIZON WIRELESS ELECTRICAL METER PEDESTAL.
- EXISTING UTILITY EASEMENTS. TYP. REFER TO SURVEY SHEET FOR MORE INFORMATION.

EXISTING RESIDENTIAL BUILDING

EXISTING RESIDENTIAL BUILDING

EXISTING RESIDENTIAL BUILDING

EXISTING RESIDENTIAL BUILDING

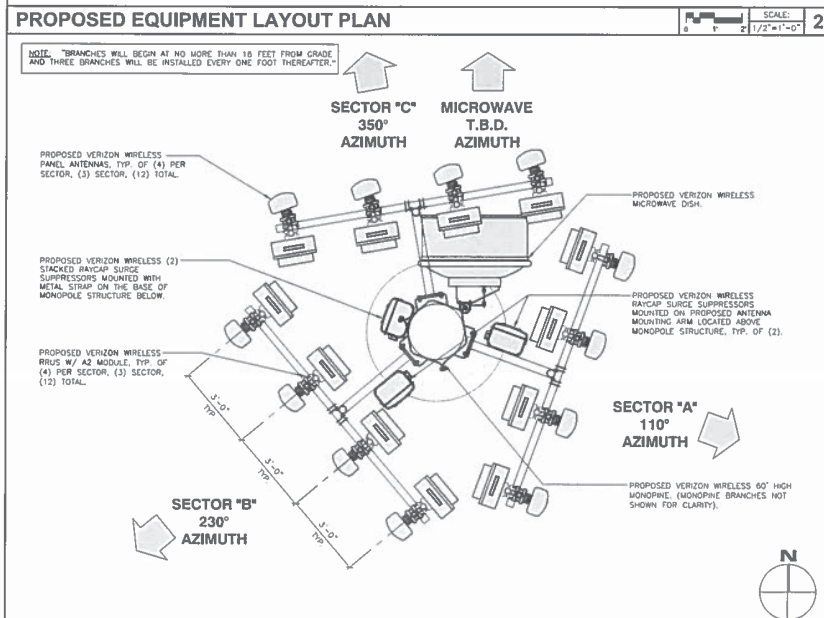
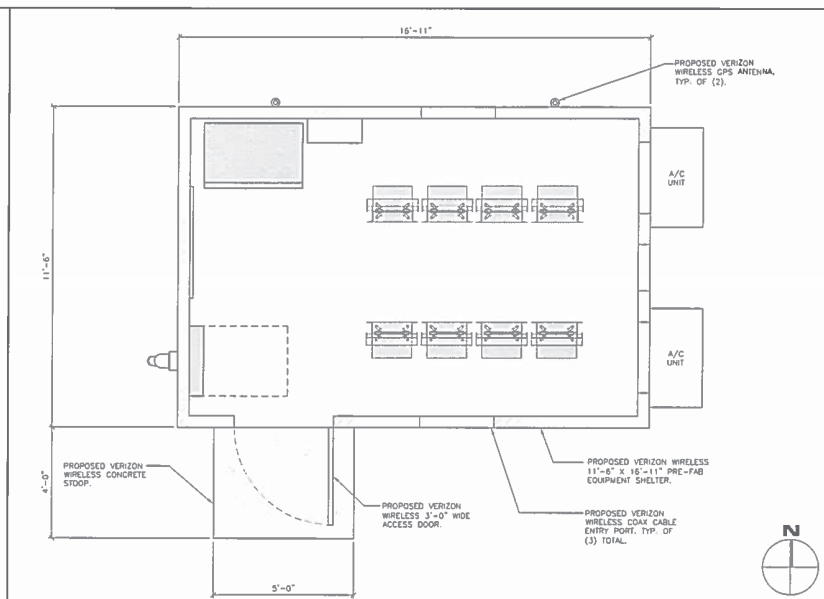
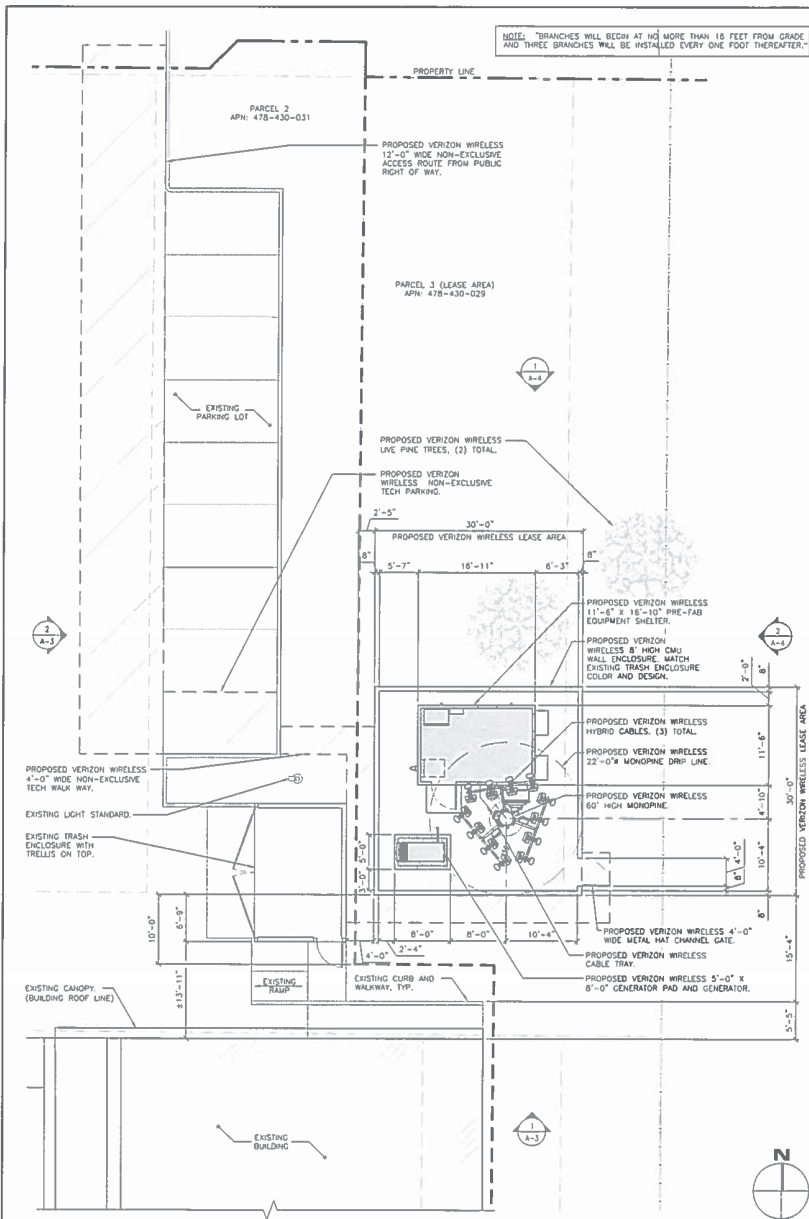
EXISTING RESIDENTIAL BUILDING

EXISTING RESIDENTIAL BUILDING

SITE PLAN

SCALE: 1"=30'-0"





**verizon**

15068 SAND CANYON AVE.  
IRVINE, CA 92618

PLANS PREPARED BY:

**NATIONAL**  
ENGINEERING & CONSULTING, INC.  
201 EAST PARKWAY, SUITE 400, COSTA MESA, CALIFORNIA 92626  
PHONE: (949) 716-1933 FAX: (949) 716-0887

CLIENTS:

NO.	DATE:	DESCRIPTION:	BY:
1	08/11/14	90% ZONING	SL
2	03/24/15	100% ZONING	AE
3	07/28/15	REVISED 100% ZONING	SB
4	08/25/15	REVISED 100% ZONING	SB
5	09/22/15	REVISED 100% ZONING	JB
6	10/07/15	REVISED UTILITY DESIGN	AE
7	10/15/15	REVISED PROPERTY LINES PER SURVEY	AE
8	11/11/15	RELOCATE EQUIPMENT LOCATION	MM
9	11/16/15	100% ZONING	MM

SITE INFORMATION:

**MALTBY**

14058 REDLANDS BLVD.  
MORENO VALLEY, CA 92555

SEAL:

SHEET TITLE:  
**ENLARGED SITE PLAN,  
PROPOSED EQUIPMENT  
AND ANTENNA LAYOUT  
PLANS**

SHEET NUMBER:  
**A-2**

**verizon**<sup>✓</sup>

1508 SAND CANYON AVE  
IRVINE, CA 92618

PLANS PREPARED BY:

**NATIONAL**  
ENGINEERING & CONSULTING, INC.  
70 CRYSTAL DRIVE, SUITE 200  
FAYETTEVILLE, AR 72701

CLIENTS:

NO.	DATE:	DESCRIPTION:	BY:
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3	07/28/15	REVISED 100% ZONING	SB
4	08/25/15	REVISED 100% ZONING	SB
5	09/22/15	REVISED 100% ZONING	JB
6	10/07/15	REVISED UTILITY DESIGN	AE
7	10/15/15	REVISED PROPERTY LINES PER SURVEY	AE
8	11/11/15	RELOCATE EQUIPMENT LOCATION	MM
9	11/16/15	100% ZONING	MM

SITE INFORMATION:

**MALTBY**

14058 REDLANDS BLVD.  
MORENO VALLEY, CA 92555

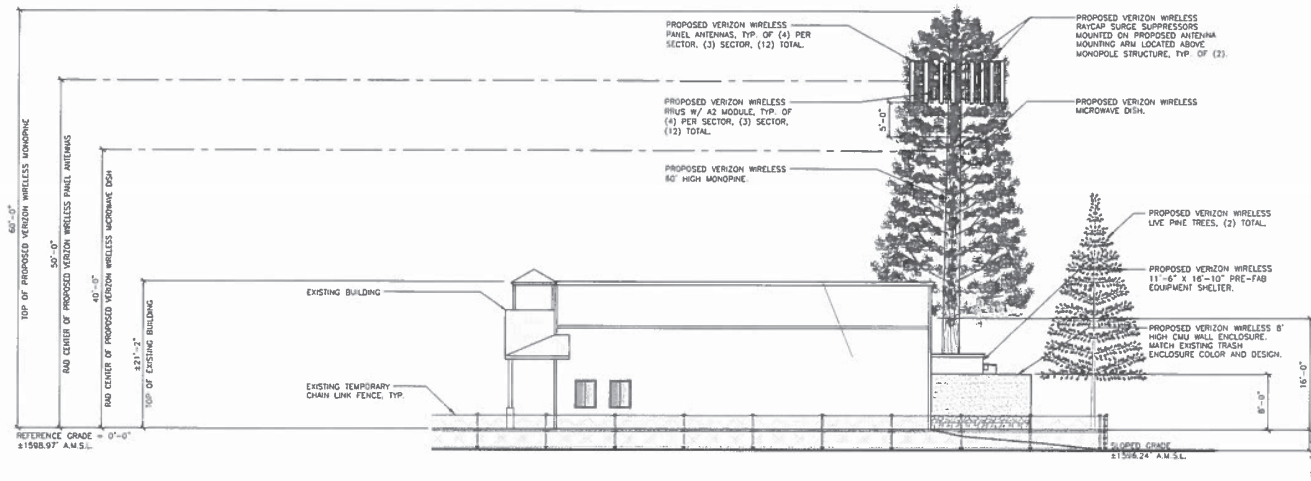
SEAL:

SHEET TITLE:

**ARCHITECTURAL  
ELEVATIONS**

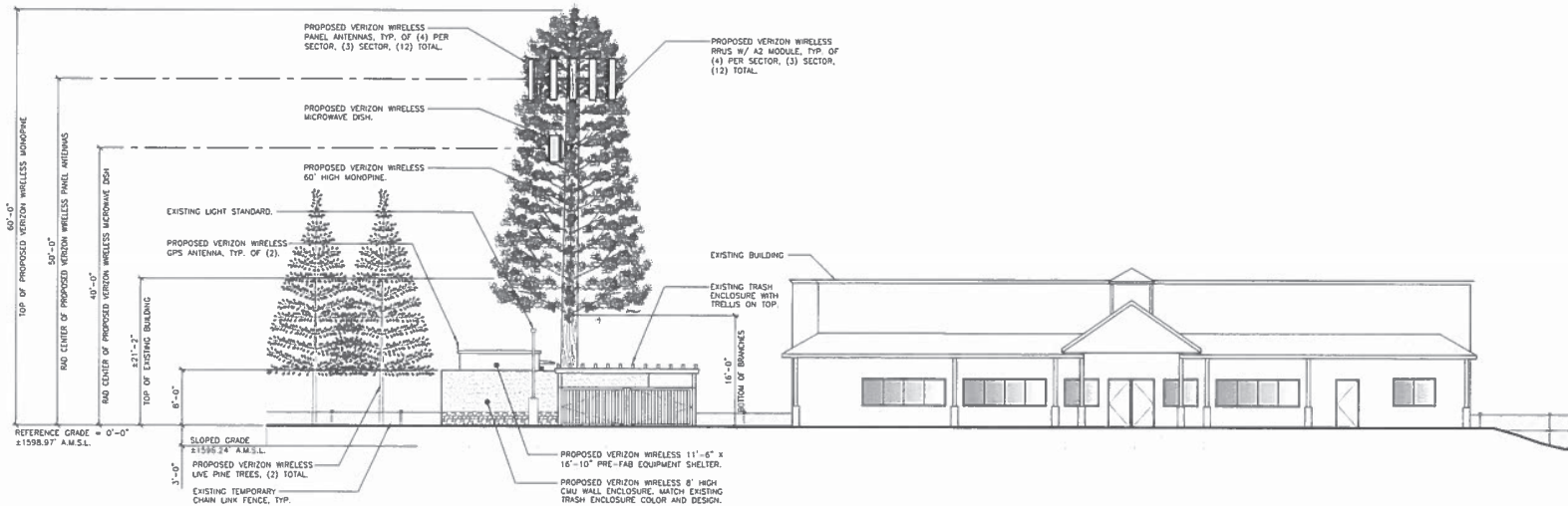
SHEET NUMBER:

**A-3**



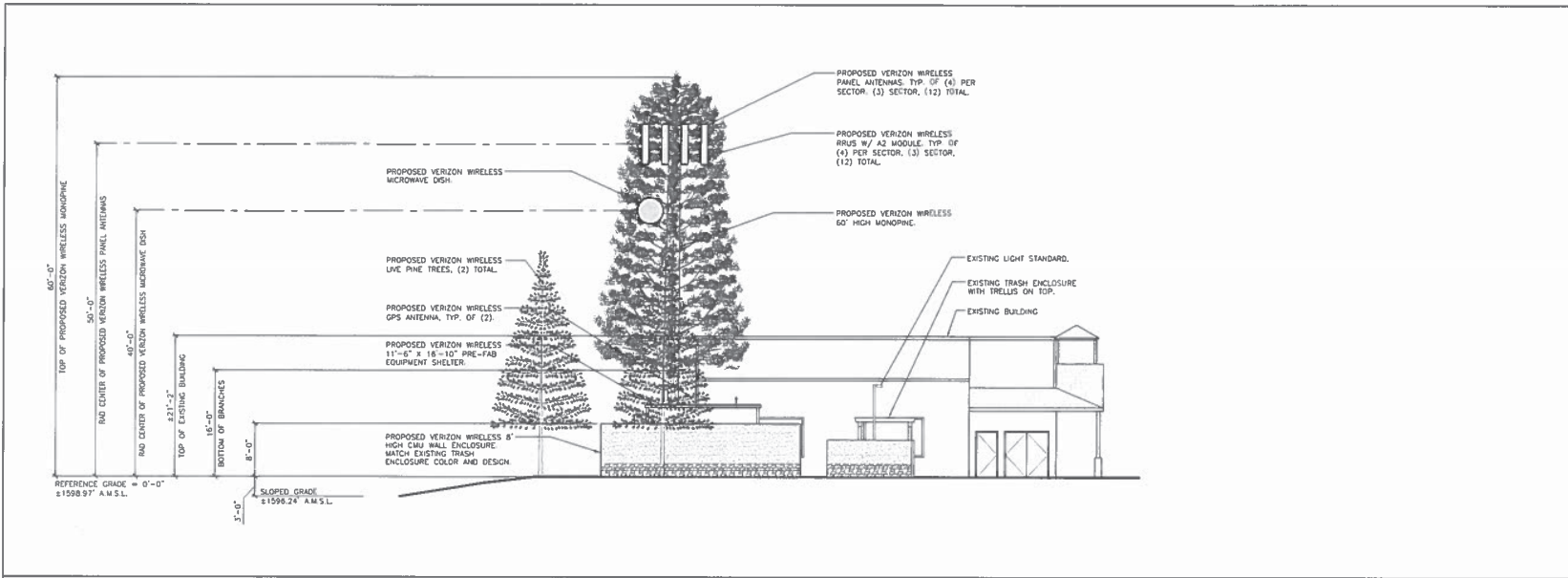
**PROPOSED SOUTH ELEVATION**

SCALE: 1/8"=1'-0" 1



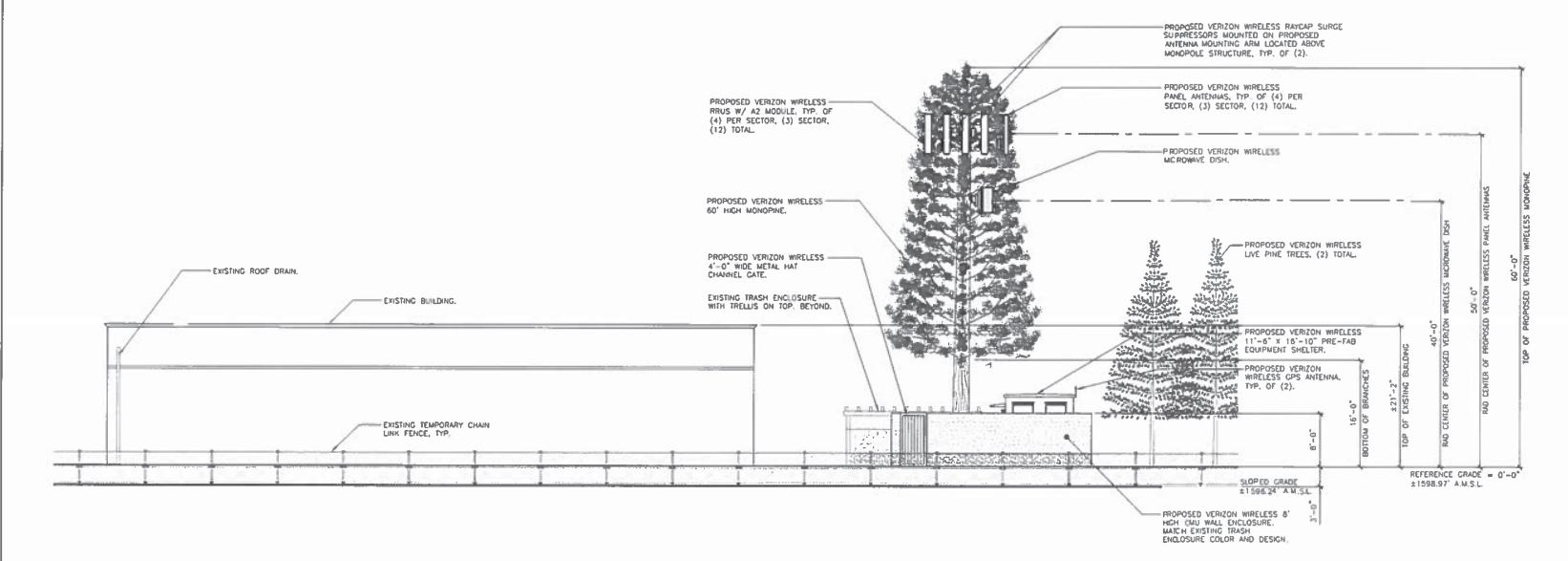
**PROPOSED WEST ELEVATION**

SCALE: 1/8"=1'-0" 2



PROPOSED NORTH ELEVATION

SCALE: 1/8"=1'-0" 1



PROPOSED EAST ELEVATION

SCALE: 1/8"=1'-0" 2

**verizon**  
 1500 SAND CANYON AVE.  
 IRVINE, CA 92618

PLANS PREPARED BY:  
**NATIONAL**  
 ENGINEERING & CONSULTING, INC.  
 27 CANYON PARKS DRIVE, SUITE 101, IRVINE, CA 92618  
 PHONE: (949) 716-0000 FAX: (949) 716-0007

CLIENTS

NO.	DATE	DESCRIPTION	BY:
1	08/11/14	90% ZONING	SL
2	03/24/15	100% ZONING	AE
3	07/28/15	REVISED 100% ZONING	SB
4	08/25/15	REVISED 100% ZONING	SB
5	09/22/15	REVISED 100% ZONING	JB
6	10/07/15	REVISED UTILITY DESIGN	AE
7	10/15/15	REVISED PROPERTY LINES PER SURVEY	AE
8	11/11/15	RELOCATE EQUIPMENT LOCATION	MM
9	11/16/15	100% ZONING	MM

SITE INFORMATION:  
**MALTBY**  
 14058 REDLANDS BLVD.  
 MORENO VALLEY, CA 92555

SEAL

SHEET TITLE:  
**ARCHITECTURAL ELEVATIONS**

SHEET NUMBER:  
**A-4**

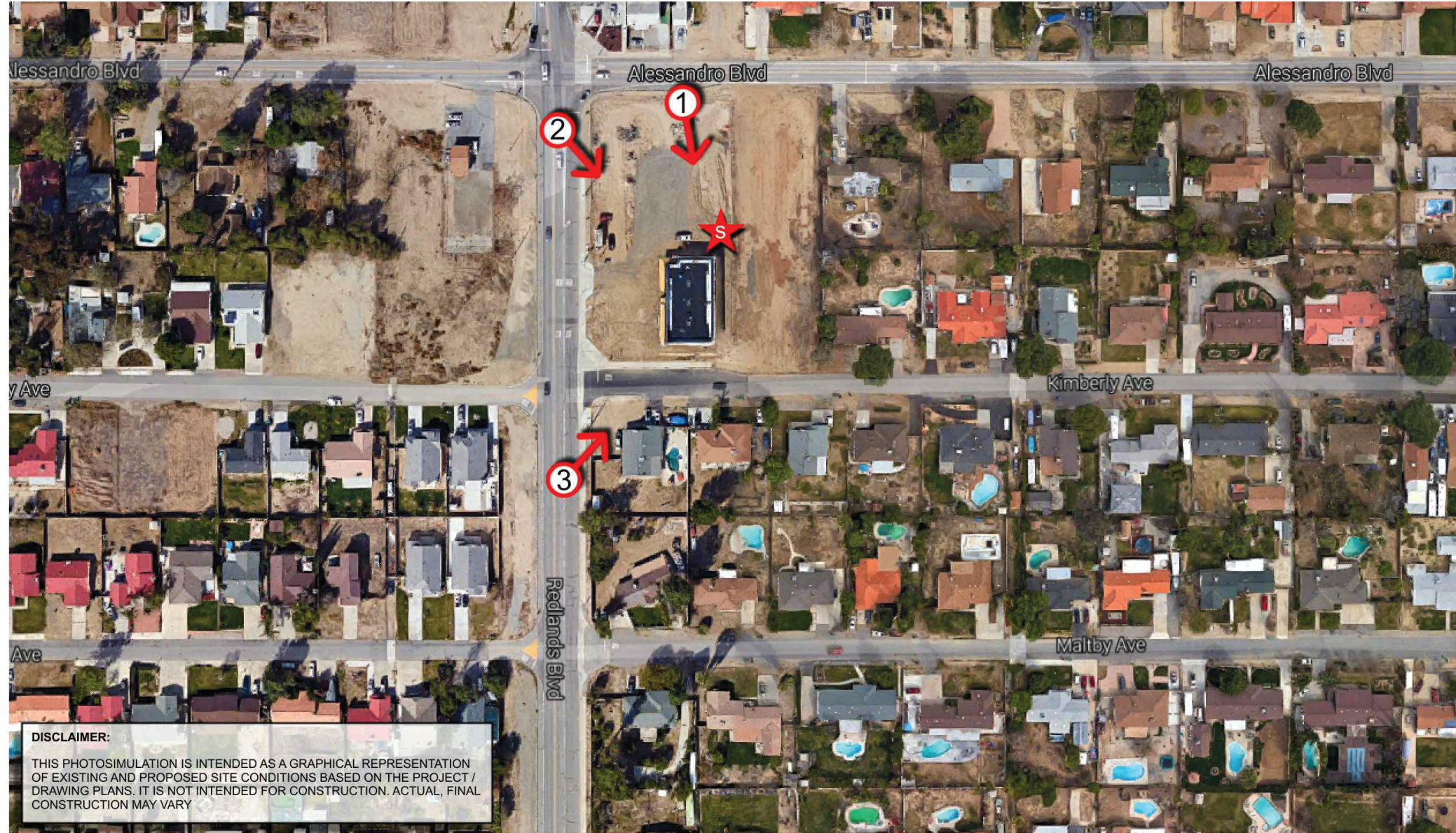


MALBY

14058 REDLANDS BLVD.  
MORENO VALLEY, CA 92555



VICINITY MAP  
PHOTOSIMULATION VIEWPOINTS



**DISCLAIMER:**  
THIS PHOTOSIMULATION IS INTENDED AS A GRAPHICAL REPRESENTATION OF EXISTING AND PROPOSED SITE CONDITIONS BASED ON THE PROJECT / DRAWING PLANS. IT IS NOT INTENDED FOR CONSTRUCTION. ACTUAL, FINAL CONSTRUCTION MAY VARY



MALTBY

14058 REDLANDS BLVD.  
MORENO VALLEY, CA 92555



# PHOTOSIMULATION VIEW 1

## NEW

### NOTE:

NEW VERIZON WIRELESS EQUIPMENT SHELTER, GENERATOR, AND 60'-0" HIGH MONOPINE WITHIN NEW 30'-0" X 30'-0", 8'-0" HIGH CMU WALL ENCLOSURE. PAINTED TO MATCH EXISTING TRASH ENCLOSURE COLOR AND DESIGN

## EXISTING

NEW VERIZON WIRELESS (12) ANTENNAS, (12) RRU W/ A2 MODULES, (4) RAYCAPS AND (1) MICROWAVE DISH MOUNTED TO NEW 60'-0" HIGH MONOPINE

NEW VERIZON WIRELESS (2) PINE TREES





MALTBY

14058 REDLANDS BLVD.  
MORENO VALLEY, CA 92555



# PHOTOSIMULATION VIEW 2

## NEW

NOTE:  
NEW VERIZON WIRELESS EQUIPMENT SHELTER,  
GENERATOR, AND 60'-0" HIGH MONOPINE WITHIN NEW  
30'-0" X 30'-0", 8'-0" HIGH CMU WALL ENCLOSURE  
PAINTED TO MATCH EXISTING TRASH ENCLOSURE  
COLOR AND DESIGN

NEW VERIZON WIRELESS (12) ANTENNAS,  
(12) RRU W/ A2 MODULES, (4) RAYCAPS  
AND (1) MICROWAVE DISH MOUNTED TO  
NEW 60'-0" HIGH MONOPINE

NEW VERIZON  
WIRELESS (2)  
PINE TREES





MALTBY

14058 REDLANDS BLVD.  
MORENO VALLEY, CA 92555



# PHOTOSIMULATION VIEW 3

## NEW

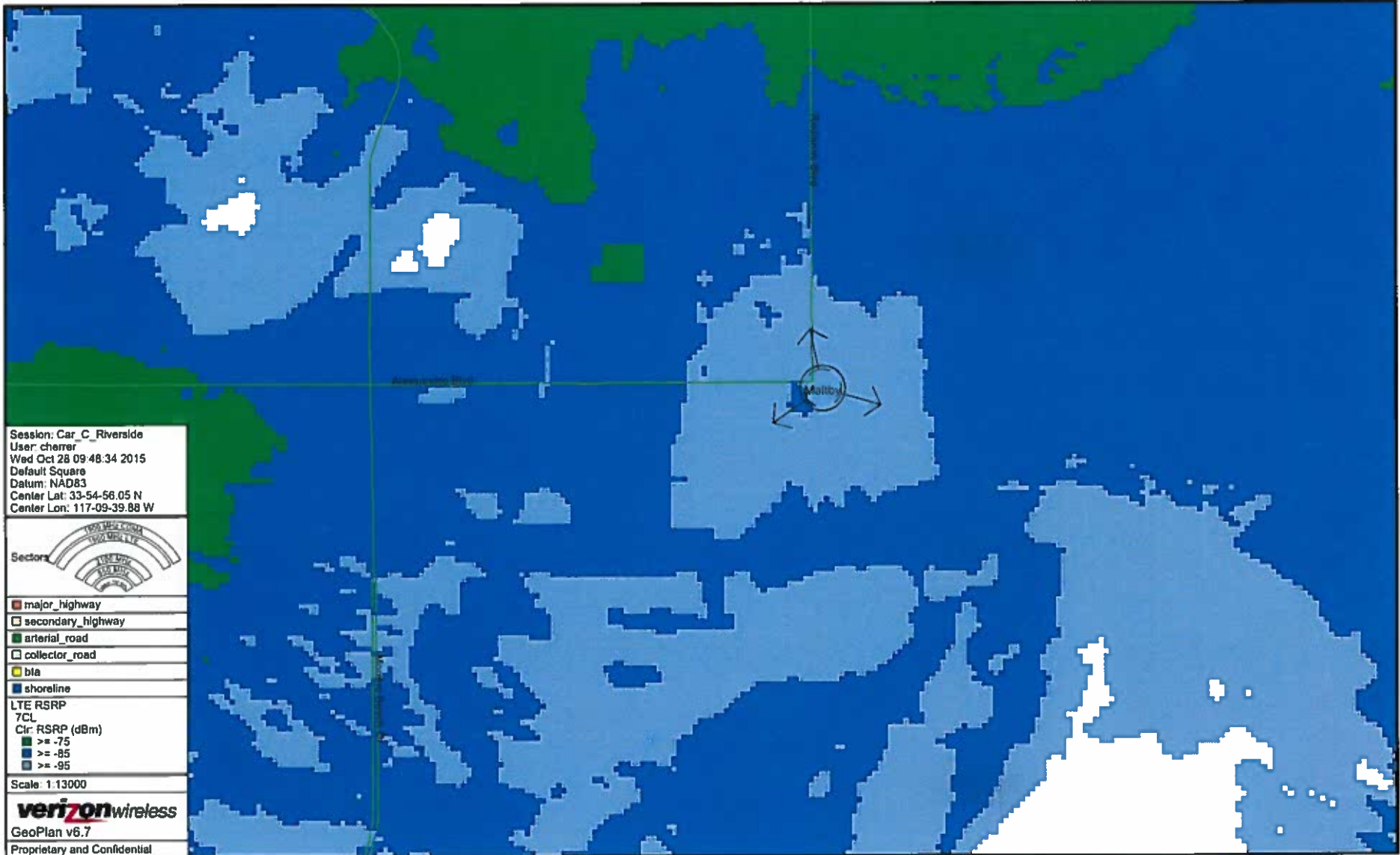
NOTE:  
NEW VERIZON WIRELESS EQUIPMENT SHELTER,  
GENERATOR, AND 60'-0" HIGH MONOPINE WITHIN NEW  
30'-0" X 30'-0", 8'-0" HIGH CMU WALL ENCLOSURE,  
PAINTED TO MATCH EXISTING TRASH ENCLOSURE  
COLOR AND DESIGN

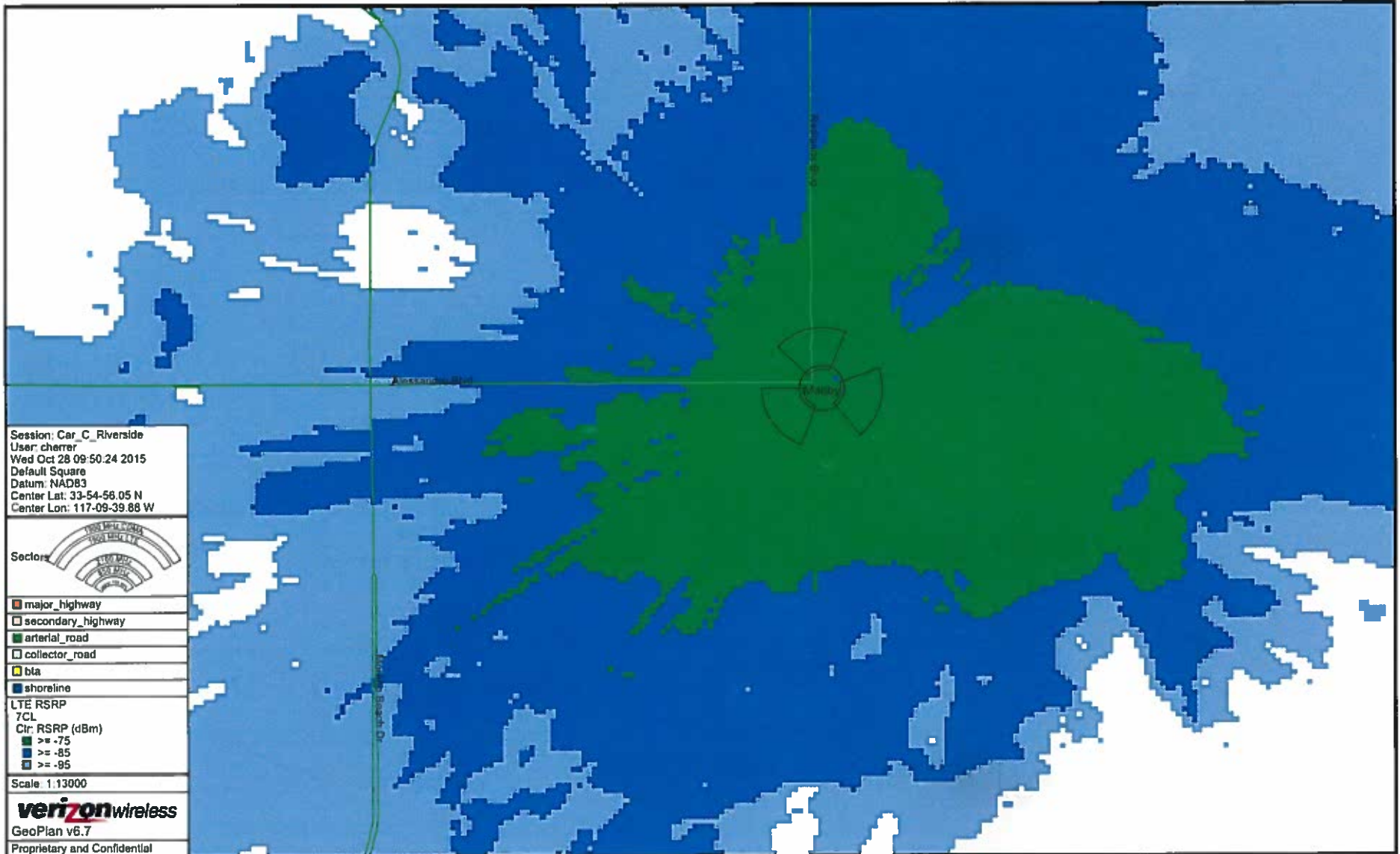


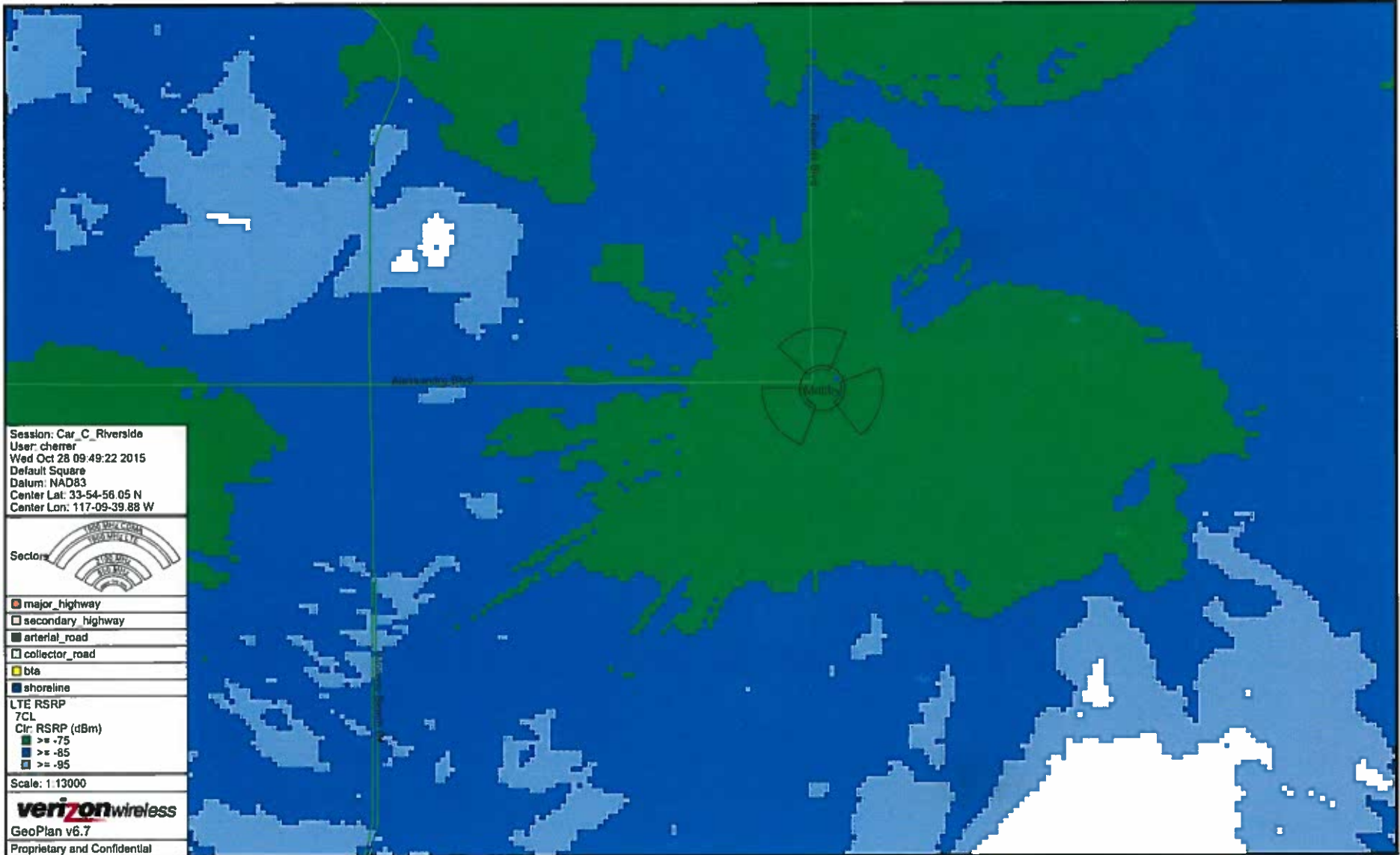
NEW VERIZON WIRELESS (12) ANTENNAS,  
(12) RRU W/ A2 MODULES, (4) RAYCAPS  
AND (1) MICROWAVE DISH MOUNTED TO  
NEW 60'-0" HIGH MONOPINE

NEW VERIZON WIRELESS  
(2) PINE TREES

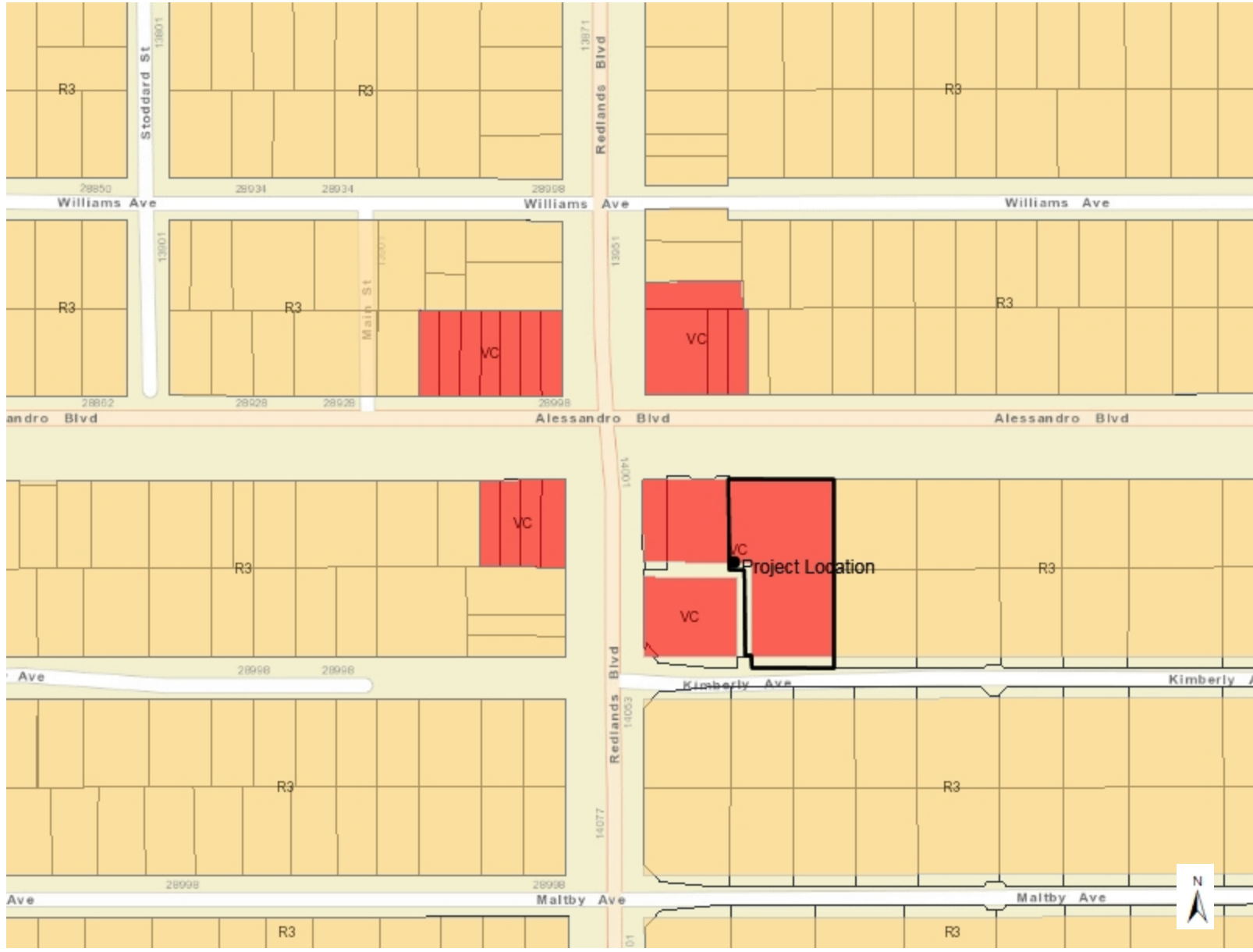
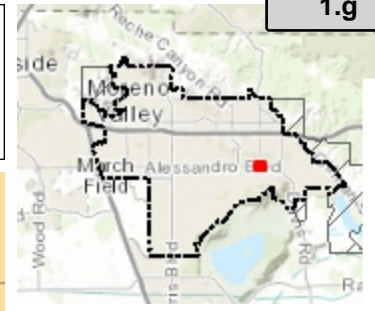








# Zoning PA15-0009

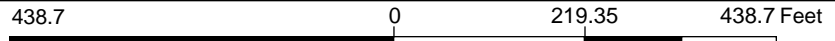


### Legend

#### 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

Parcels



*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.*

### Notes

Proposed 60 foot Monopine behind the Farm Market at the SEC of Alessandro Blvd and Redlands Blvd.

Attachment: Zoning (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications



# WHY RESIDENTS OPPOSE CELL PHONE TOWERS



Although the Telecommunications act of 1996 precludes opposition based on health issues, it is absurd to ignore all the studies and findings of adverse effects reported in the years since, including cancer and genetic damage which may not be apparent until the next generation or two! Whether radiation, asbestos, or thalidomide, it is arguably unconstitutional to deny us the right to claim health issues and decisions might best be best to concede toward caution.



Cell Tower sites are traditionally placed in remote locations, on highways, or in industrial locations rather than in residential neighborhoods. "Every effort should be made" to place these controversial structures away from established residential neighborhoods.



Proposer of such tower **must prove no alternative sites are available**. Yet uninhabited land is available in abundance a few blocks south of proposed site—or 1 mile east where they have already crammed the W Logistics Center down our throats despite scandal, corruption, and bribery.



This location is proposed on the EXACT spot **where the original town of Moreno was established in 1891**. At one time, the "Stagecoach Road" immediately east was an **historical landmark** linking the two. I would think the original inhabitants would be rolling-over to see the ugly technology and electro-magnetic radiation which would be springing from their graves.



"TRUST US—WE'RE FROM THE GOVERNMENT!" We put up the signs for OSHA and our employees who might work there for an hour each month. They do not apply to YOU who live next door 24/7.



TRINITY SITE—1945—Los Alamos Manhattan Project "TRUST US—WE'RE FROM THE GOVERNMENT 2!" But you may want to wear these sunglasses. Pass a law that says "Radiation Cannot Hurt You". Send copies to Hiroshima and Nagasaki.

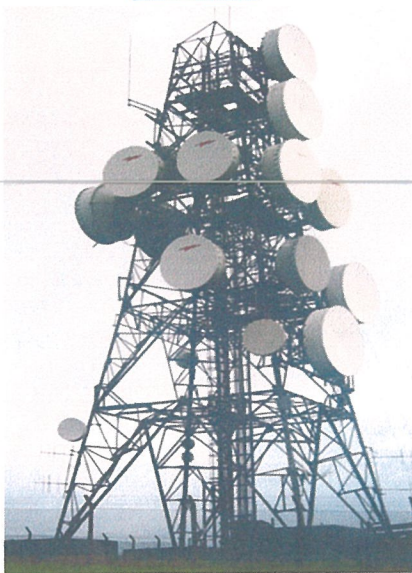


NOBODY wants to live (or develop symptoms) right next door to a cell tower. It degrades our once beautiful rural atmosphere and decreases our property values. But real estate agents will be the first to say "You can keep your T.V. dinner warm on the window-sill, and it has GREAT cell phone reception."

Attachment: Letter from Mr. Richard Irvine (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications facility.)

# YOU CAN STOP A CELL TOWER in OUR NEIGHBORHOOD

1.h



I think I spoke for most of us at the October 8 City Planning meeting. They “cut me off” so my last statement was “I’m mad as hell and I’m not going to take it anymore! For those politicians who try to deprive us of life, liberty and domestic tranquility with their power, money, and corruption, I can summarize in TWO words. Or ONE gesture.”

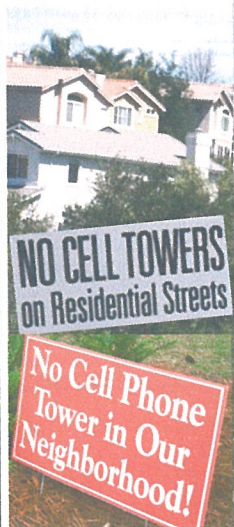
I was refused an extension of the ridiculous mere 9 business day they allowed us residents to mount an opposition. They confident started to vote. **The FIRST vote was NO to the Cell Tower!** The SECOND vote was wavering toward negative as they felt their cool crumbling. They decided to **CONTINUE THE ISSUE TO OCTOBER 22**

**We MIGHT have a CHANCE of BEATING this thing**

**BUT ONLY IF YOU HELP AND FIGHT AGAINST IT:**

- 1. SIGN THE PETITION** and **IMMEDIATELY pass it on** to your neighbors. TIME is SHORT and you will otherwise lose **ALL** of YOUR RIGHTS
- 2. PLEASE, PLEASE, PLEASE** call me to come to the meeting at 7 P.M. on October 22. Choose a sentence or two from the reverse (or compose your own) and take a minute to present a view. If we have a dozen speakers, we can cover **ALL** of the topics they can **NOT** ignore! **It is the ONLY way we can possibly win!** We can arrange transportation and I’ll even spring for pizza afterword at the nearby V.F.W. **PLEASE LEAVE MESSAGE AT (951) 601-3424**

WE CAN “FIGHT CITY HALL” because **SOME** of them ARE on “OUR SIDE”. Let’s let the **OTHERS** know they cannot cram another WORLD LOGISTICS CENTER down OUR impassive throats!



## FIGHT the proposed CELLULAR ANTENNA

Cellular antennae emit extremely high levels of radiation 24 hours a day. They are scientifically proven by countless studies to increase your risk of cancer by up to 121 times (especially in woman and children) who live within a 1/3 of a mile. Brazil has linked over 7,000 Cancer Deaths in a single city to these antennae. Other proven dangers: Genetic Mutations, Memory Disruption, Hindered Learning, ADD, Insomnia, Brain Disorders, Hormonal Imbalances, Infertility, Dementia & Heart Complications. Fight the proposed cellular antenna on this site or anywhere near our neighborhood. **Time is short!**

Act now while you still have a chance to protect your family!

SIGN THE PETITION, PASS IT ON, AND CALL (951) 601-3424 (d)

Packet Pg. 26

Attachment: Letter from Mr. Richard Irvine (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications facility.)

# PETITION TO MORENO VALLEY PLANNING COMMISSION, Et all REQUESTING RELIEF AND/OR DENIAL OF Conditional Use Permit (PA15-0009) CELL TOWER IN RESIDENTIAL NEIGHBORHOOD

WE, the UNDERSIGNED, do each and individually oppose the approval and/or construction of the above proposed "CELL-PHONE-TOWER" in the middle of our residential neighborhood. By declaring our opposition as of October 22, 2015, **WE DO NOT WAIVE any future rights** of redress, nor any opportunity which may be actionable in the future, not limited to a Class-Action nor by the Statute Of Limitations. For the (but not limited to) FOLLOWING REASONS, we oppose the Conditional Use Permit, and hold personally liable any individual or entity which would vote against/ ignore our rights, facts, admonitions, and pleadings as a possible defendant should their decision be proven detrimental to any or each of us and/or our progeny:

**THERE ARE MANY PROVEN HEALTH PROBLEMS.** The Cellular Advocate cites the Telecommunications Act of 1996 that Cell-Towers and their radiation is acceptable and approved by the FCC. Unfortunately, **in the TWENTY years SINCE that decision, that "FACT" has been proven WRONG** by MANY studies, reports, and decisions by EXPERTS in their field. The proposer has NOT addressed nor refuted ANY of these studies, facts, or findings.

The proposer of the tower **"MUST PROVE THAT THERE ARE NO ALTERNATIVE SITES AVAILABLE."** They have NOT met that obligation nor even supplied "due diligence". WE have shown that there is VACANT LAND within a few blocks in ANY direction of our small residential footprint, including the damndable World Logistics Center just a mile to the east. Even just across the street behind the Post Office where tall trees and above-ground poles/utilities already exist!

The proposed site is an **HISTORIC LANDMARK** on the EXACT PLOT that was established for the City of Moreno in 1891.

Such historic sites supersede technological development.

The proposal would **DECREASE OUR PROPERTY VALUES** and become an **EYESORE UPON OUR BEAUTIFUL RURAL LANDSCAPE** where all utilities are underground for that very reason: There are *NO* telephone poles, electrical lines, or antennas. The proposal is planned where **"The Farm Market" CONSTRUCTION HAS PLAGUED NEARBY RESIDENTS FOR OVER FIVE YEARS ...** amid rumors that they can not meet their current obligations/liabilities. The property owner cut down the existing trees (including a majestic 100-year old eucalyptus) yet now wants to "beautify" with this aesthetic insult. Several thousand dollars a month for a cell-tower lease might have "bailed them out". But upon a recent 25-page complaint of September 15, 2015 to MANY government agencies, these owners have been cited for violations and wrong-doing, bringing construction to an abrupt halt. Many incurred and future costs are imminent; with probable litigation to come. Because of the costs to rectify their violations, along with this cell-tower debacle, the proposed business may experience even further difficulties by the inevitable public boycott IF the construction is EVER completed. The residents have been victimized with over 5 years of code violations, dumping dirt, dust, noise, and damages that have affected our health, drainage, Civil Rights, Domestic Tranquility, and right to Quiet Enjoyment. **EACH** of these and more - is an actionable cause and will now have to be addressed immediately - **NOT ANOTHER 5 YEARS!**

Actual and punitive damages could be substantial.

Attachment: Letter from Mr. Richard Irvine (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications facility.)

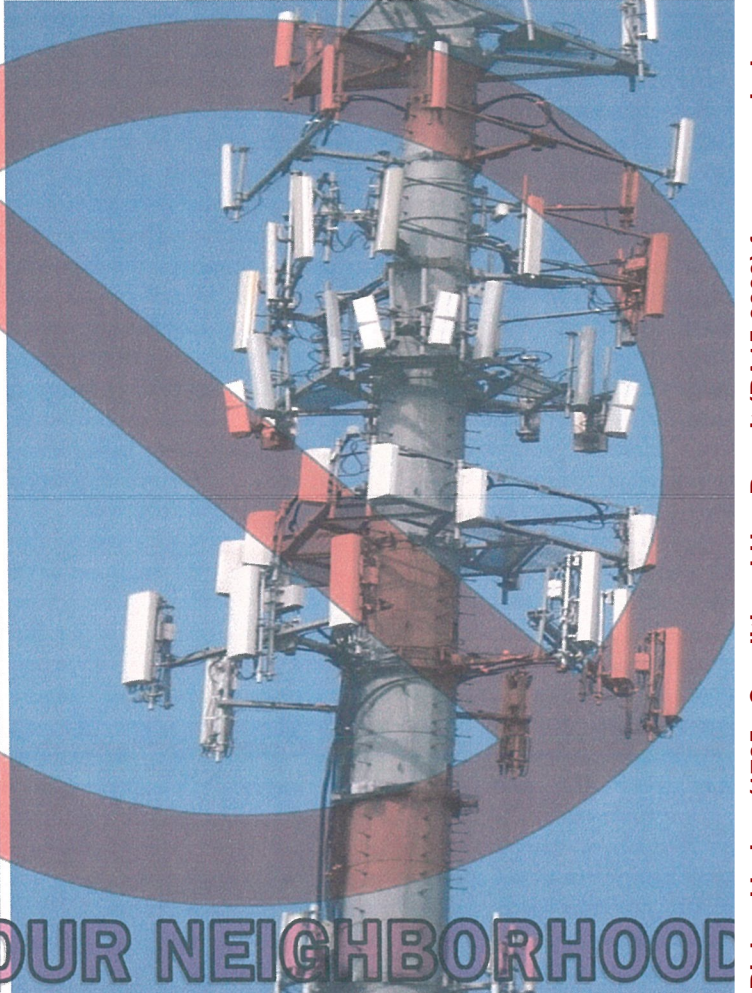
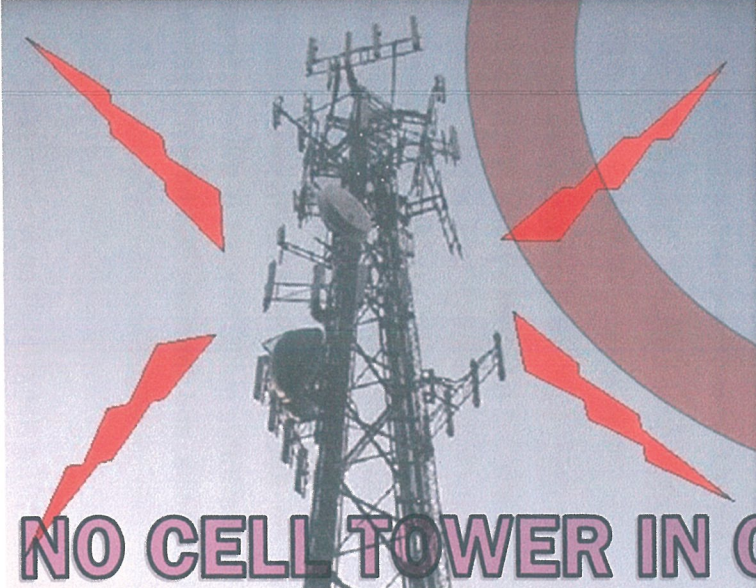
# PUBLIC HEALTH WARNING

1.h

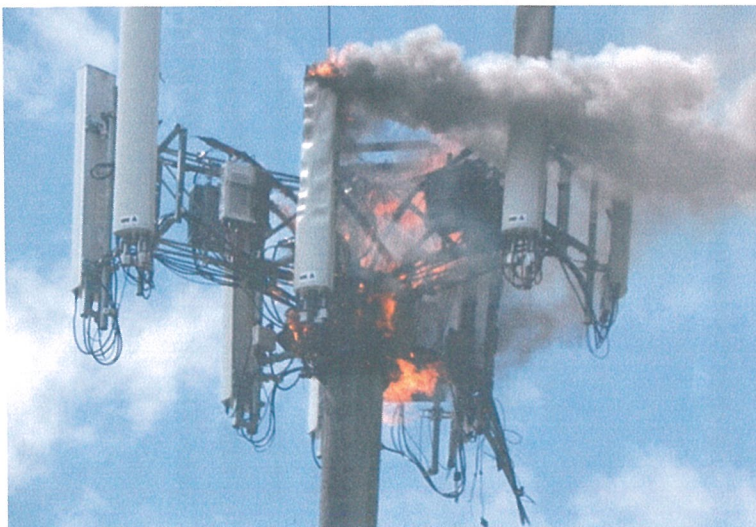
**MICROWAVE RADIATION IS HARMFUL TO YOU.** Scientists link this radiation to diseases both long-term and short-term: cancer, infertility, DNA damage, damage to fetuses, sleep problems, memory and behavior problems, heart problems and many others.

**MANY PEOPLE HAVE BECOME "ELECTRO-HYPER-SENSITIVE" (EHS)** and cannot tolerate even low exposures, seriously impacting their health, job, housing, and social lives.

**GOVERNMENT REGULATIONS DO NOT PROTECT YOU.** FCC guidelines were written decades ago and ignore current science linking microwaves to human disease. Cities like San Francisco have tried to introduce mandatory health warnings on cell phones but the wireless industry has suppressed these efforts with lawsuits and economic boycotts.



**NO CELL TOWER IN OUR NEIGHBORHOOD**



Attachment: Letter from Mr. Richard Irvine (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications facility.)

# ASK YOURSELF THESE QUESTIONS

A "NO" TO ANY QUESTION REQUIRES "NO" TO THIS CELL TOWER!

Have ALL questions of ownership, lot lines, setbacks, easements, future development, resident's rights, hazards, etc. been addressed and protected?



HAS VERIZON PROVEN THEIR OBLIGATION that NO ALTERNATIVE SITES ARE AVAILABLE? (State/Federal Mandate) Say for example the VACANT lot across the street behind the post office surrounded by existing trees, telephone poles, etc



HAS THE PROPOSER PROVEN "DUE DILIGENCE" IN PROPOSING THIS SITE OVER ALL OTHERS? ARE YOU OR Verizon AWARE OF RECENT CODE VIOLATIONS AND WRONGDOINGS THAT HAVE HALTED CONSTRUCTION with possible future EPA VA sanctions / litigation?



Is the PROPOSED SITE of said "FARM MARKET" financially stable and/or JUSTIFIED BY PROLONGING THEIR DIRT, DUST, NOISE, DRAINAGE, DAMAGE, AND CONSTRUCTION VIOLATIONS UPON RESIDENTS FOR THE PAST FIVE YEARS?



DO YOU BELIEVE THAT THE TELECOMMUNICATIONS ACT OF 1996 SUPERCEDES ALL OF THE HEALTH PROBLEMS THAT HAVE BEEN PROVEN BY DOCTORS/UNIVERSITIES/STUDIES in the 20 YEARS SINCE?



ARE YOU KNOWLEDGABLY CERTAIN THAT CELL-TOWER RADIATION IS HARMLESS TO RESIDENTS IN SUCH CLOSE PROXIMITY TODAY?



CA STATE MANDATES SAY "EVERY EFFORT SHOULD BE MADE TO PLACE THESE CONTROVERSIAL STRUCTURES AWAY FROM ESTABLISHED RESIDENTIAL NEIGHBORHOODS." DO YOU DISAGREE WITH THE STATE?



SHOULD THE HISTORICAL LANDMARK(s) /SIGNIFICANCE OF THIS ORIGINAL CITY OF 1891 MORENO BE SACRIFICED TO THIS TECHNOLOGY?



THERE ARE NO ABOVE-GROUND TELEPHONE/ELECTRICAL/CABLE LINES/ ANTENNAS IN THIS NEIGHBORHOOD by OUR CHOICE. DO YOU FEEL IT "HONORABLE" TO "FORCE THIS FARCE" UPON US?



VOTERS FEEL IT IS AN AESTHETIC INSULT AND WILL NEGATIVELY IMPACT PROPERTY VALUES. DO YOU BELIEVE THAT VOTERS WHO SIGNED THE PETITION ARE WRONG?



RESIDENTS ARE NOT WAIVING THEIR RIGHTS TO DUE PROCESS, CLASS ACTION, NOR STATUTE OF LIMITATIONS IN ANY FUTURE ACTIONABLE CAUSE against any current proponents. Are you aware that your actions could cause you to become a defendant?



A SINGLE "NO" to ANY QUESTION above would be probable cause and/or "reasonable doubt" to acquit a defendant OR to VOTE NO on THIS PROPOSAL! PLEASE advise The PLANNING COMMISSION to "THINK IT OVER" and VOTE NO on Oct 22! THESE ARE JUST A FEW REASONS TO "ERR ON THE SIDE OF CAUTION!"

After all, It took FOUR TRIES before Moreno Valley was approved as

Attachment: Letter from Mr. Richard Irvine (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications facility.)

**NO CELL TOWER IN OUR  
RESIDENTIAL NEIGHBORHOOD!  
29075 ALESSANDRO BLVD.  
MORENO VALLEY, CA 92555**



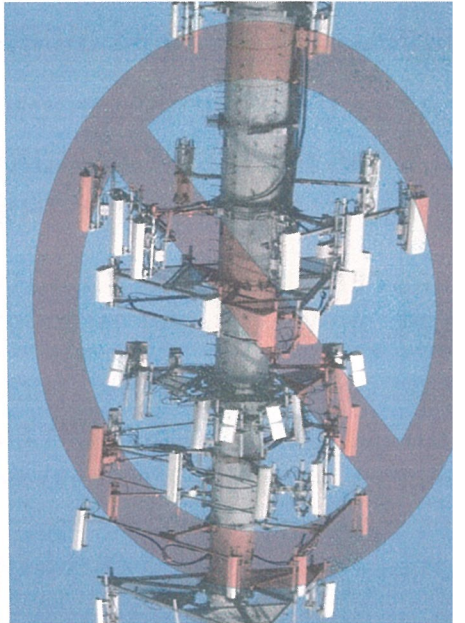
# GABRIEL GONZALES

**Moreno Valley Land Development**

**14177 Frederick Street**

**Moreno Valley, CA 92553**

**KEEP CELL-TOWER OUT OF RESIDENTIAL NEIGHBORHOOD**



**OUR CONSTITUENTS ASK YOUR HELP!**

Attachment: Letter from Mr. Richard Irvine (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications facility.)

**PLANNING COMMISSION RESOLUTION NO. 2015-25**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA15-0009, A CONDITIONAL USE FOR A NEW VERIZON WIRELESS TELECOMMUNICATION FACILITY LOCATED ONE PARCEL EAST OF THE SOUTHEAST CORNER OF REDLANDS BOULEVARD AND ALESSANDRO BOULEVARD (APN: 478-430-029)

**WHEREAS**, Verizon has filed an application for the approval of PA15-0009, Conditional Use Permit for a new wireless telecommunications facility with a 60 foot monopine as described in the title of this Resolution; and

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

**WHEREAS**, upon completion of a through development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of October 8, 2015; and

**WHEREAS**, on October 8, 2015, the Planning Commission of the City of Moreno Valley Planning Commission initiated a public hearing to consider the application and voted 7-0 to continue the project until the October 22, 2015 public hearing; and

**WHEREAS**, on October 22, 2015, the Planning Commission continued the public hearing for this project to the November 12, 2015 Planning Commission agenda; and

**WHEREAS**, on November 12, 2015, the Planning Commission continued the public hearing for this project to the December 10, 2015 Planning Commission agenda; and

**WHEREAS**, on December 10, 2015, the Planning Commission completed the public hearing with full consideration of the project and all the environmental documentation prepared for the project; 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**, 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 December 10, 2015, 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 proposed telecommunications facility, as conditioned, incorporates enhanced design elements and stealth features consistent with General Plan Policy 7.7.6. The proposed telecommunications facility is screened from view from the public right-of-way through siting the monopine and required equipment near existing structures, as required by Section 9.09.040 (Communication facilities, antennas and satellite dishes) of the Municipal Code. Additional landscaping (two pine trees) helps blend the new structure with the existing trees near the site and proposed landscaping of the Farm Market, which the facility will be placed behind. The proposed use does not conflict with any of the goals, objectives, policies, and programs of the General Plan.

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

**FACT:** Wireless telecommunications facilities are a conditionally permitted use within the City. As designed and conditioned, the proposed use will comply with all the applicable Municipal Code provisions, including regulations governing the establishment and operation of commercial communication facilities under Section 9.09.040 (Communication facilities, antennas and satellite dishes) of the Municipal Code.

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 telecommunications improvements as proposed are a common feature in urbanized areas. No health, safety, or welfare problems unique to this location have been identified. The use will improve and continue to provide a choice in wireless communication reliability in the use's coverage area. In the event of an emergency or natural disaster, the use will be able to continue to



function, which can help to enhance the general health, safety, and welfare of the citizens of Moreno Valley.

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 telecommunications improvements as proposed are a common feature in urbanized areas. Staff worked very closely with the applicant to ensure that the design and the appearance of the monopine tower, equipment cabinets, and miscellaneous site improvements would be compatible with the existing Farm Market structure.

## C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

### 1. FEES

Impact, mitigation and other fees are due and payable under 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 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 PA15-0009, incorporated herein by reference, 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 Government Code Section 66020(a) and failure to follow this procedure in a timely fashion 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. 2015-25 and thereby:

1. **CERTIFIES** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, CEQA Guidelines, Section 15303 for New Construction or Conversion of Small Structures; and
2. **APPROVE** Conditional Use Permit PA15-0009 based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

**APPROVED** on this 10th day of December, 2015.

\_\_\_\_\_  
Brian R. Lowell  
Chair, Planning Commission

ATTEST:

\_\_\_\_\_  
Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attached: Conditions of Approval

Attachment: PC Resolution 2015-25 [Revision 3] (1785 : Conditional Use Permit (PA15-0009) for a new wireless communications facility.)

**CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL FOR PA15-0009  
 CONDITIONAL USE PERMIT FOR COMMUNICATIONS FACILITY  
 ONE PARCEL EAST OF SOUTHEAST CORNER OF  
 REDLANDS BOULEVARD & ALESSANDRO BOULEVARD  
 APN: 478-430-029**

**APPROVAL DATE:** December 10, 2015  
**EXPIRATION DATE:** December 10, 2018

This set of conditions shall include conditions from:

- Planning (P), including Building and Safety (B)
- Fire Division (F)
- Land Development (LD)

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Division**

- P1. Conditional Use Permit (PA15-0009) is an approval for a 60 foot tall monopine (Verizon Wireless) located on APN: 478-430-029, which is one parcel to the east of the southeast corner of Alessandro Boulevard and Redlands Boulevard, behind the Farm Market.
- P2. Maintenance hours of the new wireless telecommunications facility (60 foot monopine) will be allowed from 6 am to 10 pm, seven days a week, except in the event of an emergency requiring immediate maintenance.
- P3. The antennas and all ancillary equipment and hardware attached to the top portion of the monopine shall be painted green to match the tree. Pine branches will begin at no more than 16 feet from grade and three branches will be installed every one foot thereafter to provide screening of the equipment.
- P4. The pole shall be designed to resemble a natural pine tree trunk including raised bark with a high relief pattern.
- P5. Any existing landscaping near the lease area that is damaged or removed as a result of any proposed work shall be replaced.

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**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 Requirements
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	BM - Subdivision Map Act	

CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT - PA15-0009  
PAGE 2

- P6. There shall be no signage or graphics affixed to the equipment, equipment building, or fence, except for public safety warnings and FCC required signage.
- P7. A total of two (2) pine trees shall be planted near the equipment enclosure. The initial height of the newly planted trees shall be a minimum of 20'. The pine trees shall be maintained in a healthy and thriving condition, free from weeds, trash and debris by the developer or the developer's successor-in-interest.
- P8. Any existing fencing, concrete work, or site amenities damaged or removed near the lease area as a result of any proposed work, shall be repaired, replaced or relocated to original condition.
- P9. The proposed ground equipment shall be placed behind a decorative block wall enclosure. The material and color shall match the existing Farm Market structure and must not exceed eight (8) feet in overall height.
- P10. All utility and coaxial connections to the equipment building/screened area shall be undergrounded. All connections to the monopole shall be underground, installed within the equipment building or located within the lease area below the height of the eight foot (8') decorative block wall, painted to match the existing Farm Market structure.
- P11. The antenna array shall not extend beyond the lease area and any other equipment associated with the telecommunications facility shall be placed within the enclosure.
- P12. All proposed ancillary equipment shall be placed within the confines of the equipment area. No barbed or razor wire fencing shall be used for the facility.
- P13. At such time as the facility ceases to operate, the facility shall be removed. The removal shall occur within 90-days of the cessation of the use. The Conditional Use Permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
- P14. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
- P15. This approval shall expire three (3) years after the approval date of Conditional Use Permit PA15-0009 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)

CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT - PA15-0009  
PAGE 3

- P16. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris by the developer or the developer's successor-in-interest. (MC 9.02.030)
- P17. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, the Landscape Requirements, the 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 City Planning Official or designee. (MC 9.14.020, Ldscp)
- P18. (CO) Prior to issuance of a building final, the applicant shall contact the Planning Division for a final inspection.

**Building and Safety Division**

- B1. New buildings/structures shall comply with the current California Building Standards Code (CBC, CEC, CMC, CPC and Green Building Standards) as well as City ordinances. Plans shall be submitted to the Building and Safety Division as a separate submittal and shall include a soils report at time of first submittal. Beginning on January 1, 2014, the 2013 CBC will become effective for all new building permit applications.
- B2. Building plans and instruments of service submitted with a building permit application shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
- B3. The proposed new development is subject to the payment of development fees as required by the City's Fee Ordinance at the time an application is submitted or prior to the issuance of permits as determined by the City.

CONDITIONS OF APPROVAL  
 CONDITIONAL USE PERMIT - PA15-0009  
 PAGE 4

**FIRE PREVENTION BUREAU**

With respect to the conditions of approval for **PA15-0009**, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinance's and/or recognized fire protection standards.

Standard Conditions:

- 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 and use as specified in the California Building Code (CBC), California Fire Code (CFC), Moreno Valley Municipal Code and related codes which are in force at the time of building plan submittal.
- F2. Prior to construction and issuance of Building Permits, the developer shall submit evidence to the City confirming that all required fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twelve (12) feet as approved by the Fire Prevention Bureau 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])
- F3. Prior to construction, the developer shall submit evidence to the City confirming that any proposed "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.060, CFC 501.4)
- F4. Prior to issuance of a building permit the applicant shall provide written verification that the communication system and related equipment they will be installing will not interfere with Fire or Police Communication System.
- F5. Any time after installation, any interruption of Fire, Police or other public emergency Communication System due to the purveyor's system, the purveyor shall cease to operate site until corrections can be made to purveyor's system.
- F6. Prior to the issuance of a Certificate of Occupancy or building final, the developer/applicant shall be responsible for obtaining permits for the storage of combustible liquids, flammable liquids or any other hazardous materials from both the County Health department and Fire Prevention Bureau. (CFC 105)
- F7. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. Knox box may be installed on the exterior gate to the equipment shelter. (CFC 506.1)

CONDITIONS OF APPROVAL  
 CONDITIONAL USE PERMIT - PA15-0009  
 PAGE 5

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

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

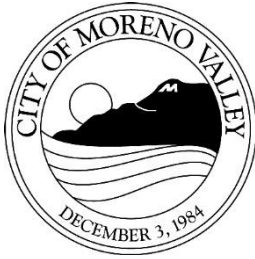
Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities 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.

- LD4. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC).
- LD5. Prior to any work within the public right-of-way, an encroachment permit will be required.
- LD6. Prior to issuance of a building permit, the developer shall submit for review a grading plan exhibit to Land Development as a Document Review at the then-current fee, per the City's fee schedule. The grading plan will be reviewed to ensure, among other things, that the lease area is well graded and well drained. The grading plan shall include, but not be limited to the following:

CONDITIONS OF APPROVAL  
CONDITIONAL USE PERMIT - PA15-0009  
PAGE 6

- a. The approximate cubic yards of grading cut/fill should be listed.
  - b. The extents of the grading shall be clearly shown.
  - c. The conveyance of drainage shall be clearly shown.
- LD7. Prior to building plan approval, the plans shall demonstrate that the cell site pad is well-drained. Drainage shall be directed off of and away from the cell site pad and be directed towards an approved drainage course/pattern.
- After reviewing the grading plan as a Document Review, it may be determined that a Precise Grading Plan will also be required.
- LD8. Prior to issuance of a building permit, the developer shall submit for review, approval and recordation a maintenance access easement for the proposed monopine and appurtenances. The easement shall meet the following criteria:
- a. The easement shall be a minimum of 24-foot wide to ensure 12 feet of ingress and egress to and from the tower and equipment area from the nearest public R/W.
  - b. The easement shall include sufficient parking and turn-around.
  - c. The easement shall have direct access from the public R/W via the paved parking lot and shall not traverse any landscaped or planter areas.
  - d. There shall also include a separate utility easement for any utility lines traversing the property associated with the installation of the monopine.
- LD9. As an alternative to LD8, the developer may select to enter into a lease agreement with the property owner clearly identifying the rights and limitations of the access rights to the antenna and its related equipment. The lease agreement shall be submitted to the Land Development Department for review and approval.





## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: December 10, 2015

PA15-0035 TENTATIVE PARCEL MAP NO. 36986 - FINANCE AND CONVEYANCE MAP

Case: PA15-0035 – Tentative Parcel Map No. 36986

Applicant: Al Rattan

Owner: Continental East Fund VII, LLC

Representative: Charlene Kussner

Location: Southwest corner of Brodiaea Avenue and Moreno Beach Drive

Case Planner: Mark Gross, AICP

Council District: 3

#### **SUMMARY**

Tentative Parcel Map No. 36468 proposes to create a two parcel subdivision map for finance and conveyance purposes only on property within Assessor's Parcel Number 308-040-050 located on the southeast corner of Brodiaea Avenue and Moreno Beach Drive. No development is proposed or permitted with the Finance and Conveyance Map.

#### **PROJECT DESCRIPTION**

##### **Project**

The proposed Tentative Parcel Map No. 36986 creates a two (2) parcel subdivision for finance and conveyance purposes. The property site includes the approved Renaissance Village Moreno Valley assisted living and memory care project previously

entitled and partially developed by the applicant, Continental East. The two parcels proposed in the Finance and Conveyance Map corresponds to the phasing concept previously approved for the assisted living and memory care facility.

Tentative Parcel Map No. 36986 does not in itself include any proposed development. The original Renaissance Village Moreno Valley project (PA11-0019), included a Conditional Use Permit that was approved by the Planning Commission on December 8, 2011 and amended on August 23, 2012. It provided for three phases of development for an approximate 97,000 square foot senior assisted living and memory care facility. Phase one included 73,700 square feet of memory care and assisted living buildings with associated outdoor recreation space and parking facilities. Phase two included an exercise pool, which has not yet been constructed. Phase three calls for two additional assisted living buildings totaling 25,000 square feet, which also is not yet constructed.

For reference purpose only, it is noted that the land area for the undeveloped pool is within Parcel 1 of the proposed Finance and Conveyance Map, Tentative Parcel Map No. 36986. The undeveloped 25,000 square feet of additional assisted living buildings (Phase 3) is located within Parcel 2 of the proposed Map.

Any future development within the two parcels of the proposed Finance and Conveyance Map must be in compliance with the conditions of approval set forth in the prior approved Renaissance Village Project, and is not in any way modified with this Map. Any modifications to the prior approval would require review and approval under separate applications.

### **Site**

The seven acre site is located on the southwest corner of Brodiaea Avenue and Moreno Beach Drive within Assessor's Parcel Number 486-250-021. The entire site contains generally flat topography and has either been previously developed or disturbed through mass grading.

The project site is currently developed with three buildings totaling 73,700 square feet. Two of the buildings are designated for memory care and the large building connected in the center of the site includes administrative and assisting living components. Additional outdoor items include a shade pavilion with fireplace and BBQ, a planting garden, and landscape and hardscape which includes drive aisles and parking areas. The current Phase one portion currently contains existing assisted living and memory care structures.

### **Surrounding Area**

Surrounding land uses include scattered single family residential uses to the east, west and north of the subject site. A vacant residential parcel lies immediately to the west of the site. A retail project, including a 95,950 square foot commercial center with a Stater

Bros. anchor supermarket, is located south of the project site on the northwest corner of Cactus Avenue and Moreno Beach Drive.

Overall, the proposed parcel map is compatible with the Subdivision Map Act, existing goals, objectives, policies and programs of the General Plan, and to requirements and provisions for Finance and Conveyance Maps included in Ordinance 894 and Chapter 9.14, Section 9.14.065 of the City's Municipal Code. The proposed use of the site is compatible with existing surrounding land uses.

### **Access/Parking**

Three points of access have originally been improved for the project site. This includes the primary access point from Brodiaea Avenue and two secondary access points from the shopping center immediately to the south. There is no direct access to Moreno Beach Drive from the project site. Reciprocal access between the project site and the shopping center does exist. The driveway situated immediately south of the Renaissance Village property on the shopping center site does provide access to Moreno Beach Drive.

### **Design**

This map has been reviewed internally and its design conforms to all standards of the City's Municipal Code. As stated previously, the Finance and Conveyance Map does not include or permit any actual development.

Additional future development within the two parcels contained in this map will be in conformance with the Renaissance Village Project previously approved by the Planning Commission.

### **REVIEW PROCESS**

The project application was submitted in October 2015. The Tentative Parcel Map No. 36986 was then transmitted to and reviewed by City staff for consistency with the Municipal Code, particularly Section 9.14.065 for Finance and Conveyance Maps. The application was reviewed through the Project Review Staff Committee. Minor corrections requested through these project reviews have been addressed to the satisfaction of all parties and the revised map provided by the applicant is presented with this report for consideration and action by the Planning Commission.

### **ENVIRONMENTAL**

Planning staff has determined that Tentative Parcel Map No. 36486 will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 15 Categorical Exemption as allowed for Minor Land Division, per CEQA Guidelines Section 15315.

## **NOTIFICATION**

The public hearing notice for this project was published in the local newspaper on November 29, 2015. The public notice was also sent to all property owners of record within 300 feet of the project site, and posted by sign on the project site on that date.

As of the date of report preparation, staff has received no correspondence in response to the noticing for this project.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2015-32, and thereby:

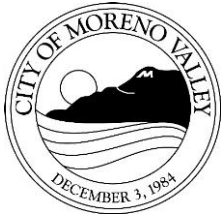
1. **CERTIFY** that the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 15 Categorical Exemption as allowed for Minor Land Division, per CEQA Guidelines Section 15315; and
2. **APPROVE** PA15-0035 Tentative Parcel Map No. 36986 to subdivide 7.4 gross acres of land located in Assessor's Parcel Number 486-250-021 into two (2) parcels for finance and conveyance purposes only, and subject to the attached conditions of approval included as Exhibit A.

Prepared by:  
Mark Gross  
Senior Planner

Approved by:  
Allen Brock  
Community Development Director

## **ATTACHMENTS**

1. Public Hearing Notice
2. PC Resolution 2015-32
3. Final Conditions
4. TPM-36986 Finance Map
5. PA15-0035 - Aerial Map
6. PA15-0035 - Zoning Map



# Notice of PUBLIC HEARING

## This may affect your property. Please read.

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:

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.

**CASE:** PA15-0035 (Tentative Parcel Map No. 36986)

**APPLICANT:** Al Rattan

**OWNER:** Continental East Fund VII, LLC

**REPRESENTATIVE:** Charlene Kussner

**LOCATION:** The project site is located on the southwest corner of Brodiaea Avenue and Moreno Beach Drive.

**PROPOSAL:** A finance and conveyance map (Tentative Parcel Map No. 36986) is proposed on property previously approved for a 98,700 square foot phased senior assisted living and memory care facility on a 7.33 acre parcel of land within the R15 (Residential 15) land use district. Said map will not include any building or grading activities.

**ENVIRONMENTAL DETERMINATION:** The finance and conveyance map is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA section 15315, "Minor Land Divisions"

**COUNCIL DISTRICT:** 3

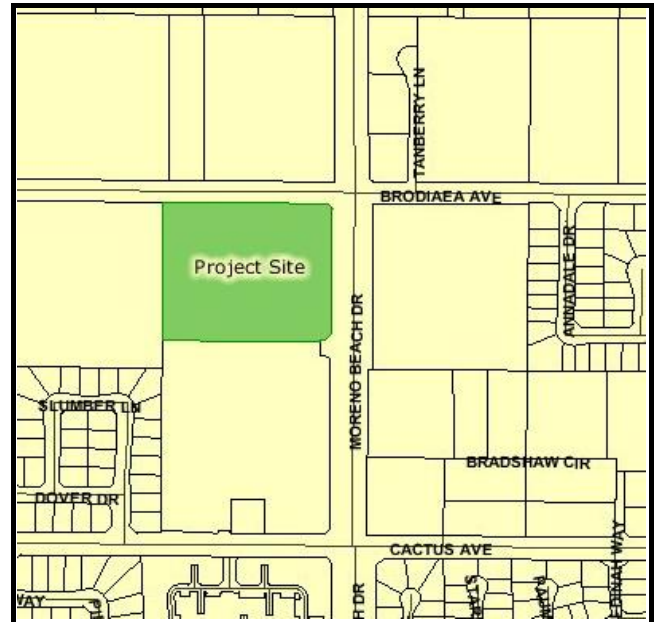
**STAFF RECOMMENDATION:** Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., 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 5:30 p.m. on Fridays) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

*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 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*



LOCATION N ↑

## PLANNING COMMISSION HEARING

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

**DATE & TIME:** December 10, 7:00 P.M.

**CONTACT PLANNER:** Mark Gross

**PHONE:** (951) 413-3215

**PLANNING COMMISSION RESOLUTION NO. 2015-32**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA15-0035 (TENTATIVE PARCEL MAP NO. 36986) TO SUBDIVIDE 7.4 GROSS ACRES OF LAND LOCATED IN ASSESSOR'S PARCEL NUMBER 486-250-021 INTO TWO (2) PARCELS FOR FINANCE AND CONVEYANCE PURPOSES ONLY**

**WHEREAS**, the applicant, Continental East Fund III, LLC, has filed an application for the approval of PA15-0035 or Tentative Parcel Map No. 36968, a proposal to create a map for finance and conveyance purposes for property located within Assessor's Parcel Number 486-250-021 as described in the title of this resolution; and

**WHEREAS**, the 98,700 square foot Renaissance Village Moreno Valley Assisted Living and Memory Care facility located on approximately 7.4 acres of land within the R15 (Residential 15) land use district was originally approved under PA11-0019 (Conditional Use Permit), P12-077 (Amended Conditional Use Permit), P13-116 (Administrative Plot Plan) and P114-040 (Administrative Plot Plan). The previously approved project provided for three phases of development. Phase one included 73,700 square feet of memory care and assisted living buildings with associated outdoor recreation space and parking facilities. Phase two included an exercise pool, which has not yet been constructed. Phase three calls for two additional assisted living buildings totaling 25,000 square feet, which also is not yet constructed; and

**WHEREAS**, the application for Tentative Parcel Map No. 36986 has been evaluated in accordance with established City of Moreno Valley (City) procedures, and with consideration of the General Plan and other applicable regulations in the Municipal Code, particularly Section 9.14.065 for Finance and Conveyance Maps; and

**WHEREAS**, upon completion of a through development review process the project was appropriately noticed on November 29, 2015, in the Press Enterprise newspaper, for a public hearing before the Planning Commission of December 10, 2015; and

**WHEREAS**, on December 10, 2015, the Planning Commission of the City of Moreno Valley held a Public Hearing to consider the proposed Finance and Conveyance Map application; and

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

**NOW, THEREFORE, BE IT 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 December 10, 2015, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. That the proposed map is consistent with applicable general and specific plans and the zoning ordinance;

**FACT:** The parcel map will subdivide approximately 7.4 acres of land located in Assessor's Parcel Number 486-250-021 into two parcels for finance and conveyance purposes only, which correspond to three phases of the approved and partially developed assisted living and memory care development included in the Renaissance Village Moreno Valley project. Overall, the land division included with Tentative Parcel Map No. 36968 as proposed and conditioned is consistent with the Subdivision Map Act, existing goals, objectives, policies and programs of the General Plan, and with requirements and provisions for Finance and Conveyance Maps included in Ordinance 894 and Chapter 9.14, Section 9.14.065 of the City's Municipal Code. The proposed use of the site is compatible with existing surrounding land uses.

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

**FACT:** Tentative Parcel Map No. 36986 subdivides one parcel of land into two parcels for finance and conveyance purposes only. No development is associated with the Map. The project as designed and conditioned is consistent with existing goals, objectives, policies and programs of the City's General Plan.

3. That the site is physically suitable for the type of development;

**FACT:** The proposed map is provided for finance and conveyance purposes only. The two parcels being created by the map correspond to the three phases of development approved under P12-077 (Amended Conditional Use Permit), P13-116 (Administrative Plot Plan) and P14-040 (Administrative Plot Plan) for the assisted living and memory care development located in the Renaissance Village Moreno Valley project. The site is physically suitable for development approved previously under P12-077 (Amended Conditional Use Permit) for the site; the proposed map does not include approval of any development.

4. That the site of the proposed land division is physically suitable for the proposed density of the development;

**FACT:** The proposed map is being created for finance and conveyance purposes only. The two parcels created by the map

correspond to the three phases of development approved under P12-077(Amended Conditional Use Permit), P13-116 (Administrative Plot Plan) and P14-040 (Administrative Plot Plan) for an assisted living and memory care development located in the Renaissance Village Moreno Valley project. The parcel map is designed in accordance with the provisions of the City's Municipal Code and Subdivision Map Act. The project site is physically suitable for the project density that was previously approved for the assisted living and memory care use.

5. That the design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

**FACT:** The proposed map has been submitted for finance and conveyance purposes only. There is no development proposed as part of the subdivision or submittal. Therefore, the proposed map will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems;

**FACT:** As designed and conditioned, the proposed land division for finance and conveyance purposes only would not cause serious public health problems. The proposed map is provided for finance and conveyance purposes only. There is no development proposed as part of the project. The two parcels being created by the map correspond to the three phases of development of the approved and partially developed assisted living and memory care development included in the Renaissance Village Moreno Valley project. A conditional use (PA11-0019), amended conditional use permit (P12-077) and two additional administrative plot plans (P13-116 and P14-040) were previously approved for the Continental East Renaissance Village Moreno Valley assisted living and memory care facility. Any future development within the two parcels of the proposed Finance and Conveyance Map must be in compliance with the conditions of approval set forth in the prior approved Renaissance Village Project, and is not in any way modified with this Map. Any modifications to the prior approval would require review and approval under separate applications.

7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;

**FACT:** The proposed map has been designed to accommodate, and not conflict with existing easements on the subject site including utility and storm drain easements.



8. That the requirements of the California Environmental Quality Act have been satisfied;

**FACT:** Tentative Parcel Map No. 36986 will not have a significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Minor Land Division Categorical Exemption under Section 15315 of the CEQA Guidelines. The proposed map has been found to be in conformance with the City's General Plan, Municipal Code and the Subdivision Map Act. No variances or exceptions are required. The property was not involved in a division of a larger parcel in the last two years and the parcel does not have an average slope greater than 20 percent.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-32 and thereby:

1. **CERTIFIES** that the project will not have a significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 15 Categorical Exemption as a Minor Land Division, per CEQA Guidelines Section 15315; and
2. **APPROVES** PA15-0035 (Tentative Parcel Map 36986) based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

**APPROVED** this 10<sup>th</sup> day of December, 2015.

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Brian Lowell  
Chair, Planning Commission

ATTEST:

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

APPROVED AS TO FORM:

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City Attorney

CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL FOR PA15-0035  
TENTATIVE PARCEL MAP 36986  
FOR FINANCE AND CONVEYANCE PURPOSES ONLY  
ASSESSOR'S PARCEL NUMBER: 486-250-021

APPROVAL DATE:  
EXPIRATION DATE:

- x   Planning (P), including School District (S), Post Office (PO), Building (B)
- x   Public Works – Land Development (LD)
- x   Public Works – Special Districts ( )
- x   Public Works – Transportation (TE)

**Note:** All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Division**

- P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
- P2. Tentative Parcel Map No. 36986 is approved to subdivide the 7.40 gross acres contained within Assessor's Parcel Number 486-250-021 into two (2) parcels for finance and conveyance purposes only. There is no development approved as part of this subdivision.
- P3. A conditional use permit( PA11-0019), amended conditional use permit (P12-077) and two additional administrative plot plans (P13-116 and P14-040) are approved and on file for the Continental East Renaissance Village Moreno Valley assisted living and memory care facility. Future development within any parcels of this map shall be in conformance with the approved applications listed above or shall require review and approval under separate applications for all new or revised proposals.

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**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 Standards                 |
| Res - Resolution  | UFC - Uniform Fire Code   | UBC - Uniform Building Code                 |
|                   | SBM - Subdivision Map Act |   |

Attachment: Final Conditions [Revision 1] (1779 : PA15-0035 TENTATIVE PARCEL MAP NO. 36986 - FINANCE AND CONVEYANCE MAP)

**CONDITIONS OF APPROVAL FOR PA15-0035  
TENTATIVE PARCEL MAP NO. 36986  
FOR FINANCE AND CONVEYANCE PURPOSES ONLY  
PAGE 2**

- P4. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
- P4. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P5. (R) The tentative tract map shall recorded in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, the General Plan, the Moreno Valley Ranch Specific Plan and the conditions contained herein. Prior to recordation of the final map, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official or designee. (MC 9.14.020)
- P6. This map is approved for finance and land conveyance purposes only. Development for a 98,700 square foot phased assisted living and memory care facility has previously been approved for the site. No additional applications for building or grading permits shall be accepted for the parcel or parcels created by this map until a future map or amended conditional use permit for development has been approved by the city as described per Municipal Code Section 9.14.065. (Ord. 894 § 5, 2015)

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

**General Conditions**

- LD1. 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. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all

**CONDITIONS OF APPROVAL FOR PA15-0035  
TENTATIVE PARCEL MAP NO. 36986  
FOR FINANCE AND CONVEYANCE PURPOSES ONLY  
PAGE 3**

- improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5)
- LD3. It is understood that the Tentative Parcel Map 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)
- LD4. Each parcels of land shall have access from a public road, or public access is both feasible and required for approval of the proposed map. This could include recorded legal reciprocal access between parcels or adjacent property. (MC 9.14.065)
- LD5. The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall include, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)
- LD6. The following statement must be placed on the Map: “THIS MAP DOES NOT REMOVE ANY DEVELOPMENT REQUIREMENTS SET FORTH WITH APPROVAL OF PA11-0019 (CONDITIONAL USE PERMIT), P12-077 (AMENDED CONDITIONAL USE PERMIT), P13-116 (ADMINISTRATIVE PLOT PLAN), AND P14-040 (ADMINISTRATIVE PLOT PLAN), WHICH MUST BE SATISFIED WITH CONTINUED DEVELOPMENT OF THE PROPERTY. “
- LD7. The following statement must be placed on the Map: “THIS MAP DOES **NOT** CREATE A LEGAL BUILDING SITE. FURTHER APPLICATIONS ARE NECESSARY TO DEVELOP THIS PROPERTY.”

**PUBLIC WORKS – SPECIAL DISTRICTS**

Conditions are standard to all or most development projects. Some special conditions, modified conditions or clarification of conditions may be included. Please review conditions as listed and contact the Division at 951.413.3480 for any questions.

**CONDITIONS OF APPROVAL FOR PA15-0035  
TENTATIVE PARCEL MAP NO. 36986  
FOR FINANCE AND CONVEYANCE PURPOSES ONLY  
PAGE 4**

**Acknowledgement of Conditions**

The following items are the Special Districts Division's Conditions of Approval for project PA15-0035; 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](mailto:specialdistricts@moval.org).

**General Conditions**

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), and M (Commercial, Industrial, and/or Multifamily Improved Median Maintenance). This project has also been incorporated into the NPDES (National Pollution Discharge Elimination System) program to provide for stormwater utility services. All assessable parcels therein shall be subject to annual Zone A, Zone C, and Zone M charges along with the NPDES charge for operations and capital improvements.
- SD-2 Any damage to existing landscape areas maintained by the City of Moreno Valley shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
- SD-3 The ongoing maintenance of any landscaping required to be installed behind the curb on Moreno Beach Drive and Brodiaea Avenue shall be the responsibility of the property owner.
- SD-4 If the scope of the project is modified to exclude the memory care and/or assisted care elements, this project may be required to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems.

**Prior to Recordation of Final Map**

- SD-5 (R) This project has been identified to be included in the formation of a Community Facilities District for Public Safety services including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and

**CONDITIONS OF APPROVAL FOR PA15-0035  
TENTATIVE PARCEL MAP NO. 36986  
FOR FINANCE AND CONVEYANCE PURPOSES ONLY  
PAGE 5**

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 that may already be established. The Developer must notify the Special Districts Division at 951.413.3480 or [specialdistricts@moval.org](mailto:specialdistricts@moval.org) of its intent to record the final map for the development 90 days prior to City Council action authorizing recordation of the map to allow adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)

- 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](mailto: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).

**PUBLIC WORKS – TRANSPORTATION ENGINEERING DIVISION**

Based on the information contained in our standard review process we recommend the following condition of approval be placed on this project:

**GENERAL CONDITIONS**

TE1. Parcel 2 has no direct access from a public road. All accesses from public roads to Parcel 2 shall be provided by access easements on the adjacent parcels. A reciprocal easement/maintenance agreement between the owner(s) of Parcel 1 and Parcel 2 shall be required for the shared driveway on Brodiaea Avenue.





# PA15-0035 - Aerial Map



### Legend

- Master Plan of Trails
- Bridge
  - Improved
  - Multiuse
  - Proposed
  - Regional
  - State
- Parcels
  - City Boundary
  - Sphere of Influence

### Notes

1,112.5                      0                      556.27                      1,112.5 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

Print Date: 11/30/2015

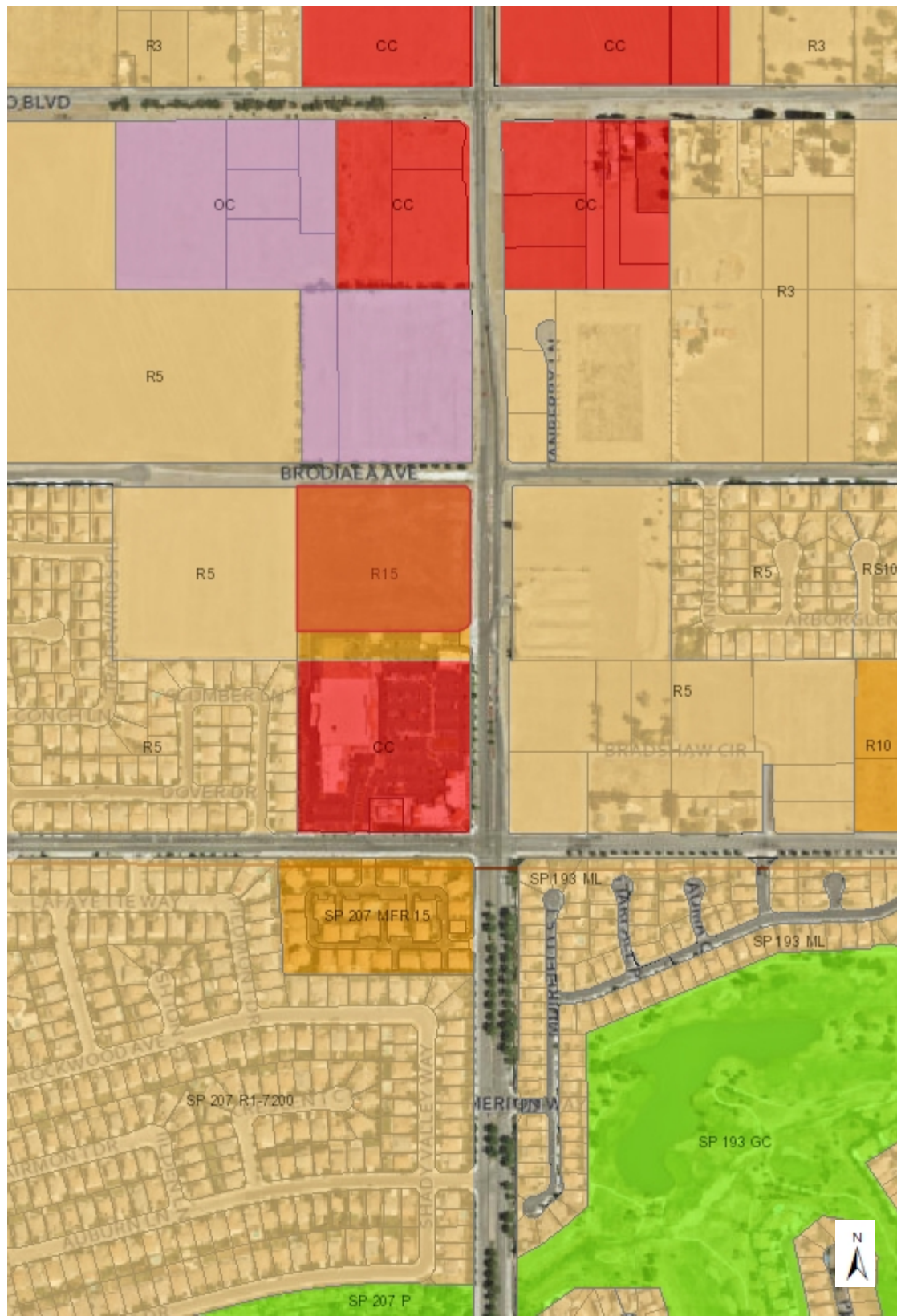
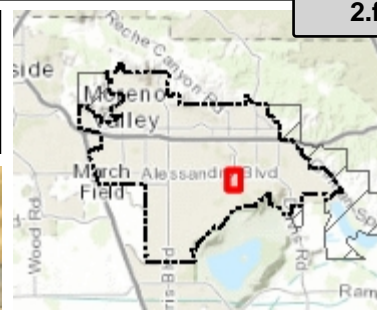
*DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.*

Attachment: PA15-0035 - Aerial Map (1779 : PA15-0035 TENTATIVE PARCEL MAP NO. 36986 - FINANCE AND CONVEYANCE MAP)





# PA15-0035 - 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

### Notes

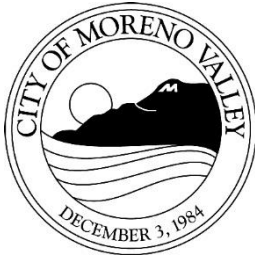
1,112.5      0      556.27      1,112.5 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

Print Date: 11/30/2015

*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.*

Attachment: PA15-0035 - Zoning Map (1779 : PA15-0035 TENTATIVE PARCEL MAP NO. 36986 - FINANCE AND CONVEYANCE MAP)



## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: December 10, 2015

#### DENSITY BONUS ORDINANCE RELATED TO ENERGY EFFICIENCY

Case: PA14-0038 (Municipal Code Amendment)

Applicant: City of Moreno Valley

Owner: Not applicable

Representative: City of Moreno Valley

Location: City-wide

Case Planner: Chris Ormsby, AICP

Council District: City-wide

#### **SUMMARY**

This proposed Municipal Code Amendment will add a new section to the Municipal Code, Section 9.03.055, which provides an incentive in the form of a density bonus for multi-family projects that incorporate green building principles into their design. This planning effort is supported by a funding grant from Southern California Edison. The intended purpose of the grant funding is for use in promoting and encouraging energy efficiency in the City of Moreno Valley.

#### **PROJECT DESCRIPTION**

##### **Project**

On April 1, 2013, the City applied for funding under the Southern California Edison (SCE) Strategic Plan Strategies Phase 3 program. On February 11, 2014, the City Council accepted the Southern California Edison Local Government Strategic Plan Strategies funding for Phase 3 (i.e. referred to by SCE as a “strategic solicitation”). The

strategic solicitation provided up to \$100,920 in funds to complete four tasks related to energy efficiency:

- Redesign forms and handouts and create new informational material for energy efficiency code requirements.
- Develop standards for City structures to match LEED certification requirements.
- Update General Plan's Conservation Element to include detailed energy efficiency policies.
- Develop a Municipal Code amendment for "density bonuses" for residential developments exceeding State energy code requirements.

The contract/statement of work for the solicitation allows funding to continue through the end of this calendar year. The contract termination date (i.e. close out) is March 31, 2016.

The Municipal Code Amendment is identified as Task 5 under the contract with SCE. Task 5 consists of developing a density bonus ordinance that would provide a residential density bonus for new residential developments that exceed California building code criteria.

In developing the proposed Municipal Code Amendment, the City researched other cities that provide density bonuses related to energy efficiency and/or green building. We found that the cities with this type of density bonus program require that the proposed buildings comply with an established green building rating system. The Leadership in Energy and Environmental Design (LEED) green building certification program is the green building system most often used.

The LEED green building certification program was developed by the non-profit U.S. Green Building Council (USGBC). While energy efficiency is a major component of the program, there are other sustainable benefits such as water efficiency, the quality of the indoor environment, and sustainable use of materials and resources. The LEED rating system is the most widely used green building system globally. According to the U.S. Green Building Council's website, there are currently more than 72,500 LEED certified building projects located in over 150 countries and territories.

LEED is based on a point system. In general the rating system includes LEED Certified (40-49 points), Silver (50-59 points), Gold (60-79 points), and Platinum (80+ points) projects. At present, one building within the City limits has achieved a LEED certification. The Sketchers warehouse project achieved the LEED Gold level.

In developing the proposed policy, staff has considered that establishing LEED as the standard could effectively further sustainable building practices. The density bonus program will further at least one greenhouse gas reduction measure in the City's Energy Efficiency and Climate Action Strategy. Specifically, the code amendment will further reduction measure R3-E1 which identifies that codes and zoning requirements should

be updated to further implement green building practices, and mentions that this could include incentives for energy efficient projects.

The ordinances of numerous cities were researched. The most directly applicable were the cities of Sunnyvale, Long Beach, and Seattle. Other cities were researched that include LEED certification as a requirement rather than an incentive, including the cities of Oakland, San Antonio, and Nashville. The City of Los Angeles was one of the first cities to adopt LEED as a requirement for certain types of buildings, but has more recently modified their requirements to require compliance with the Tier I Voluntary measures of CalGreen, which are the green building standards contained within the California building code.

Based on the staff research and a comprehensive review of the City's Municipal Code, it was determined that a five percent (5%) density bonus for multi-family development projects would be an appropriate incentive for those projects that design and build the multi-family complex to a LEED certified level (or other equivalent green rating system).

A public outreach community meeting was held on November 2, 2015 to obtain input on this proposal. Staff presented a PowerPoint to the public and provided an overview of the work on the Municipal Code Amendment. There was input from the public encouraging the City to promote energy efficiency and green building efforts on the City's web page, and as an economic development marketing tool. In an effort to obtain additional input, the proposed Municipal Code Amendment was also presented to the Environmental and Historical Preservation Board on November 9, 2015. The public input on this effort of providing energy efficiency development incentives has been well received.

### **ENVIRONMENTAL**

Planning staff has reviewed the request in accordance with the California Environmental Quality Act (CEQA) Guidelines and has determined that the activity does not have the potential to result in a significant impact on the environment therefore is exempt from CEQA as provided for in Section 15061(b)(3) of the CEQA Guidelines.

### **NOTIFICATION**

Public notification of the public hearing on this item has been conducted in accordance with Section 9.02.0200 of the City Municipal Code. Given the Municipal Code Amendment would apply to the entire City, the public notification for this Planning Commission public hearing included the placement of a one-eighth page notice in the Press Enterprise newspaper published on November 30, 2015.

### **REVIEW AGENCY COMMENTS**

SCE completed review of the draft Municipal Code Amendment as required under the contract/statement of work for the solicitation.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2015-33, and thereby recommend to the City Council:

1. **CERTIFY** that the proposed Municipal Code Amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines, per Section 15061 (b)(3); and
2. **APPROVAL** of Municipal Code Amendment PA14-0038 based on the findings contained in Planning Commission Resolution 2015-33.

Prepared by:  
Chris Ormsby  
Senior Planner

Approved by:  
Allen Brock  
Community Development Director

**ATTACHMENTS**

1. PC Resolution 2015-33
2. Exhibit A\_Municipal Code Amendment

**PLANNING COMMISSION RESOLUTION NO. 2015-33**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF A MUNICIPAL CODE AMENDMENT (PA14-0038) TO THE CITY COUNCIL, WHICH IMPLEMENTS AT LEAST ONE POLICY RECOMMENDATION OF THE CITY'S CLIMATE ACTION STRATEGY AND IS INTENDED TO ASSIST WITH THE CITY'S COMPLIANCE WITH ASSEMBLY BILL 32 AND SENATE BILL 375, BOTH STATE INITIATIVES AIMED AT REDUCING GREENHOUSE GAS EMISSIONS IN CALIFORNIA.**

**WHEREAS**, the City of Moreno Valley (City) has initiated an activity for the approval of PA14-0038 Energy Efficiency Municipal Code Amendment, as described in the title of this Resolution; and

**WHEREAS**, the City has received Strategic Plan Strategies Phase 3 funding from Southern California Edison for this activity; and

**WHEREAS**, City staff has drafted the Municipal Code Amendment consistent with the work program of Strategic Plan Strategies Phase 3, as described in the title of this Resolution; and

**WHEREAS**, this activity has been evaluated in accordance with established City procedures, and with consideration of the General Plan and other applicable regulations; and

**WHEREAS**, upon completion of the thorough review process, including consultation with Southern California Edison, the project was appropriately agendaized and noticed for a public hearing before the Planning Commission of December 10, 2015; and

**WHEREAS**, on December 10, 2015, the Planning Commission of the City of Moreno Valley held a public hearing to consider the application; 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 activity may be subject to certain fees, dedications, reservations and other exactions as provided herein.

**NOW, THEREFORE, BE IT 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 December 10, 2015, 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 Energy Efficiency Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

**FACT:** The proposed Municipal Code Amendment for Energy Efficiency is consistent with, and does not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The proposed Municipal Code Amendment is consistent with the policies of the General Plan and the City's Energy Efficiency and Climate Action Strategy. The Municipal Code Amendment implements greenhouse gas reduction measure R3-E1 of the Climate Action Strategy, which identifies that City codes and zoning requirements should be updated to further implement green building practices, including incentives for energy efficient projects. The City direction is to promote and encourage energy efficiency and to lead by example in the implementation of best practices for energy efficiency.

2. **Health, Safety and Welfare** – The Energy Efficiency Municipal Code Amendment will not be detrimental to the public health, safety or general welfare.

**FACT:** The proposed Energy Efficiency Municipal Code Amendment does not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The density bonus incentive will apply only to multi-family projects which comply with all of the development standards of the applicable zoning district. A project receiving the density bonus will be designed to comply with standards of the Leadership in Energy and Environmental Design (LEED) green building certification program (or an equivalent green building rating system), which will provide sustainable benefits in the areas of energy efficiency, water efficiency, the quality of the indoor environment, and sustainable use of materials and resources. Compliance with the LEED standards will ensure that the project exceeds the standards of the California Building Code requirements. The benefits will only improve the Health, Safety and Welfare.

3. **Conformance with Zoning Regulations** – The proposed Municipal Code Amendment is consistent with the purpose and intent of Title 9.

**FACT:** The Municipal Code Amendment establishes a density bonus incentive for specified multi-family projects that are designed to at least the LEED Certified level. The projects will be required to comply with all

development standards of the zoning district. Therefore, the proposed Municipal Code Amendment will not be in conflict with any other provisions of the Municipal Code.

**BE IT FURTHER RESOLVED** that the Planning Commission **HEREBY APPROVES** Resolution No. 2015-33 **RECOMMENDING** that the City Council approve a Municipal Code Amendment to Title 9, Section 9.03.055, Density Bonus Program for Green Building and Energy Efficiency, as documented in Exhibit A, and certification of an exemption from the provisions of the California Environmental Quality Act Guidelines, Section 15061(b)(3).

**APPROVED** on this 10<sup>th</sup> day of December, 2015.

\_\_\_\_\_  
 Brian R. Lowell  
 Chair, Planning Commission

ATTEST:

\_\_\_\_\_  
 Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

\_\_\_\_\_  
 City Attorney

Attached: Exhibit Municipal Code Amendment



## SECTION 5 MUNICIPAL CODE AMENDED

5.1 Chapter 9.03 (“Residential Districts”) is hereby amended to include a new section, Section 9.03.055 – Density Bonus Program for Green Building and Energy Efficiency as follows:

### “9.03.055 Density Bonus Program for Green Building and Energy Efficiency

- A. Purpose and Intent. The purpose of this section is to provide an incentive for residential housing units that are constructed to green building standards that exceed the requirements of the City’s building code, which is a greenhouse gas reduction measure included in the City’s Energy Efficiency and Climate Action Strategy.
- B. Applicability. Developers of multi-family residential dwelling units in the R10, R15, R20, R30, and SP204-Village Residential zone on sites of at least one-acre minimum site area may request a density bonus of 5% above the calculated number of units based on the maximum allowable density of the residential zone in which the project is located if the developer meets the energy efficiency requirements set forth in this section.
- C. Implementation.
  1. As an incentive to encourage green building and energy efficiency in multi-family residential development, the developer will be required to design the proposed project to comply with the standards of the Leadership in Energy and Environmental Design (LEED) Certified or higher level, or an equivalent green building rating system as approved by the Community Development Director.
  2. The total number of dwelling units allowed under a density bonus shall be calculated by multiplying the maximum density allowed under the applicable zoning designation (i.e. the maximum density listed in Table 9.03.040-6 of this title or the applicable specific plan designation), and multiplying the result by 1.05, resulting in a five (5) percent density bonus. If the result, including the density bonus, contains a fraction of a unit, the number of allowable units shall be determined by rounding down to the nearest whole number if below 0.5. Calculations containing a fraction of 0.5 or above shall be rounded up.
  3. This density bonus will not be cumulative with any other density bonus program included in Chapter 9.03.
  4. The development standards for density bonus projects shall be those of the applicable zoning classification.
  5. LEED Certified level represents the minimum level of certification under the U.S. Green Building Council’s (USGBC) Leadership Energy and Environmental Design rating system, and shall be consistent with the USGBC published criteria on the date the project application to the City is deemed “complete.”