

RESOLUTION NUMBER 2022-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR CONDITIONAL USE PERMIT (PEN21-0291) AND TENTATIVE TRACT MAP NO. 38625 (PEN21-0290) FOR A PLANNED UNIT DEVELOPMENT CONSISTING OF 225 SINGLE-FAMILY RESIDENTIAL UNITS ON 18.49 ACRES LOCATED ON THE NORTH SIDE OF ALESSANDRO BOULEVARD BETWEEN MORRISON AND NASON STREETS (APN 487-470-022).

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines²; and

WHEREAS, Pacific Investments (“Applicant”) has submitted applications for a Conditional Use Permit (PEN21-0291) and Tentative Tract Map 38625 (PEN21-0290) to develop a Planned Unit Development consisting of 225 single-family residential units with associated amenities and public improvements, on 18.49 acres (“Proposed Project”), which is currently vacant and unimproved and located on the northside of Alessandro Boulevard between Morrison and Nason Streets (APN 487-470-022) (“Project Site”); and

WHEREAS, Planning Division Staff completed an Initial Study (environmental assessment) for the Proposed Project and based on the environmental assessment, recommends adoption of a Mitigated Negative Declaration (“MND”) and a Mitigation Monitoring and Reporting Program (“MMRP”) in accordance with Section 6 (ND Procedures) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act and the requirements of CEQA and the CEQA Guidelines Sections 15070 – 15075; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of 20 days commencing on August 19, 2022, through September 8, 2022; and

WHEREAS, in compliance with CEQA and the CEQA Guidelines, a Mitigation Monitoring and Reporting Program (“MMRP”), which is a program for reporting on and monitoring the Proposed Project’s mitigation measures was prepared for the Proposed Project and circulated with the MND; and

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

WHEREAS, on September 22, 2022, a public hearing was conducted by the Planning Commission to consider and approve the Proposed Project's MND and MMRP, and approval of the Proposed Project; and

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the MND and the MMRP prepared for the Proposed Project has reduced the potential impacts of the Proposed Project to levels of insignificance, and there is no substantial evidence supporting a fair argument that the Proposed Project will significantly affect the environment in a manner that otherwise would require the preparation and certification of an Environmental Impact Report.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Evidence

That the Planning Commission has considered all of the evidence submitted into the Administrative Record for the MND and MMRP, including, but not limited to, the following:

- (a) Initial Study/Mitigated Negative Declaration prepared for the Proposed Project, attached hereto as Exhibit A;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration, attached hereto as Exhibit B;
- (c) Mitigation Monitoring and Reporting Program, attached hereto as Exhibit C;
- (d) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing; and
- (e) Testimony, comments, and correspondence from all persons that were provided at, or prior to, the public hearing.

Section 3. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) That all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the

environment that would otherwise require the preparation and certification of an Environmental Impact Report;

- (b) That the Mitigated Negative Declaration and MMRP have been completed in compliance with CEQA and the CEQA Guidelines and are consistent with the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
- (c) That the Mitigated Negative Declaration and MMRP represent the independent judgment and analysis of the Planning Commission and the City as the lead agency for the Proposed Project; and
- (d) That the Mitigated Negative Declaration and MMRP are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

Section 4. Adoption

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby adopts the Initial Study/Mitigated Negative Declaration attached hereto as Exhibit A and the Mitigation Monitoring and Reporting Program attached hereto as Exhibit C.

Section 5. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 6. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 7. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 8. Certification

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 22nd day of September, 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohette,
Chairperson

ATTEST:

Sean Kelleher,
Planning Official/Planning Division Manager

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:

- Exhibit A: Initial Study/Mitigated Negative Declaration
- Exhibit B: Notice of Intent to Adopt a Mitigated Negative Declaration
- Exhibit C: Mitigation Monitoring and Reporting Program

Exhibit A

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Exhibit B

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Exhibit C

MITIGATION MONITORING AND REPORTING PROGRAM