
PLANNING COMMISSIONERS

MELI VAN NATTA
Chair

AMBER CROTHERS
Vice-Chair

RAY L. BAKER
Commissioner



JEFFREY GIBA
Commissioner

CARLOS RAMIREZ
Commissioner

BRIAN LOWELL
Commissioner

JEFFREY SIMS
Commissioner

PLANNING COMMISSION AGENDA

May 23, 2013

PLANNING COMMISSION MEETING – 7:00 P.M.

**CITY OF MORENO VALLEY
City Hall Council Chambers
14177 Frederick Street
Moreno Valley, California 92553**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

(ON DISPLAY AT THE REAR OF THE ROOM)

COMMENTS BY ANY MEMBER OF THE PUBLIC ON ANY MATTER WHICH IS NOT LISTED ON THE AGENDA AND WHICH IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact Mel Alonzo, ADA Coordinator at (951) 413-3027 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

1. PA13-0020 - Fiscal Year 2013-2014 Proposed Capital Improvement Plan Conformance with General Plan

Recommendation: Make a finding that the Fiscal Year 2013-2014 Proposed Capital Improvement Plan is in conformance with the City of Moreno Valley's General Plan.

APPROVAL OF MINUTES

1. February 28, 2013
2. March 14, 2013
3. April 25, 2013

PUBLIC HEARING ITEMS

1. Case Description: PA13-0006 - Plot Plan, PA13-0007 - Zone Change, PA13-0008 - General Plan Amendment, and P13-029 - Variance
Applicant: Rancho Belago Developers, Inc.
Owner: Lakeridge Marketplace, LLC
Representative: Winchester Associates, Inc.
Location: Southeast corner of Alessandro Boulevard and Lasselle Street
Proposal: Plot Plan application for a 141 unit affordable apartment project on an 8.5 acre parcel. Project to include eight apartment buildings, two clubhouses with tot lots and pools. Unit mix of 1 to 3 bedroom apartments ranging from 723 square feet to 1,301 square feet. Development of this project will require a Zone Change and General Plan Amendment from Neighborhood Commercial / R15 to R30 / Open Space to allow for higher density multiple family land uses and to protect the existing slopes and rock outcroppings. The site has been graded previously under permit. The project also proposes a variance to reduce the covered parking requirement from 2 spaces to 1 space per unit for the 3-bedroom units.
Case Planner: Jeff Bradshaw
Recommendation: **APPROVE** Resolution No. 2013-17 and thereby

RECOMMEND that the City Council:

1. **ADOPT** a Mitigated Negative Declaration for PA13-0008 (General Plan Amendment), PA13-0007 (Change of Zone), P13-029 (Variance) and PA13-0006 (Plot Plan), pursuant to the California Environmental Quality Act (CEQA) Guidelines.

2. **APPROVE** PA13-0008 (General Plan Amendment), PA13-0007 (Change of Zone), P13-029 (Variance) and PA13-0006 (Plot Plan) based on the findings contained in this resolution, and as shown on the attachments included as Exhibits A and B, and subject to the attached conditions of approval included as Exhibit C.

OTHER BUSINESS

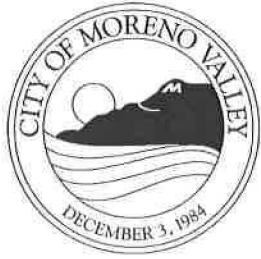
1. Brown Act Presentation by the City Attorney's Office

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

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PLANNING COMMISSION STAFF REPORT

Case:	PA13-0020 - Fiscal Year 2013-2014 Proposed Capital Improvement Plan Conformance with General Plan
Date:	May 23, 2013
Applicant:	City of Moreno Valley
Representative:	Public Works Department
Location:	Various Locations Throughout the City of Moreno Valley
Proposal:	Make a Finding that the Fiscal Year 2013-2014 Proposed Capital Improvement Plan is in Conformance with the City of Moreno Valley's General Plan
Recommendation:	Approval

SUMMARY

City staff produces an updated Fiscal Year (FY) 2013-2014 Proposed Capital Improvement Plan (CIP), which is brought annually before City Council for approval and to make a finding that the document is consistent with AB 1600, the California Mitigation Act. The document is also brought annually before the Planning Commission to make a finding that the plan is in conformance with the City of Moreno Valley's General Plan.

PROJECT DESCRIPTION

Background

The intent of the Fiscal Year 2013-2014 Proposed CIP is to identify the various capital improvements and funding over the next fiscal year and to establish a capital improvement plan over the next five years and beyond, to buildout, as referred to in general plan use and circulation plans. The document has been grouped by categories and by fund, and has a detailed project sheet for every project that is requesting carryover funds or new funds for Fiscal Year 2013-2014. All of the capital improvements were provided with an estimate of total project cost and anticipated fiscal year of construction. This plan also focuses on establishing funding sources and the availability of funds during the anticipated fiscal year of construction.

The document is designed to be a five year rolling document that is revised annually as part of the budget adoption process. The Fiscal Year 2013-2014 Proposed CIP begins with the capital budget year 2013-2014 and extends to "FY 2017-2018 and Beyond." All projects listed in the "FY 2017-2018 and Beyond" time frame are typically unfunded and will be brought forward as community needs arise.

Description

The streets listed in the Fiscal Year 2013-2014 Proposed CIP and all of the traffic signals are consistent with the General Plan. The parks projects listed meet the three acre per one thousand population standard set forth in the General Plan and Fire Station response time document.

REVIEW PROCESS

Staff has had numerous meetings with all City Departments in an effort to prepare a complete Capital Budget and Fiscal Year 2013-2014 Proposed CIP. This document, if approved by the Planning Commission, is tentatively scheduled to be presented to the City Council on June 11, 2013 for adoption as part of the City's Fiscal Year 2013-2014 Budget.

ENVIRONMENTAL

The proposal is not a "project" as defined under the California Environmental Quality Act (CEQA) in that the proposal is a fiscal activity that would not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment. (Section 15378(b) (4) of the CEQA Guidelines).

NOTIFICATION


Publication of the Planning Commission Agenda.

STAFF RECOMMENDATION

That the Planning Commission make a finding that the Fiscal Year 2013-2014 Proposed CIP is in conformance with the City of Moreno Valley's General Plan.


Prepared by:

Approved by:


Larry Gonzales
Senior Engineer, P.E.

for


Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer


John C. Terell, AICP
Planning Division Manager/Planning Official

ATTACHMENT: Fiscal Year 2013-2014 Proposed Capital Improvement Plan, Projects Summary by Category

Capital Improvement Plan
 FY 2013-2018 and Beyond
 Summary by Category
 Amount in \$1,000's

SUMMARY BY CATEGORY

Category	Carryover FY 13/14	New Request FY 13/14	Plan FY 14/15	Plan FY 15/16	Plan FY 16/17	Plan FY 17/18 & Beyond	Grand Totals
STREET IMPROVEMENTS	27,559	16,607	51,173	62,532	15,700	583,574	757,145
BRIDGES	7,084	10	10	10	10	98,320	105,444
BUILDINGS	1,591	3,850	-	2,516	20,750	168,962	197,669
DRAINAGE, SEWERS, AND WATERLINES	4,166	800	3,700	-	-	28,675	37,341
ELECTRIC UTILITY	280	2,657	482	5,601	6,577	4,920	20,517
LANDSCAPING	-	-	-	120	120	120	360
PARKS	1,096	1,949	4,416	580	100	248,730	256,871
TRAFFIC SIGNALS	2,369	160	1,388	970	110	39,078	44,075
UNDERGROUND UTILITIES	112	-	2,000	-	-	700	2,812
OTHER	-	-	-	-	-	-	-
TOTAL BY CATEGORY	44,257	26,033	63,169	72,329	43,367	1,173,079	1,422,234

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6

1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 FEBRUARY 28TH, 2013

5
6
7 **CALL TO ORDER**

8
9 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley
10 Planning Commission on the above date in the City Council Chambers located at
11 14177 Frederick Street.
12

13
14
15 **ROLL CALL**

16
17 Commissioners Present:

18 Chair Van Natta
19 Commissioner Baker
20 Commissioner Crothers
21 Commissioner Giba
22 Commissioner Ramirez
23

24 Excused Absence:

25 Vice Chair Salas
26

27 Staff Present:

28 John Terell, Planning Official
29 Julia Descoteaux, Associate Planner
30 Clement Jimenez, Land Development Engineer
31 Paul Early, Deputy City Attorney
32
33
34

35 **PLEDGE OF ALLEGIANCE**

36
37
38 **APPROVAL OF AGENDA**

39
40 **CHAIR VAN NATTA** – Okay have we had the opportunity to review the Agenda?
41 Would any one like to approve the Agenda?
42

43 **COMMISSIONER GIBA** – I move to approve the Agenda

44
45 **COMMISSIONER BAKER** – I second

1 **CHAIR VAN NATTA** – Okay all those in favor?

2
3 Opposed – 0

4
5 **Motion carries 5 – 0, with one absent (Vice Chair Salas)**

6
7
8
9 **PUBLIC HEARING ITEMS**

10
11 **CHAIR VAN NATTA** – The Public is advised that procedures to be followed
12 during this meeting and they are posted in the back of the room on the bulletin
13 board on display.

14
15
16
17 **PUBLIC COMMENTS**

18
19 **CHAIR VAN NATTA** – At this point we will open for any comment from members
20 of the public on any matter that is not listed on the Agenda but which is within the
21 subject matter jurisdiction of the Commission. I do not have any Speaker Slips. I
22 do not see anybody rushing to the podium there to say anything so I am going to
23 close Public Comments. Okay, the City of Moreno Valley complies with
24 Americans with Disability Act of 1990. If you need special assistance to
25 participate in this meeting please contact the ADA Coordinator 48 hours prior to
26 the meeting.

27
28
29 **PUBLIC HEARING ITEMS**

- 30
31 **1. Case Number: PA12-0004 Conditional Use Permit PUD**
32 **PA12-0005 Tentative Tract Map for PUD**
33 **PA12-0029 Change of Zone**
34 **PA12-0030 General Plan Amendment**
35 **P12-129 Variance**

36
37 **Case Planner: Julia Descoteaux**

38
39 **CHAIR VAN NATTA** – We are going to start with our first Public Hearing Item,
40 which is case PA12-0004 Conditional Use Permit PUD, PA12-0005 Tentative
41 Tract Map for PUD, PA12-0029 Change of Zone, PA12-0030 General Plan
42 Amendment and P12-129 Variance. Our Case Planner is Julia Descoteaux and I
43 probably butchered that again...Descoteaux?

44
45 **ASSOCIATE PLANNER DESCOTEAUX** – Descoteaux

1 **COMMISSIONER GIBA** – It's French

2
3 **CHAIR VAN NATTA** – I'm not French; sorry... so would you like to present this
4 project for us?

5
6 **ASSOCIATE PLANNER DESCOTEAUX** – Good evening Planning
7 Commissioners. Again I'm Julia Descoteaux. I'm the Case Planner. The
8 Applicant, CV Communities has submitted this application for the Conditional
9 Use Permit, Tentative Tract Map, Change of Zone, General Plan Amendment
10 and a Variance. The General Plan Amendment is to modify the land use and
11 circulation elements.

12
13 The proposed tract eliminates the connection of Quincy Street to Brodiaea
14 Avenue, which is a collector road in the General Plan between Brodiaea Avenue
15 and Cactus. The Transportation and Engineering Division has reviewed the
16 proposal and determined that the elimination of the direct connection will not
17 have an impact on the surrounding areas.

18
19 The project will also be conditioned to name Street A as Quincy because the
20 name is of historical value as one of the original streets in the City of Moreno
21 Valley dating back to 1891. The existing land uses in the area currently are
22 Residential RS10, Residential 10 and Residential 15. The proposed General
23 Plan Amendment will include the land use change to R5 which is the closest
24 designation to the project design and the density within the surrounding area.
25 The Change of Zone for the project is to change the zones from RS10, R10 and
26 R15 to R5. The Tentative Tract Map will subdivide the 43.52 acres into 159
27 residential lots. The lots will range from 6,000 square feet to approximately
28 15,298 square feet with a proposed density of 4.41, which is less than the density
29 in the R5 which is 5 units per acre.

30
31 The Quincy Channel will remain in the same location and there will be 45 lots on
32 the west side of the channel and 114 on the east side of the channel. The
33 Conditional Use Permit is required for the Planned Unit Development which
34 allows for specific guidelines for the project and allows for a variation in the size
35 of the lots and some amenities not found in some of the surrounding and
36 standard housing tracts.

37
38 The PUD will have multiple architectural styles and the designs within the tract
39 will have to meet the standards and the Planned Unit Development guidelines.
40 There is a multi-use trail along Brodiaea and there is also a multi-use trail along
41 Quincy Channel which will have exercise equipment. There is a Variance
42 proposed for the project that will allow an increase to the retaining wall height on
43 the southeast and west portion of the project due to the difference in grade. The
44 City's Municipal Code allows for three feet on the property line in height a
45 maximum and this project will need to go higher than that because again of the
46 difference in grade. The property owner was unsuccessful in obtaining approval

1 for off-site grading. The surrounding areas include R5 larger lot developments to
2 the north. The properties to the east are vacant and are zoned R5, RS10 and
3 R15. To the west and south are existing single family developments with RS10
4 and within the Specific Plan 193. The lots in those two tracts range from 5,200
5 square feet to 8,000 square feet. The project will access from two points of
6 entry; one on Cactus Avenue and Arabesque Avenue from the east. Existing
7 westerly development will be improved and Quincy Street will go down to Cactus.

8
9 The review process...the project was submitted in February of 2012 and we've
10 had several meetings with the applicant and all relevant issues have been
11 addressed to the satisfaction of all parties. There was a Mitigated Negative
12 Declaration prepared for the applications and the Initial Study. A biological
13 assessment was prepared. The site does contain suitable habitat for Burrowing
14 Owls, however none were found on the site and they'll do the 30 day pre-
15 construction prior to any grading on the site. The project contains a portion of the
16 land that is in the Quincy Channel and that is within the jurisdiction of the Army
17 Corps; the California Department of Fish and Wildlife and the Regional Board
18 and the applicant will be working with those agencies on the Quincy Channel. A
19 Cultural Study was completed for the project as well as a Paleontological Impact
20 Resource Assessment and with no evidence of those on the site. The
21 greenhouse gas analysis was prepared for the project and will not result in a
22 significant impact. The Preliminary Water Quality Management Plan was
23 reviewed by Land Development and a Final Water Quality Management Plan will
24 be required prior to approval of the grading plans. The project Initial Study was
25 sent to the State Clearinghouse for CEQA and with that we received a letter from
26 the National Heritage Tribal Agency and with that we then sent letters to all the
27 local tribes to determine if they had any comments on the project. We did have a
28 consultation with the Pechanga Tribe and they have requested that the applicant
29 do so some onsite monitoring, so we'll be working with that Agency between now
30 and the City Council Hearing to incorporate some Mitigation Measures into the
31 conditions. Notification was sent to all properties within 300 feet and to date I
32 have received no comments or questions regarding the project except one
33 inquiry about what the project was. This concludes my Staff Report and if any of
34 you have any questions I'd be happy to answer them as well as the Applicant is
35 here.

36
37 **CHAIR VAN NATTA** – Okay any questions?

38
39 **COMMISSIONER RAMIREZ** – As I was reviewing the project, I couldn't help but
40 notice what I believe is lot 159. There is a big tree there. Any idea how old that
41 tree is and whether there are any environmental concerns about removing it or
42 are they going to remove it or what exactly is the deal with that?

43
44 **ASSOCIATE PLANNER DESCOTEAUX** – I don't know if they've done any
45 specifics on that particular tree. If it is in a location where they can save it, they
46 will try. I can ask the applicant to address that as well.

1 **COMMISSIONER RAMIREZ** – Yes, because that might be important for any type
2 of bird type of wildlife like the Burrowing Owl or something like that.

3
4 **ASSOCIATE PLANNER DESCOTEAUX** – If there is any or when they do the 30
5 day pre-construction survey or if there any birds that are in the nesting season,
6 they would have to wait until after the nesting season to do any grading or to
7 remove the three if that were the case.

8
9 **COMMISSIONER RAMIREZ** – And if they decided to remove the tree, what
10 would happen to the wildlife; to the owls?

11
12 **ASSOCIATE PLANNER DESCOTEAUX** – The Burrowing Owls are in the
13 ground. They aren't in the tree. If it is not during the nesting season, then the
14 birds if there are any in the tree, they'll go to another tree.

15
16 **COMMISSIONER RAMIREZ** – So only during the nesting season...

17
18 **ASSOCIATE PLANNER DESCOTEAUX** – If is during the nesting season then
19 they have to wait till after the nesting season if they find the birds in the tree.

20
21 **COMMISSIONER RAMIREZ** – Very well, thank you

22
23 **COMMISSIONER GIBA** – You mentioned in the access parking that you only
24 mentioned the two streets. When I'm looking at the plan there are actually more
25 than that.

26
27 **ASSOCIATE PLANNER DESCOTEAUX** – Yes you are correct. There are
28 accesses through Wilmot as well as down through Cactus and Brodiaea.

29
30 **COMMISSIONER GIBA** – ...and Brodiaea. Is there a reason why you didn't
31 mention that in particular because they were specific to have some kind of
32 entrance or anything like that?

33
34 **ASSOCIATE PLANNER DESCOTEAUX** – Just overlooked

35
36 **COMMISSIONER GIBA** – So they do have more than just two access points

37
38 **ASSOCIATE PLANNER DESCOTEAUX** – Yes they do

39
40 **COMMISSIONER GIBA** – That's something that somebody might want to know;
41 if they wanted to know that. The Variance I didn't quite understand for the grade.
42 When I went out there it looked pretty level all around. I drove up Wilmot and
43 down Brodiaea which is a dirt road a little way down that way and it all seemed
44 pretty much the same grade. You are talking about having a retaining wall of
45 three feet at that one location with the south kind of... Could you just explain to
46 me why that is necessary? It really doesn't look like it.

1 **PLANNING OFFICIAL TERELL** – Yes I think if you have any more detailed
2 questions I'll ask Clement to add on to this. When you grade for a subdivision
3 everything has to... all the grades for the individual lots have to be adjusted so
4 that water drains to the street, so on those edges of the property what typically
5 happens you have a street and then the lot has to be graded up towards the
6 property line in order to drain towards the street, so it ends up higher than the
7 current grade. They had attempted to get what Julia had said off-site grading,
8 which means a slope on the adjacent property, but the adjacent property wasn't
9 willing to do that, so that's why you get a higher retaining wall instead of a slope
10 and most likely what will happen in the future is when that adjacent property
11 develops, they'll have to grade on their site in order to drain towards the street
12 and they'll probably end up increasing the height on their side, so long term you
13 probably won't even see the wall, but because it is there we have to go through
14 the variance process.

15
16 **COMMISSIONER GIBA** – That's why I just asked for some clarity on that
17 because I'm not really good on that kind of thing, so it would be very good to
18 have that. You mentioned in here and I don't know at what point we're going to
19 go through this in a little bit more detail, but I didn't and unless I'm missing it, I
20 didn't see mitigation measures listed in here because you did have some less
21 than significant with mitigation incorporated, but I'm not seeing any. What are the
22 mitigation measures? For example on page 8 where it says the project shall
23 mitigate permanent impacts to jurisdictional waters with mitigation measures, but
24 I don't see what those measures are.

25
26 **ASSOCIATE PLANNER DESCOTEAUX** – The mitigation measures will be a
27 separate document however they have been incorporated into the conditions of
28 approval, so although we will have a separate document, they are specifically
29 noted in the conditions.

30
31 **COMMISSIONER GIBA** – So for example on page 85 and I'll jump ahead just for
32 fun, you have here a conflict where it will obstruct implementation of the
33 applicable Air Quality Plan less than significant with mitigation incorporated.
34 What would be mitigation? Is it... I probably missed it somewhere in the
35 document how you are going to do that.

36
37 **ASSOCIATE PLANNER DESCOTEAUX** – Let me look. Just one moment
38 please.

39
40 **PLANNING OFFICIAL TERELL** – Yes, typically on the air quality ones, it has to
41 do with dust created during grading activities

42
43 **COMMISSIONER GIBA** – Yes I followed that

44
45 **PLANNING OFFICIAL TERELL** – Those are standard Land Development
46 conditions, so a lot of the standard conditions are the mitigation that will address

1 those concerns and then we repackage them into a mitigation program which is
2 generally created subsequent to approval of a project and then that is what Staff
3 looks at to make sure that those mitigation measures have been met.

4
5 **COMMISSIONER GIBA** – I was just curious why they were not incorporated for
6 our viewing. I mean if I'm looking this over I would like to have known that and
7 then of course the public might... I been at enough of these meetings that the
8 public would want to know how we're going to resolve some of these issues, so it
9 is always nice to just have them there for us in there. Maybe I'm being a little
10 pickier than most people would have been on that but I've been at too many
11 meetings...

12
13 **PLANNING OFFICIAL TERELL** – Right... on a project like this mitigation is
14 really standard and that is why we just integrate into the regular... we already do
15 this mitigation on every project, but certainly to the extent for greater clarity, we
16 can certainly do that in the future.

17
18 **COMMISSIONER GIBA** – Yes and just because I poke through this stuff

19
20 **PLANNING OFFICIAL TERELL** – The other one you had; the channel; there are
21 specific conditions related to requiring a permit from those agencies and that is
22 the mitigation for those.

23
24 **COMMISSIONER GIBA** – Those permits would be the mitigation that you are
25 actually doing and so those would be pulled before any actual construction is
26 going to take place or grading is going to take place.

27
28 **PLANNING OFFICIAL TERELL** – Yes those are required prior to any
29 disturbance of the sight, which means yes you couldn't have a week whacker out
30 there in that channel without a permit.

31
32 **COMMISSIONER GIBA** – Or cut down a tree, you know, so...

33
34 **PLANNING OFFICIAL TERELL** – Definitely

35
36 **COMMISSIONER GIBA** – I don't know if it is appropriate to speak now but the
37 Quincy Channel when I'm out there is just literally that. It is just a trench for all
38 intents and purposes and then I noticed that you had done; now it actually looks
39 like it has been rocked in the end product and it ends basically right at Cactus so
40 I'm assuming that is like a collector area. Where is it going once it hits Cactus?
41 Where is the runoff actually going?

42
43 **PLANNING OFFICIAL TERELL** – It goes under Cactus and through the golf
44 course in Moreno Valley Ranch. Yes it actually doesn't go into a storm drain; a
45 typical storm drain. It actually goes across and then when it rains a lot and a lot
46 of debris, the golf course has a lot of clean up to do.

1 **COMMISSIONER GIBA** – Yes, because I noticed on page 66, two water quality
2 basins will constructed; one on each side of the channel, so you actually have a
3 basin first that it collects in and then it runs...

4
5 **PLANNING OFFICIAL TEREELL** – In the future there will be a basin that is part of
6 the water quality and Clement can answer any detail questions about that but
7 that will clean the water that is created from the streets in the subdivision prior to
8 going into that channel so it will be a better situation in the future that in the
9 current situation, so and I'm not sure but I'll defer to Clement on it, but is it
10 detaining water as well?

11
12 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Hi, good evening. I'm Clement
13 Jimenez with Land Development. The two water quality basins are specifically
14 for water quality treatment purposes. They will not detain the flow but the system
15 that the developer is proposing has been sized adequately to carry the additional
16 post-development construction flows.

17
18 **COMMISSIONER GIBA** – And you mentioned that is to be done in the future.
19 What do you mean that is to be done in the future; prior to them actually doing
20 their building and construction... and not after it's been done; right?

21
22 **PLANNING OFFICIAL TEREELL** – Right it would be in conjunction with
23 development they would put in those facilities during grading. It is different than
24 today because today all the debris gets picked up in the Quincy Channel on a
25 rainy day and ends up on the golf course. With this most of that debris will be
26 captured and therefore I think the golf course will have less clean up issues in the
27 future than they do now; not more water but it will cleaner.

28
29 **COMMISSIONER GIBA** – Sure, thanks John. I appreciate the clarification
30 because I'm looking at the plans and I'm just seeing this dead end and it's not
31 clear here what is happening to it after that point and I know we've had some
32 troubles with flooding and issues especially on that east side, so I'm just not
33 familiar to where those problems are.

34
35 **PLANNING OFFICIAL TEREELL** – If you look at the aerial that is in your packet,
36 you can kind of see where it goes there. It goes into the golf course and
37 meanders through and actually eventually ends up in Moreno Valley Ranch Lake.

38
39 **COMMISSIONER GIBA** – Okay that helped me out a lot too. Some of these
40 might be other issues. On that flood channel that is being built, is that part of the
41 builder's responsibility or is it in conjunction with the City for that flood control
42 channel.

43
44 **LAND DEVELOPMENT ENGINEER JIMENEZ** – Good evening; Clement
45 Jimenez again. Yes, the Quincy Channel is the responsibility of the developer to

1 construct. They will be constructing that as part of the drainage improvements
2 during the rough grading stage.

3
4 **COMMISSIONER GIBA** – It doesn't appear to be really that deep. Am I correct?
5 It is only a few feet?

6
7 **LAND DEVELOPMENT ENGINEER JIMENEZ** – That's correct. At capacity, the
8 channel will carry 17 hundred CFS. It will be 4.6 feet from the bottom surface to
9 the water surface elevation; however it is a little bit deeper than that. I recall it
10 being 7 feet deep, so it has additional capacity to accommodate additional flow if
11 needed.

12
13 **COMMISSIONER GIBA** – Do we know what the flow rate is in high storm type
14 seasons? Is it moving pretty good or is it fairly slow moving?

15
16 **LAND DEVELOPMENT ENGINEER JIMENEZ** – It is a lot of flow, so it is moving
17 pretty fast and it has a capacity to accommodate 17 hundred CFS and velocity is
18 over I believe 4 feet per second, so it has a good flow to it.

19
20 **COMMISSIONER GIBA** – I'm leading to something just so you understand.
21 Unless I am incorrect on this and I'm looking at your plans; at that flood channel
22 where you are doing the running path or the trail, I'm seeing a cable fence there.
23 My concern is that it is being built in the middle of a housing tract. Is that
24 adequate enough to keep young children from getting into a flood channel that is
25 moving pretty dog gone good at 7 feet deep? I'm serious here in that I'm
26 concerned. We read a lot about people falling into flood channels and things like
27 that and all I'm seeing and you guys can clarify it for me because I'm just trying to
28 read this. You have three types of; when I went through the package, you have
29 three types of walls that you have. You have the full wall. You've got the one
30 with just some covered and then you have what you call this cable wall. It is only
31 three cables. That doesn't look like it would keep young kids or children or
32 anything out of that or least even slow them down to a certain degree especially
33 if it is a pathway that they're going to be using on a regular basis, because it is
34 supposed to be for jogging and workouts and stuff like that.

35
36 **PLANNING OFFICIAL TERELL** – The three cable system is the City standard
37 that they worked out with Flood Control adjacent to trails and this is the same
38 cross section that exists up at Quincy and Cottonwood. There is a subdivision up
39 there that is about six or seven years old and so this was the existing standard
40 that is there. It will not keep people out of the channel and it is not intended to
41 keep people out of the channel and so I can't answer any other questions now
42 because that was worked out with the Parks Department who does the trails
43 Flood Control and so that is an established standard that has been used
44 elsewhere in the community and more specifically up Quincy at Cottonwood.

1 **COMMISSIONER GIBA** – Because it is an established standard does that mean
2 that is the only way we can ever do it?

3
4 **PLANNING OFFICIAL TERELL** – It is not the only way it can be done, but I'm
5 just saying that is the established standard and for this particular location which
6 is very similar to the one at Cottonwood, there was no concern expressed by
7 Flood Control which typically they're the ones that would be the most concerned
8 by people getting into the channel. I don't know if this would qualify as a swift
9 water rescue area. I mean it is certainly a lot of water.

10
11 **COMMISSIONER GIBA** – That's why I asked that question. What I guess I'm
12 pointing out is that something worthwhile taking a look at from the builder's
13 perspective and from the City's. All you need is one person. That's all you need
14 is one person to have made that mistake and if you didn't do everything to
15 mitigate that potential mistake; whether it is a standard or not throughout the City,
16 then we end up with a liability issue.

17
18 **PLANNING OFFICIAL TERELL** – The main concern is that even if you put
19 something more substantial there, when you get to either end of that channel,
20 there is still not going to be any barrier, so there is no way to fence off the area
21 so it is not accessible. That's kind of the problem in looking at something
22 different is it will be very visible which is very good because there are houses
23 facing that area, so it is a much more visible area than having it hidden behind
24 the back walls of houses. Also as I said there is an existing condition and there
25 haven't been any issues with that existing condition, but yes I think it is good to
26 raise it and certainly the applicant and Flood Control can work and see if
27 something else can be more desirable.

28
29 **COMMISSIONER GIBA** – If it is a standard and we have it all over the City you
30 know then that is one issue. I went out there to that area and it looks like it will
31 be a beautiful environment and I suspect that we'd have lots of children and
32 families and right next to them you have a sight that is the Moreno Valley School
33 District. I would suspect that at some point in time they may end up building an
34 elementary school and you only would compound the issue with kids wanting to
35 play in the flood control channel. I just bring that to your attention because I think
36 it is pertinent and important that we do that.

37
38 **PLANNING OFFICIAL TERELL** – I mean it is certainly a point of discussion, but
39 that is how it came to this point.

40
41 **COMMISSIONER GIBA** – Okay at this time I don't have any more questions for
42 you guys. I guess that's it really.

43
44 **COMMISSIONER CROTHERS** – John as I was reading through the plans for this
45 I noticed that in one part that it said that the Quincy Channel; the running path

1 and the exercise equipment would be maintained by the City of Moreno Valley.
2 Is that correct?

3
4 **ASSOCIATE PLANNER DESCOTEAUX** – Yes that’s correct. The Parks
5 Department will be maintaining that.

6
7 **PLANNING OFFICIAL TERELL** – And all trails in the City are maintained by
8 Parks and Recreation and then the equipment; they prefer to maintain it
9 themselves rather than having a Home Owners Association do it. So that would
10 be part of the parcel fee and all new subdivisions pay the basic \$87.50 a year
11 plus an additional \$150.00, so I think Parks and Recreation felt that was sufficient
12 money in order to cover that through the development; the homeowners that will
13 be living in this subdivision.

14
15 **COMMISSIONER CROTHERS** – So the homeowners are going to pay a little bit
16 more so that Parks can also maintain the exercise equipment?

17
18 **PLANNING OFFICIAL TERELL** – They won’t pay more because of that, but
19 every new subdivision pays more. There is a Citywide standard that all the new
20 subdivisions in the last 10 or 12 years pay a higher rater and for that they get...
21 there is a higher level of parks in the newer parts of the community, so that’s the
22 nexus or the connection between the higher fee. So here they’ll have trails that
23 older parts of the City don’t have that Parks and Recreation will maintain and
24 they just happen to have equipment in them as well, which is an added amenity
25 and the Parks Department felt that they would prefer to maintain it rather than an
26 Homeowner’s Association doing it and they feel they have sufficient resources
27 because of the existing policies with the City.

28
29 **COMMISSIONER CROTHERS** - Okay, thank you

30
31 **CHAIR VAN NATTA** – I did just want to comment on one of your questions
32 which was about the access to the flood control channel. One of the problems
33 with making it difficult to access the channel is that is not necessarily not going to
34 keep out a determined youngster who is going to get it, but it does make it more
35 difficult for rescuers to get down in and pull somebody out who has gotten in
36 there. So there is this kind of double sided issue there. On the multi-use trail
37 and I know this is part of the Parks and Recreation, what are the uses permitted
38 on that trail... I mean jogging, bicycling...

39
40 **PLANNING OFFICIAL TERELL** – Yes it is multi-use. It is everything including
41 bicycles, pedestrians, and joggers. Joggers love it if you jog, it is much easier on
42 your knees and it could be used by equestrians as well. The only thing you can’t
43 use on a multi-use trail is a motorized vehicle.

44
45 **CHAIR VAN NATTA** – Okay I was leading up to the question about the
46 equestrians.

1 **PLANNING OFFICIAL TERELL** – I mean you could use pogo sticks... I mean
2 there are other opportunities, but...

3
4 **CHAIR VAN NATTA** – On that retaining wall issue and you said this is required
5 because the retaining wall is going to be higher than three feet... how high? How
6 much higher?

7
8 **ASSOCIATE PLANNER DESCOTEAUX** – It is up to six or seven feet

9
10 **CHAIR VAN NATTA** – Okay, so it's not like a nine foot wall or 10 foot wall or
11 something.

12
13 **PLANNING OFFICIAL TERELL** – The further you get from Cactus from the
14 street frontage, the higher it gets because that's where the slope has to be higher
15 in order to drain and yes I think it was six or seven feet, and there will be a six
16 foot fence or wall on top of that, so the whole height of it will be quite extensive,
17 but there is really...

18
19 **CHAIR VAN NATTA** – the retaining wall part of it...

20
21 **PLANNING OFFICIAL TERELL** – Yes the retaining wall will only be half or so, it
22 wouldn't exceed six or seven feet.

23
24 **CHAIR VAN NATTA** – Okay, alright. My other questions have already been
25 handled, so I think we're ready to go into the Public Comments and start with the
26 Applicant, so if the Applicant would like to come forward.

27
28 **APPLICANT THOMAS** – Good evening; Ryan Thomas with CV Communities.
29 We support Staff's decision on this and I think they have covered a lot of the
30 questions that you guys have had, but if there is anything else I answer for you,
31 I'd be glad to.

32
33 **CHAIR VAN NATTA** – I think we had a question about a tree.

34
35 **APPLICANT THOMAS** – A tree... in a preliminary stance, there is no significant
36 history to that tree and we kind of went over some of the mitigation measures as
37 far as what needs to be done. For example; the Burrowing Owl; that is not a...
38 the tree doesn't necessarily have anything to do with that because that is a bird
39 that is more ground related than anything else, so I don't think that that is an
40 issue. So as it stands right now, I mean based on what we kind of provided
41 through a biostudy, we see that that tree doesn't have any significance, so...

42
43 **CHAIR VAN NATTA** – And there are plans to plant a whole bunch of trees in that
44 development when you are done; right?

45

1 **APPLICANT THOMAS** – Correct, there is a full landscape plan that you guys
2 have in your packet that covers... along the trails there is quite elaborate
3 landscaping along the trails as well as there is a preliminary street tree plan for
4 the tract, so I think that we’ve kind of covered that. Additionally, each of the
5 water quality basins will have trees and shrubs, so there is a significant amount
6 of landscaping within our project.

7
8 **CHAIR VAN NATTA**- Okay is there any other questions for the Applicant?
9

10 **COMMISSIONER RAMIREZ** – Is there going to be any trails alongside Cactus
11 Avenue on the north side of Cactus.
12

13 **APPLICANT THOMAS** – No, Cactus Avenue does not have a trail. Quincy Trail
14 towards the south will dead end at Cactus and we also have a condition to
15 provide a safe walk across Cactus Avenue. There is a continuation of trails on
16 the other side, but the trails themselves are along the Quincy Channel and along
17 Brodiaea Avenue.
18

19 **PLANNING OFFICIAL TERELL** – Yes but along the north side they’ll be a
20 sidewalk of course of the north side of Cactus and it will be curb separated, so it
21 will be a little different than your standard subdivision sidewalk, so it will feel
22 safer, but yeah the multi-use trail on the City’s plan is already in existence and it
23 is on the south side of Cactus.
24

25 **COMMISSIONER RAMIREZ** – Okay, thank you
26

27 **COMMISSIONER GIBA** – Just a quick one... I was going over your plant palette.
28 It is kind of close to me right now because of where I live and we’ve been
29 working on changing that palette up there where I had lived and as I went
30 through it I’m looking at your list of trees and is there any reason why you can’t
31 and I don’t know John if the plant palette is the same one that they have gone
32 over that we have here or Riverside County. I think the Riverside County one
33 has a huge for natural trees and stuff. For example, something that just stands
34 out right now is you are showing a London Bloodgood, which is a type of a
35 Sycamore, but not a California Sycamore which is much more adapted to this
36 area, especially with being drought tolerant. Also another one for instance is a
37 Pin Oak. Pin Oaks are really very good trees for this area, so I’m just picking out
38 two that come to mind. You’ve got a nice bunch of tree palettes here but is there
39 any reason why you don’t have more for them to choose from down the road if
40 one or another doesn’t work out okay.
41

42 **PLANNING OFFICIAL TERELL** – Well I think there is always the opportunity
43 with approval to use trees outside of that list; that’s like a perspective list. It’s not
44 limiting...
45

1 **COMMISSIONER GIBA** – It's not going to limit them to just these trees... like
2 some plants do...

3
4 **PLANNING OFFICIAL TERELL** – like in Hidden Springs it is different...

5
6 **COMMISSIONER GIBA** – Yes, like some places you are stuck with what they
7 gave you.

8
9 **PLANNING OFFICIAL TERELL** – So they would look at this list and if they
10 wanted to do trees other than on the list, they would have to show some
11 equivalency and that would be a Staff level process because as long as they are
12 drought tolerant or what is called California friendly which is different then they
13 would be acceptable replacement trees. But the idea is to provide some sense
14 of guidance and not conformity, but consistency in the subdivision. Most of these
15 trees will be in people's front yards; they'll be street trees and front yard trees
16 and that is why with some of the native trees we shy away from that because
17 they are in a typical front yard, they don't necessarily succeed very well. A
18 famous example; there used to be a planter here many years ago that thought it
19 was great to have California Redwoods planted in front yards and it is a beautiful
20 tree and it actually can grow quite well in this area but if you give it too much
21 water it dies and that's what happened.

22
23 **COMMISSIONER GIBA** – It doesn't tolerate the water as well. That's really kind
24 of all I had right now.

25
26 **CHAIR VAN NATTA** – Okay any other questions for the Applicant?

27
28 **COMMISSIONER BAKER** – I have one. It's just kind of a detail question. Back
29 on your and this might not be the time to talk about this, but on your vinyl fences
30 you are using for privacy here, which I like that idea very much, but the thing I
31 don't see is either on the corners or every... I guess these are eight foot deals;
32 you're not... I don't see you slipping a treated 4 by 4 reinforcement. Typically
33 when I put those in, I always slip in a 4 by 4 post inside the vinyl post; the 5 by 5
34 post. Are we not calling for... the problem I'm getting at here is you go all over
35 town and as these fences age we are really having some problems. I don't know
36 if you guys are aware... somebody is going to have to start maintaining these. Is
37 that the Parks Department that maintain these fences or how going to do this
38 going down the road?

39
40 **PLANNING OFFICIAL TERELL** – No... private fences are not maintained by
41 Parks and Recreation.

42
43 **COMMISSIONER BAKER** – Even on the trails; right?

44
45 **PLANNING OFFICIAL TERELL** – On the trails they are. Yes, the three rails or
46 two rail fences along the trails; yes, they are maintained by the Parks and

1 Recreation Department. It is only the private or what we call the privacy fences
2 that are in people yards and those are not maintained by the City. These
3 particular fences are only going to be interior fences so, on corner lots and
4 reverse frontage lots; those are required to be more durable. I think they are
5 specified as block, so it won't be the four corners. The four corners will be
6 interior lots; interior to block.

7
8 **COMMISSIONER BAKER** - So that's kind of over-amping and maybe calling for
9 4 by 4 on those corner posts or where they terminate next to the block wall or
10 not?

11
12 **PLANNING OFFICIAL TERELL** – I don't know. It is not a City standard, but
13 certainly it is probably good. From experience you know, but it is not the City
14 standard because the City is not responsible for maintaining those.

15
16 **COMMISSIONER BAKER** – No I understand that. And the tubular steel fence;
17 where were you using that? Is that around the trash corral or what is that all
18 about?

19
20 **ASSOCIATE PLANNER DESCOTEAUX** – That would be around the water
21 quality areas

22
23 **COMMISSIONER BAKER** – That would be around the water quality basin and
24 that is an open fence; right?

25
26 **ASSOCIATE PLANNER DESCOTEAUX** – Correct

27
28 **COMMISSIONER BAKER** – Okay, good enough. Okay, so the trail fences we
29 are maintaining by the Parks Department; okay, so if I see one of those broken
30 down, I can call the Parks Department?

31
32 **PLANNING OFFICIAL TERELL** – Yes

33
34 **COMMISSIONER BAKER** – Good. I haven't; not that I'm going to, but...

35
36 **PLANNING OFFICIAL TERELL** – No they would actually prefer if people called
37 them

38
39 **COMMISSIONER BAKER** – No, you know people hit... and I like those vinyl
40 fences but the thing that really worries me about this with the heat we get here
41 and I don't care how many UV inhibitors they put in it, you hit them with a bicycle
42 tire and they are popping. You know, the older they get, it is just... and this one
43 with O'Reilly Parts coming up here you know up the street from me and I know
44 that is a private deal, but they're beating that fence apart.

1 **PLANNING OFFICIAL TERELL** – Yes I know that Parks went to the Plex... they
2 used to have all wood fences and they are actually more of a problem.

3
4 **COMMISSIONER BAKER** – You know from painting and I like that deal from a
5 maintenance standpoint believe me they look nice. Okay, sorry about that.

6
7 **CHAIR VAN NATTA** – Okay, any other questions for the Applicant? Okay, thank
8 you very much.

9
10 **APPLICANT THOMAS** – Thank you

11
12 **CHAIR VAN NATTA** – Are there any other Public Comments. I have no slips or
13 anything. I don't see anybody coming up, so we're going to close Public
14 Comments and go to Commissioner... I don't like to call it debate...
15 Commissioner Discussion.

16
17 **COMMISSIONER CROTHERS** – I just want to thank the Applicant for submitting a
18 project that will not only look really well, but it is multi-use for everybody who is
19 the community. It kind of gives them somewhere to go; somewhere to be. I like
20 the addition of all the trees and all the greenery. Oftentimes you drive around the
21 City and there is not too much of that, so I appreciate that being put into the plan
22 and just the basic design of the homes that you submitted and the whole layout.
23 I appreciate it and I know this will be a good addition to Moreno Valley, so thank
24 you.

25
26 **COMMISSIONER GIBA** – And it is my turn. First of all thank you very much.
27 Your package was very informative and very helpful. It gave me a very good
28 perspective. I went out to the site and it fits perfectly as far as I'm concerned.
29 This is a very nice project. I know sometimes we sound like we are nitpicking,
30 but we're really not. I'm just clarifying for me. I like the trail idea when you guys
31 put that in there and the workouts along the way. Again maintaining those with
32 the workouts, but it is very nice and I'm glad you guys have decided to build that
33 in Moreno Valley and that east side; that's another nice little area for that and I'm
34 hoping eventually maybe Moreno Valley School District will put a school in next
35 to you and make it a much more enhanced project for everybody, so
36 congratulations and good job Ryan. I thought you did a good job. Thank you.

37
38 **COMMISSIONER BAKER** – I think this is an ideal project for the area. I went
39 out and also looked it over. I think it is a big plus for area. I like the way it is laid
40 out. I wasn't picking on your fence issue there, it is just something that I'm
41 concerned about as we go down the road, but I think a lot of multi-use there. I'd
42 like to live in that area myself personally. There are a lot of things to do so good
43 luck to you and hope it moves forward.

44
45 **COMMISSIONER RAMIREZ** – Well I'd like to thank you for coming out. The
46 plan is awesome. I think it is ideal for the future of Moreno Valley. We have

1 intentions of bringing a lot of jobs in the future, so that will be suitable for the new
2 residents that come out here and explore living in Moreno Valley. As far as the
3 variety in homes, I love that it's walkable. I like that you have many different
4 varieties of houses to choose from and they will all be you know right next to
5 each other, so I love the project. I appreciate it and I'm going to vote for this
6 project. Thank you.

7
8 **CHAIR VAN NATTA** – I have to say that I think the project is perfect for the area.
9 It will fit right in. I like it because of being able to enjoy the outdoors a little bit
10 more. I mean we have the weather for it here in California. It is a shame that we
11 don't spend more time outside. I like the size of the lots. I like the multiple cul-
12 de-sacs. From terms of inventory, I think it will be a good addition and that
13 concludes my comments. I would look forward to somebody making a motion.

14
15 **COMMISSIONER CROTHERS** – I motion to approve

16
17 **CHAIR VAN NATTA** – Do you want to go ahead and read the...

18
19 **COMMISSIONER CROTHERS** – Sure, I motion that we **APPROVE** Resolution
20 No. 2013-01 and thereby **RECOMMEND** that the City Council:

- 21
22 **1. ADOPT** a Mitigated Negative Declaration for PA12-0029, a Change of Zone,
23 PA12-0030, a General Plan Amendment, PA12-0004, a Conditional Use
24 Permit, PA12-0005, Tentative Tract Map 36436 and a Variance, P12-129,
25 Pursuant to the California Environmental Quality Act (CEQA) Guidelines; and,
26
27 **2. APPROVE** PA12-0029, a Change of Zone, PA12-0030, a General Plan
28 Amendment, PA12-0004, a Conditional Use Permit, PA12-0005, Tentative
29 Tract Map 36436 and a Variance P12-129 subject to the attached Zone
30 Change Map, General Plan Map and conditions of approval included as
31 Exhibits A, B and C.

32
33
34 **COMMISSIONER GIBA** – I'll second that

35
36 **CHAIR VAN NATTA** – Okay, we have a motion and a second... All those in
37 favor?

38
39 **Opposed – 0**

40
41 **Motion carries 5 – 0, with one absent (Vice Chair Salas)**

42
43 **CHAIR VAN NATTA** – Staff would you like to wrap it up for us?

44
45 **PLANNING OFFICIAL TERELL** – Sure, this action shall be forwarded to the City
46 Council for final review and action.

1 **COMMISSIONER BAKER** – Good luck to you.
2
3
4

5 **2. Case Number: PA12-0032 Conditional Use Permit**
6

7 **Case Planner: Julia Descoteaux**
8

9 **CHAIR VAN NATTA** – Okay, we're going on to our second item on our
10 Agenda... Case PA12-0032, Conditional Use Permit and our Case Planner is
11 Julia Descoteaux. Did I get it right that time?
12

13 **ASSOCIATE PLANNER DESCOTEAUX** – Yes you did, thank you. The project
14 before you is a Conditional Use Permit application that proposes the sale of beer
15 and wine at an existing retail store called The Smoke and Sell Store, between the
16 hours of 9 am and 12 am. The site is located just east of the corner of
17 Sunnymead Blvd. and Frederick in an existing building. The land use is
18 Community Commercial within the Specific Plan 204 which allows for general
19 shopping and service needs in the area. The existing store with or without
20 alcohol will comply with the zoning of the Specific Plan. The proposed project is
21 a Conditional Use Permit which is necessary to provide Conditions of Approval
22 for discretionary use when a business is applying for the approval to sell beer
23 and wine within 300 feet of residential. The site is .92 acres and again is located
24 on Sunnymead and Frederick. It's an "L" shaped parcel currently with a retail
25 building towards Sunnymead Blvd and on the south side of the building or the lot
26 is a car wash.
27

28 Currently the property owner is subdividing the property into two separate
29 parcels, however they will still have reciprocal access and be able to use the
30 same driveway, so that won't change for this applicant. The parcels adjacent to
31 the site are also developed. To the west is a 7 11 convenience store with
32 properties to the north, east and west also developed with commercial uses. The
33 property to the south of the lot is developed with single family residential homes
34 and again there are two points of access to the site; one off of Sunnymead Blvd.
35 and one off of Frederick.
36

37 The project was submitted on October 1st, 2012 and due to the location and the
38 type of project and being a developed site with no major alterations, the
39 transmittal was not sent to outside agencies, it was sent to the Planning Division,
40 the Fire Division and the Moreno Valley Police Department for review. Based on
41 the information that I received from the Department of Alcoholic Beverage and
42 Control (ABC), there are currently five ABC Licenses within the census tract.
43 Two of those are type 20 which is the same as the applicant is asking for in this
44 site, which is the sale and beer and wine for off-site consumption only. The other
45 three licenses in the area are type 40 which are normally on-site consumption for
46 restaurants.

1 Again the existing store with or without alcohol sales is compatible with the
2 existing and planned uses for the vicinity. The Conditional Use Permit allows for
3 review and potential revocation of in the event the operations are contrary to the
4 approved conditions of approval and/or are causing a public nuisance. Property
5 notice was sent to all property owners within 300 feet of the site and I have not
6 received any comments or questions regarding the application to date. The
7 project is exempt from the California Environmental Quality Act as an existing
8 facility and Staff is recommending approval of the Conditional Use Permit. If you
9 have any questions I'm here to answer them for you as well as the Applicant's
10 Representative is here. Thank you.

11
12 **CHAIR VAN NATTA** – Are there any questions? Go ahead Commissioner Giba

13
14 **COMMISSIONER GIBA** – Thank you. How many people got the notification
15 within 300 feet? I mean do you have a number for me?

16
17 **ASSOCIATE PLANNER DESCOTEAUX** – There were 30 residents. Most of
18 them are property owners to the south because around there of course the
19 properties to the east and west, but north you only have the businesses across
20 the street because it goes further across the 60 freeway.

21
22 **COMMISSIONER GIBA** – So no actual residents who live in homes in
23 communities with families and children were ever notified of that or how many
24 were.

25
26 **ASSOCIATE PLANNER DESCOTEAUX** – Well there are thirty properties that
27 were within 300 feet, so the properties to the south which would be... there is a
28 whole group of homes in the south and so...

29
30 **PLANNING OFFICIAL TERELL** – Yes the majority of the notices would be
31 residences...

32
33 **COMMISSIONER GIBA** – the businesses...

34
35 **PLANNING OFFICIAL TERELL** – No actually; the majority would have been the
36 residences that are to the south

37
38 **COMMISSIONER GIBA** – To the south... it is right behind it

39
40 **PLANNING OFFICIAL TERELL** – Correct

41
42 **COMMISSIONER GIBA** – I know the area back over the there and so you sent
43 them out. They got 30 of them and not one of the residents had anything to say
44 whatsoever about that being there.

45
46 **ASSOCIATE PLANNER DESCOTEAUX** – That's correct

1 **PLANNING OFFICIAL TERELL** – Yes it’s a little surprising, we got more public
2 comments on the car wash when it was built and that wasn’t very long ago.

3
4 **COMMISSIONER GIBA** – Yes that’s why I asked that you know... 7 11 serves
5 beer and wine. What was this...? I remember it used to be another business
6 before it was turned into a smoke and sell.

7
8 **CHAIR VAN NATTA** – It’s been a smoke shop for an awful long time

9
10 **COMMISSIONER BAKER** – It was Chief Auto Parts originally

11
12 **COMMISSIONER GIBA** – That’s what I was trying to remember... Chief Auto
13 Parts. It wasn’t that long ago

14
15 **PLANNING OFFICIAL TERELL** – Yes there was a building there and then they
16 moved out and then the building was renovated. It looks like a new building.

17
18 **COMMISSIONER GIBA** – Yes it does, but it was Chief Auto Parts, so prior to
19 that there was just the Chief Auto Parts because I used to go there and get parts.
20 The other questions that I would have would mainly come for the applicant
21 himself or her.

22
23 **CHAIR VAN NATTA** – Are there any other questions?

24
25 **APPLICANT HADDAD** – My name is Lou Haddad

26
27 **CHAIR VAN NATTA** –Wait just a second. I know you are anxious just give us a
28 minute.

29
30 **APPLICANT HADDAD** – I apologize

31
32 **CHAIR VAN NATTA** - Well at this point and seeing no other questions for Staff,
33 I’ll open it to Public Comment. We will begin with the Applicant, so come on up.

34
35 **APPLICANT HADDAD** – Yes, thank you. My name is Lou Haddad and I
36 represent Mr. Mena Salama who is the Applicant in this matter. He wanted to be
37 here but he had business conflicts and he wasn’t able to so I’m representing him
38 to answer any questions that you may have for us. I’m familiar with the area to a
39 degree and the business and so I’d like to answer anything I can for you.

40
41 **CHAIR VAN NATTA** – So you had a question for the Applicant? Go ahead.

42
43 **COMMISSIONER GIBA** – I’ve been to your smoke shop. My brother smokes
44 cigars. He lives in Michigan and so I often... his birthday is coming up so I’ve
45 been over there. Where did you intend to put the beer and wine sales? It is a
46 very small building and you have hookahs on one side and you have sodas on

1 another and a glass thing and then you have that... and so I was kind of curious
2 where would you put beer and wine sales for that?

3
4 **APPLICANT HADDAD** – It is a smaller shop and to just let you know I’m from
5 Michigan as well, so...

6
7 **COMMISSIONER GIBA** – Cool, they just got another foot of snow

8
9 **APPLICANT HADDAD** – Well that’s why I’m out here now, so as you enter the
10 store there is an area directly to you left before the humidor and that area will
11 have coolers constructed in that area where the drinks; the beers will be held and
12 the wine as well, so it will be to the left consolidated just in that area and there
13 may be a wine rack or two in the area as well.

14
15 **COMMISSIONER GIBA** – You have a variety of items that you sell in there. It is
16 shall I say diversified sort of conglomerate of odd and different things. I’m
17 curious why did you and probably for that same reason, but I would like to hear
18 why you wanted to put beer and wine in that building with the smoke shop and
19 the hookahs and the other stuff when just two doors down basically you have a 7
20 11 that sells beer and wine already.

21
22 **APPLICANT HADDAD** – Yes and we understand, but it is the 7 11 that sells the
23 beer and wine rather than the cigar shop and my client would like to reap some
24 of the benefits of having those kind of products. Initially, we believe that tobacco
25 and the cigar products really go well with a lot of the beer and wine connoisseurs
26 out there as well, so we believe you know they go hand in hand in many
27 circumstances so it would be a good match to have that product in there and we
28 specifically precluded liquor because that brings a whole other set of problems
29 and another set of circumstances, so we are keeping it limited to beer and wine
30 and beer and wine during a shorter period of time than the other shops in the
31 area as well.

32
33 **COMMISSIONER GIBA** – Did you have intentions of selling some kind of
34 specialty items in wines and beer rather than just the typical Budweiser and you
35 know sorry if I said the wrong thing.

36
37 **APPLICANT HADDAD** – Well yes I like Budweiser, but at the end of day the
38 decision hasn’t been a hundred percent made with respect to that but there will
39 be a wider variety than just the domestic beers and wines. There will be others
40 based on the availability through the distributors that my client will be using and
41 he intends on using a wider variety than just domestic beer and wine.

42
43 **COMMISSIONER GIBA** – I’m struggling with this a little bit, that’s why and I want
44 to hear what you have to say. Every time I’ve been there; don’t misunderstand
45 but there are elements that are hanging out there all the time asking for my
46 money and all that, so it concerns me when you’ve got a variety of choices of

1 alcoholic content so close together and then you have people that seem to want
2 to hang around that area, so that is why I share that with you. How are you
3 going to alleviate that problem because I went in there and I got harassed on the
4 way in and I got harassed on the way out and the owner obviously didn't do
5 much about it and then if you put beer and wine in there too, what is going to
6 happen at that point as well. I know you can't control human nature, but we can
7 control what we are selling.

8
9 **APPLICANT HADDAD** – Of course, of course and at the end of the day as far as
10 I know and my client is aware that he was unaware of those kind of things going
11 on, so if there was ever that kind of thing, I would hope you know anybody
12 including yourself would voice that to the management or the owners and
13 something would be done about it immediately, but beyond that there are
14 conditions that are going to be placed on the CUP and on selling beer and wine
15 and those will be in addition to security and the security plan that must be
16 submitted to the Police Department, but also signs of no loitering must be posted
17 and if necessary additional security can be placed in the area. Now at the end of
18 the day, I'm not sure where the individuals that you are speaking of loitering
19 outside. I don't know if they are coming from the 7 11. I don't know if they are
20 coming from another area. I don't have a basis to comment on that, but if there
21 is something of that degree that is going on and is made aware to the
22 management I'm a hundred sure they would do something about it. And just to
23 add another comment, my client that owns the smoke shop, he also owns a
24 security business, so if there is ever a need for security or the Police deem the
25 area necessary for more security he has got that available to him and will be
26 using that appropriately.

27
28 **COMMISSIONER GIBA** – Thank you

29
30 **APPLICANT HADDAD** – You're welcome

31
32 **COMMISSIONER RAMIREZ** – Thank you for coming out. My question is do you
33 think if we grant you the liquor license that there is high risk there will be crimes
34 taking place in your area around your store because personally I believe if you
35 start selling liquor and you've got hotels across the street, it is going to create a
36 problem. People are going to start J-walking across the street you know to get
37 their beer; to get whatever liquor they are going to get to get back to the hotel, so
38 that is my first problem. The other problem is right now our Police Department
39 you know we are shorthanded basically. We don't want to give them more work
40 that they don't need to entertain. You know as people are coming off of the 60
41 freeway, you know the first thing they see is the 7 11, then Smoke and Sell. I'm
42 not so sure if that really provides a great image for our community in the direction
43 that we're trying to go and if we are trying to offer them liquor right off of the 60
44 freeway, you know I just feel very uncomfortable. I like Jeff am also struggling
45 with this, so what is your take on that.

1 **APPLICANT HADDAD** – If I may address those points. First there is no liquor
2 being sold in our establishment; it is just beer and wine and so again seemingly
3 with liquor sales they do somehow attract a different type of clientele, but I
4 believe beer and wine are more of a community based oriented type of beverage
5 first of all. Secondly, there is going to be no more danger that is already there at
6 this point. I mean there are other type 20 liquor licenses in the area and those
7 pose the same danger as any other store would. Moreover, we are directly
8 adjacent to an intersection with crosswalks, so the danger of J-walking to get to
9 the store I believe is alleviated to a large degree because of so many access
10 points and the intersection with the lights and the controls in the area. Now at
11 the end of the day, I believe that the beer and wine sales would actually service
12 the community more than having a detriment to the community at the end of the
13 day. The sales that are occurring aren't occurring at late hours. It is getting cut
14 off at midnight and the store isn't going to be such that it is going to be
15 generating you know signs and pointing lights and making any more obvious
16 than it is now, so the dangers that you are worried about I believe either are
17 already present because of the surrounding area as it is or in addition to it is not
18 going to create any more just by having beer and wine sales in the store and as I
19 said, if there any concerns with the Police Department, my clients company and
20 his business will actually be able to alleviate more than any other business in the
21 area any of those concerns because of his private security company.

22
23 **COMMISSIONER RAMIREZ** – Okay we would like to hold you true to that

24
25 **APPLICANT HADDAD** – And that would be the case of course and the
26 conditions that are already in place as part of the attachments as part of the
27 CUP, have those conditions present. Again one of the conditions I believe if it
28 becomes a nuisance which is not an issue as far as I know and as far as I've
29 heard calls for the service and any other type of aggravating type of
30 circumstance for the Police Department, I've received no word from them about
31 that either and if there were, I would have addressed those concerns prior to
32 even coming to the hearing, but at the end of the day, there is nothing to raise a
33 red flag and the information that I have received from law enforcement in the
34 area that that is necessary at this point either.

35
36 **CHAIR VAN NATTA** – Okay, Commissioner Crothers you had a question?

37
38 **COMMISSIONER CROTHERS** – Yes I've never been near this establishment. I
39 don't smoke and I don't have any reason to go there. I know where it is in
40 relation to the City, but what do you guys do that keeps you open until midnight.
41 What goes on at your store that keeps you open until midnight?

42
43 **APPLICANT HADDAD** – Just the sale of tobacco items and other such items...

44

1 **COMMISSIONER CROTHERS** – Okay, there is no like lounge or there is not
2 anywhere for people to be hanging out. After they purchase, they
3 leave...correct?
4

5 **APPLICANT HADDAD** – Yes, everything is off-site consumption. There is a
6 humidor; a large humidor in the building but there is no smoking; there is no
7 consumption of any kind in the building whatsoever. In fact there is nothing in
8 the area... there is a Little Caesar's next door which I think actually helps just
9 might help Little Caesar's as well. You know football Sunday's, they go to Little
10 Caesar's and they swing by and grab some wine and beer and then go to their
11 residence or however they plan on doing it. I believe that is the reason
12 potentially for the early hours and then I believe even some of the later hours
13 with again the food still being available a couple of door down; the later hours
14 you know they might come by and have some tobacco products and take those
15 home obviously and not consume them on site and do the same with the
16 alcoholic beverages.
17

18 **COMMISSIONER CROTHERS** – And is the store open until midnight right now.
19

20 **APPLICANT HADDAD** – Yes it is
21

22 **COMMISSIONER CROTHERS** – Okay thank you
23

24 **APPLICANT HADDAD** – Thank you
25

26 **COMMISSIONER BAKER** – I've got a couple of questions here and not
27 particularly to the Applicant but to John and Julia. Usually when we've had these
28 in the past, you know the Police Department will weigh in on this. Did the Police
29 Department review this or not?
30

31 **ASSOCIATE PLANNER DESCOTEAUX** – Yes, the application was sent to the
32 Police Department. They've reviewed it. Currently they don't have an ABC
33 License in yet, so they haven't reviewed the ABC License, so that will come later
34 and they'll still the opportunity to comment. They had no issues with the
35 application and they did review the conditions of approval as well.
36

37 **COMMISSIONER BAKER** – The reason I bring that up; if you remember the one
38 we had in that convenience market over at Edgemont a few years ago. I mean
39 we had people all over the place in there. One thing that they did do over there
40 was and I'm a little not concerned, but you know they had a list of people of
41 regular customers that really wanted beer and wine. They brought a list in with
42 probably a hundred customers that said hey we want beer and wine at this
43 location, which I think helped somewhat you know. I was in the location. It is a
44 clean operation. I'll say that. Mirror on the wall, I didn't see one spot on the
45 mirror and the floor was clean... not that that makes it ready for beer and wine
46 and I understand you guys concern down there on this too, but my thought

1 process on this from the City to hold up a business on getting beer and wine...
2 we don't actually issue the permit, but it has to go through here to get the
3 conditional use, you've still got to go through the ABC, which when I was in the
4 restaurant business, it is a real trip, because we were doing; I don't know what
5 doing, maybe 30 through there probably, but you know they don't hand out these
6 20's just like five dollar bills. I mean and you know that from law enforcement, so
7 they've got to get past this hurdle and then I'll tell you one infraction and you are
8 out. The ABC they don't mess with you. If you get somebody selling liquor that
9 is under age, they pull it just like that and the fine is unbelievable. I think it is 25
10 thousand dollars. We got caught up in a couple of those at one time, so from the
11 checks and balances from the ABC, I think guys, that's there. Our deal is if we
12 are going to allow this business to proceed with beer and wine and my thought
13 process on this is I would rather have a lesser variety. I know when we talked to
14 Edgemont they were going to have two rows of beer and two wine rather than
15 coming into that whole wall next to the humidor wall and you walk in there and
16 that is all beer and wine. I don't think that is the idea I picked up from the
17 applicant. I mean it is going to be a limited amount of product to service what
18 people come in there. Am I correct in saying that?
19

20 **APPLICANT HADDAD** – Yes you are correct. I didn't mean to seem like there is
21 going to be a vast array, I'm just saying there is more than just the domestic; you
22 know locals; there could be some micro beers...
23

24 **COMMISSIONER BAKER** – And that would be the caution I'd have on this and
25 you talk to your owner and if this goes through, limit maybe you know to half a
26 dozen varieties of wine and maybe a couple of domestic beers and I'm no beer
27 connoisseur, but maybe a couple of your imported beers and you know what
28 your customer base is. You've got to predict; you know kind of go what the
29 customer wants if you are going to do that, so...
30

31 **APPLICANT HADDAD** – Of course and the market is going to dictate you know
32 what sells and what doesn't sell and if you can't sell it there is no point in being in
33 there to begin with.
34

35 **COMMISSIONER BAKER** – Yes, if you can't sell it, you can't sell it...
36

37 **APPLICANT HADDAD** – Just so you know, I've been part of a number of CUP
38 Hearings, but mainly the ABC Hearings and I know what it takes to get a ABC
39 License and what it takes to take an ABC License away even more so, and I
40 have advised my client personally a number of things that will facilitate his ability
41 to run his business smoothly with no problems and those are the outside exterior
42 problems such as what you are talking about; the security; with the the vagrancy;
43 with the loitering; with potential I.D's. These are already I.D.ing people in the
44 business as it is...
45

46 **COMMISSIONER BAKER** – You have to do that with the smoke shop

1 **APPLICANT HADDAD** – Of course for the smoke shop, but his employees are
2 already trained for doing that. It is not going to be a big leap to do this.

3
4 **COMMISSIONER BAKER** – Do you think we'd be pushing a little bit to ask him
5 maybe to have security for after dark or something like that in that area there
6 because we have a lot of problems on Sunnymead Blvd., not in that area
7 particularly but up and down the street. We've got customers right now that lock
8 their front door until they know who is coming in.

9
10 **APPLICANT HADDAD** – Of course not; I don't think that would be a big push to
11 enforce that.

12
13 **COMMISSIONER BAKER** – I don't know if we can dictate that, but I think it
14 would be a big push because I know we did that in Edgemont or at least advised
15 them to do that.

16
17 **PLANNING OFFICIAL TERELL** – Yes, I guess with the concurrence of the
18 Applicant, you can ask for things. In this case, we've relied on the Police
19 Department to make that call. We've actually given them the authority with the
20 conditions of approval, so that's what we've done there.

21
22 **COMMISSIONER BAKER** – Okay

23
24 **PLANNING OFFICIAL TERELL** – Just for... because there was a concern by
25 Commissioner Ramirez about people crossing the street... the two existing type
26 20 licenses in this census tract; one is the 7 11 and the other is the Shell Station
27 across the street, so those are the two existing ones. The three other ones are I
28 think... Chuckey Cheese is actually one of the restaurants that do sell beer. It is
29 necessary when you have to go to a place like that and Shakee's and so all the
30 liquor type licenses are kind of in that general type facility, but three are obviously
31 in restaurants, but the two that would do a similar type of business here are
32 actually more extensive here and that would be Shell Station and the 7 11 and
33 the other gas station.

34
35 **CHAIR VAN NATTA** – Okay, a question or comment here actually. What we're
36 looking at here is not necessarily saying whether or not a beer or wine license fits
37 well with the business, but rather we have to look at the variants because of how
38 close it is to residential properties and on this I don't see that there is any issue at
39 all because the residential properties for somebody to get from there to the
40 smoke shop, they'd have to go around, exit the tract from the other side and
41 come all the way around. It is not like somebody is going to go in there and buy
42 beer and be walking over in front of somebody's house and sitting down on their
43 yard and drinking a beer. That's not the issue and then too I think the issue that
44 you were talking about with the people hanging around out there.

45

1 When the Police Department is able to clear out the area; that the homeless live
2 across the street and the other business that sells the other type of smoking
3 products about a block away; that might alleviate some of that. I don't see either
4 of those being an issue with this. We're talking about a smoke shop and the sale
5 of beer and wine go hand in hand. I know the one that is in our neighborhood,
6 they are getting a license also for beer and wine or applying for one and my
7 husband goes in and buys his cigars and he likes to pick up a six-pack of beer
8 before he comes home, so it goes very well together. I don't see the issue with
9 that.

10
11 **APPLICANT HADDAD** – Thank you

12
13 **CHAIR VAN NATTA** - Anyway, any other questions for the Applicant? Thank
14 you very much.

15
16 **APPLICANT HADDAD** – Thank you for your time and consideration

17
18 **CHAIR VAN NATTA** – Do we have any other Public Comments? I don't see any
19 slips here and nobody coming up to the podium, so we will go to Commissioner
20 Discussion.

21
22 **ASSOCIATE PLANNER DESCOTEAUX** – If I could interrupt just one moment

23
24 **CHAIR VAN NATTA** – Yes

25
26 **ASSOCIATE PLANNER DESCOTEAUX** – I did forget to mention that when you
27 make your determination I will be revising the conditions of approval and I have
28 spoken to the Fire Marshall regarding it. The conditions of approval for the Fire
29 Division were provided and they are more towards new construction as opposed
30 to a building that already exists, so we'll be revising the conditions to remove
31 those.

32
33 **CHAIR VAN NATTA** – Oh okay

34
35 **ASSOCIATE PLANNER DESCOTEAUX** – So you'll do it as amended

36
37 **CHAIR VAN NATTA** – Okay any discussion from the Commissioners? Okay,
38 anything more. Okay does somebody want to make a motion?

39
40 **COMMISSIONER BAKER** – I'll move. I move that we **APPROVE** Resolution No.
41 2013-03 and thereby:

- 42
43 **1. RECOGNIZE** that PA12-0032 Conditional Use Permit qualifies as an
44 Exemption in accordance with CEQA Guidelines, Section 15301, Existing
45 Facilities; and,
46

1 **2. APPROVE** EPA12-0032 Conditional Use Permit subject to the attached
2 Conditions of Approval included as Exhibit A

3
4 **CHAIR VAN NATTA** – As amended

5
6 **COMMISSIONER BAKER** – As amended, I'm sorry

7
8 **COMMISSIONER CROTHERS** – I'll second

9
10 **CHAIR VAN NATTA** – Okay, we have a motion and a second; all those in favor?

11
12 **Opposed – 1, Commissioner Giba**

13
14 **Motion carries 4 – 1 – 1, with one opposed Commissioner Giba, and one**
15 **Absent, Vice Chair Salas**

16
17 **PLANNING OFFICIAL TEREEL** – So, this action shall become final unless
18 appealed to the City Council within 15 days. Also, you had mentioned the area
19 across the way which the Fire Marshall is just finishing up an abatement of that to
20 clear out the brush and excess vegetation there to make it less undesirable for
21 people to congregate there.

22
23 **CHAIR VAN NATTA** – Okay good and the other smoking establishment down
24 the street, is that on its way out too I hope?

25
26 **PLANNING OFFICIAL TEREEL** – Yes that's a whole different kind of
27 establishment.

28
29 **DEPUTY CITY ATTORNEY EARLY** – We currently have five enforcement
30 actions against similar uses and the Supreme Court of California is ruling on the
31 issue of whether cities can regulate them the way Moreno Valley does. We had
32 Federal argument at the beginning of February and we expect a decision in the
33 next couple of weeks, which will be more definitive on the subject matter, so we
34 expect that within the next couple of weeks that they'll all be gone. We've closed
35 down so far four out of seven that have opened up in the City and the remaining
36 ones they are pending right now in court.

37
38 **CHAIR VAN NATTA** – Right now it is an issue of being an unlicensed business
39 there.

40
41 **DEPUTY CITY ATTORNEY EARLY** – They've got a few different issues;
42 building and safety issues which are being addressed but business licensing and
43 land use in that it is a prohibited use right now that are being litigated and like I
44 said we expect the Supreme Court to rule in a couple of weeks, which should put
45 an end to the debate in courts.

1 **CHAIR VAN NATTA** – Yes, one of the other tenants in the building has
2 expressed to me how unhappy they are with their neighbors.

3
4 **DEPUTY CITY ATTORNEY EARLY** – We also have a couple of pending
5 evictions. We have put some... we've also been working with the property
6 owners and the landlords on these, most of which have been cooperative, so
7 there are some evictions pending on some of those as well.

8
9 **CHAIR VAN NATTA** – Okay good, thank you.

10
11
12
13 **3. Case Number: PA12-0024 Plot Plan**
14 **P13-0007 Variance**

15
16 **Case Planner: Julia Descoteaux**

17
18 **CHAIR VAN NATTA** – So we'll go on to our to our Item 3, which is PA12-0024
19 Plot Plan and P13-0007 Variance for O'Reilly Auto Parts and Julia Descoteaux...

20
21 **ASSOCIATE PLANNER DESCOTEAUX** – The applicant, O'Reilly Auto Parts
22 has submitted an application for the construction of a 7,453 square foot retail
23 store located on Perris Boulevard, just south of JFK (John F. Kennedy) and south
24 of the new Family Dollar that was approved prior. The project is in the
25 Neighborhood Commercial Zone and is consistent with the General Plan and the
26 Municipal Code regulations. Included in the application is a Variance to reduce
27 the required parking on the site and like I mentioned the Family Dollar will be
28 immediately to the north. The CVS is to the north of the Family Dollar.
29 Properties surrounding the project include vacant land zoned Neighborhood
30 Commercial to the west and the south and the existing single family residential to
31 the south of the vacant land. To the east is existing retail zoned Neighborhood
32 Commercial and existing multi-family and both of those areas to the east are
33 developed.

34
35 The project will access the site from existing driveways along Perris Boulevard.
36 They are shared driveways with the other businesses there; the Family Dollar as
37 well as the CVS and then they will have one driveway that is to the south at the
38 end of their project and that driveway will be used for the property; the last parcel
39 there to the south. The proposed parking lot design includes 30 spaces which is
40 four less than the minimum required and the Municipal Code allows for a
41 Variance for a reduction in parking based on demonstrated parking demand of
42 the proposed site. The applicant provided a parking study based on the
43 established business activities of their stores on average sales per hour for a
44 store of this size. Based on this information the average number of vehicles on
45 the site including employees would be 19, as the site includes 30 parking stalls;
46 11 more than the projected number needed for this retailer.

1 The proposed tenant will occupy the building and the building is required to have
2 reciprocal parking from the adjacent parcels furthering the variance request. The
3 building includes two-tone brick block building with some reveals for dimension
4 and it is conditioned to include decorative lighting on three sides of the building;
5 the north, south and the east. Landscaping will be provided per the City's
6 landscape requirements. The review was submitted on May 30th, 2012 and Staff
7 and the applicant completing the plans to the satisfaction of all parties. Based on
8 the small scale of the project, no specific studies were required and the site is
9 considered an infill, which is an exemption from the California Environmental
10 Quality Act. There will be a 30 day pre-construction survey required for the
11 Burrowing Owls on the site prior any grading. A newspaper notice was sent to all
12 property owners within 300 feet and to date I have received no comments.
13 Myself and the applicant are here if you have any additional questions.

14
15 **CHAIR VAN NATTA** – Yes, go ahead

16
17 **COMMISSIONER CROTHERS** – Just one quick question...you said that based
18 on the needs of the auto store, they have 11 more parking spots than they need,
19 but according to the variance, they are going to have 4 less than they should
20 have based on the size of the building.

21
22 **ASSOCIATE PLANNER DESCOTEAUX** – Based on the Municipal Code, they
23 need 34 spaces based on the square footage of the building and the site only
24 allows for 30, so they did a parking study analysis to determine how much
25 parking they normally use for a store of that size and that came out to 19, so
26 based on the 19 they'll have 11 more, but that still doesn't meet our Code,
27 however they do have reciprocal parking with the adjacent property owners.

28
29 **COMMISSIONER CROTHERS** – Okay, thank you

30
31 **CHAIR VAN NATTA** – Is that with the Dollar Store?

32
33 **ASSOCIATE PLANNER DESCOTEAUX** – Right, the Family Dollar Store; right
34 and then if they were to change the use of the site... down the line if they
35 decided to move and another business came in, then we would re-evaluate that
36 business to ensure that the parking was adequate.

37
38 **CHAIR VAN NATTA** – Are there any other questions of Staff? Okay then we'll
39 open this now for the Public Hearing and begin with the Applicant.

40
41 **APPLICANT** – I'm Art Lindquist(?) with O'Reilly Auto Parts; Corporate Architect.
42 Basically you covered the design of the building. The only thing I have to add to
43 what I understand with the parking issue; the reason why only 30 spaces would
44 fit on the site is because they required landscaping to enhance the site as well
45 and 30 spaces is plenty for our store. We don't really have that many customers

1 that come to the store at one time where all of them would be occupied, so that's
2 plenty for us.

3
4 **CHAIR VAN NATTA** – Are any questions of the Applicant? No questions; thank
5 you. We will go to Commission Discussion then. Does anybody have anything
6 to say?

7
8 **COMMISSIONER CROTHERS** – I just want to say that I appreciate your
9 business building here in Moreno Valley and I know that corner looks much
10 better than it did a couple of years ago with the addition of the O'Reilly Auto
11 Parts, which I be voting for, will make that corner look a lot better and I look
12 forward to it being complete.

13
14 **COMMISSIONER RAMIREZ** – I'm also going to vote for this project. One of the
15 things I like about O'Reilly is that their distribution hub is so close by that if you
16 go and try to get parts for your 1968 Lincoln Continental and you don't have
17 them, you can go and pick them up at the distribution hub, so that's pretty cool.
18 Thanks for coming out.

19
20 **COMMISSIONER GIBA** – Thank you very much for building in Moreno Valley. I
21 really appreciate it. I went to the site. The location is just; I was like wow, this is
22 a good place for this... the apartment complex across the way, the housing tract
23 right next door. I think you made a good choice and a choice for the City and I
24 looked at your plans. I think it's going to fit really nice right on that corner at JFK
25 so I'll be voting for this too. Thank you.

26
27 **COMMISSIONER BAKER** – I really like O'Reilly Parts. Part of that; a guy in
28 Denver; Jim Rosito and he used to work for you and he did the same thing I did
29 you know and I'm familiar with your company. It is a good company. They do
30 what they say they are going to do, so I'm going to vote for this and it is right up
31 the street from where I live, so it will be handy to go get my auto parts now.
32 Thank you so much.

33
34 **CHAIR VAN NATTA** – And I just want to comment that there is an O'Reilly right
35 around the corner from where I live. I've never seen any problem with parking or
36 not being able to get in and out and I know my husband loves running in there
37 and picking up little things from time to time. If we have no other discussion, then
38 would someone like to read the motion?

39
40 **COMMISSIONER BAKER** - I can do that. Okay we **APPROVE** Resolution No.
41 2013-02 and thereby:

- 42
43 **1. RECOGNIZE** that PA12-0024 Plot Plan and P13-0007 Variance qualifies as
44 An exemption on accordance with the California Environmental Quality Act
45 (CEQA) Guidelines, Section 15332 Infill Development Projects; and,
46

1 **2. APPROVE** PA12-0024 Plot Plan and P13-007 Variance subject to the
2 Attached Conditions of Approval, included as Exhibit A and there are no
3 amendments to this.

4
5 **COMMISSIONER GIBA** – I'll second

6
7 **CHAIR VAN NATTA** – Okay we have a motion and a second... all those in
8 favor?

9
10 **Opposed – 0**

11
12 **Motion carries 5 – 0, with one absent (Vice Chair Salas)**

13
14 **PLANNING OFFICIAL TERELL** – Yes this action shall become final unless
15 appealed to the City Council within 15 days. Also, some of you have been out to
16 the site and the Family Dollar Store which I believe you folks reviewed and
17 approved, started construction this week.

18
19
20
21 **STAFF COMMENTS**

22
23 **CHAIR VAN NATTA** – Okay do you have an update for us about the next
24 meeting?

25
26 **PLANNING OFFICIAL TERELL** – Yes your next meeting is on the 14th of March.
27 There is one item on the Agenda and we are finishing up this Staff Report so
28 we're going to try to get it to you a little early. It is a City initiated Zone Change
29 and General Plan Amendment. It involves the R30 which is Residential 30 units
30 per acre which is in the Code but there is actually no property zoned for that. But
31 in the City's certified Housing Element there are sites that were identified through
32 a Public Outreach Program several years and now we are actually going to
33 implement that.

34
35 The other part of it is related to the Alessandro Blvd. Corridor Plan which both
36 items got funding through the Southern California Association of Governments to
37 actually pay for it, which will create Mixed Use Overlay Zones and those are
38 along Alessandro Blvd, but could be created elsewhere in the City in the future
39 and that will allow Mixed Use as well as residential, office and retail on those
40 sites. But it's an overlay because a property owner could develop with the
41 existing underlying zoning which in most cases is Commercial or if they choose
42 to they have the opportunity to do Mixed Use; one or the other. So that is
43 something that we have is a Mixed Use Zone in town. They haven't been used
44 yet. It may be early, but at least we are going to provide the opportunity for that
45 and actually the Case Planner on that has received a few calls from existing
46 property owners that are actually pretty excited about that possibility. There

1 hasn't been, based on the past outreach; there haven't been any particular
2 concerns expressed yet. The other part of that is there is a Commercial Zone
3 Change also involved in that and that is kind of balancing out some of the... we
4 are creating so much new residential capacity, there was a site where a property
5 owner wanted to change from Residential to Commercial adjacent to one of
6 these sites which usually works pretty well if you have high density next to a
7 shopping center. They both tend to benefit from that, so that is also the third
8 component of that process.

9
10 We sent out 1,312 notices on this and because of the large number of notices we
11 are having a community information meeting next Thursday the 7th here, so you
12 are certainly welcome to attend that. It is similar to the forum that was on
13 Monday and I think that many if not most of you attended that. As long as you
14 are not talking about business then it is just an informational meeting. It will be a
15 little different because there will be the opportunity to ask questions should folks
16 show up to that, but we don't anticipate a large... there is not a program; it is
17 really just for people to come in and look at the maps and ask questions in
18 advance of the Public Hearing.

19
20 **COMMISSIONER BAKER** – What was the time on that again... 7?

21
22 **PLANNING OFFICIAL TEREILL** – The meeting next on the 7th is from 5 to 7. It
23 will be in this room and when we send you... our hope is to send you the report
24 in advance of that.

25
26 **CHAIR VAN NATTA** – That would be good

27
28 **PLANNING OFFICIAL TEREILL** – It'll be a little bit longer report than most but it
29 is the only item that night. Because we are having a meeting that date, you won't
30 have a meeting on the 28th of March. Another update is the City Council did
31 extend the moratorium for the SR60 East Corridor area and we did send out the
32 request for proposals for the Overlay Plan for that area and we anticipate getting
33 responses back next Wednesday. The first... once we select a consultant, the
34 first course of business will be to have a Study Session with the City Council and
35 the Planning Commission to talk about the structure of that Study before they
36 actually commence their work, so I don't have a specific date on that but I'll let
37 you know as soon as I know.

38
39 **CHAIR VAN NATTA** – Okay, great

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ADJOURNMENT

CHAIR VAN NATTA – Okay, since we are done with business, I'll entertain a motion to adjourn.

COMMISSIONER GIBA – Motion to adjourn

COMMISSIONER BAKER – Second

CHAIR VAN NATTA – Okay, all in favor stand up.

John C. Terrell
Planning Official
Approved

Date

Meli Van Natta
Chair

Date

1 CITY OF MORENO VALLEY
2 PLANNING COMMISSION
3 REGULAR MEETING
4 MARCH 14TH, 2013

5
6
7 **CALL TO ORDER**

8
9 Chair Van Natta convened the Regular Meeting of the City of Moreno Valley
10 Planning Commission on the above date in the City Council Chambers located at
11 14177 Frederick Street.
12
13
14

15 **ROLL CALL**

16
17 Commissioners Present:

18 Chair Van Natta
19 Vice Chair Salas
20 Commissioner Baker
21 Commissioner Crothers
22 Commissioner Giba
23 Commissioner Ramirez
24

25 Staff Present:

26 John Terell, Planning Official
27 Claudia Manrique, Associate Planner
28 Michael Lloyd, Senior Transportation Engineer
29 Suzanne Bryant, City Attorney
30
31
32

33 **PLEDGE OF ALLEGIANCE**
34
35
36

37 **APPROVAL OF AGENDA**

38
39 **CHAIR VAN NATTA** – Okay we have had a chance to look at the Agenda? Is
40 somebody going to move for approval?
41

42 **COMMISSIONER GIBA** – I move we approve
43

44 **COMMISSIONER BAKER** – I'll second
45

1 **CHAIR VAN NATTA** – Moved and seconded... all those in favor?

2
3 Opposed – 0

4
5 **Motion carries 6 – 0**

6
7
8
9 **PUBLIC HEARING ITEMS**

10
11 **CHAIR VAN NATTA** – The Public is advised that the rules for the procedures for
12 this meeting are posted in the back of the room.

13
14
15
16 **PUBLIC COMMENTS**

17
18 **CHAIR VAN NATTA** – At this point we're going to begin with comments by any
19 member of the public on any matter that is not listed on the Agenda but which is
20 within the subject matter jurisdiction of the Commission. I don't see any, so... oh
21 yes you may...okay...you know the drill.

22
23 **SPEAKER JERELE** – Chairman, Co-Chairman, members of the Commission,
24 Staff and members of the public in chambers and those watching at home. I'm
25 Tom Jerele speaking on behalf of myself. I came tonight because you are going
26 to be talking about higher density and how to meet low to moderate income
27 elements and you know historically this city has done egregiously a good job of
28 delivering housing to everything on the low end, but in my humble opinion we've
29 been discriminatory against really seeking after and bringing in some high end
30 housing. We've got an imbalanced community. I think we are way too heavy on
31 the low end of the product line. It contributes to our image and if you saw the
32 City Council there was quite a sparky little debate between the Editor of the
33 Press Enterprise about how we're portrayed and I think it is all part of the formula
34 and the root cause is something I have been against since before its inception. It
35 is called the Hillside Residential Zone.

36
37 I think that has put a hex on this community that needs to be broken. It is not
38 going to happen overnight. I don't expect any results tonight, but we've got
39 17,000 acres up there of some of the best prime view property around this City
40 and in saying that you don't have to develop at such that the environment is
41 totally destroyed. I can take you over there and show you evidence of shooting
42 and drug use; illegal dumping; you know drinking and partying; fires get started
43 up there; you know kids up there horsing around and a properly developed area
44 will not only create people that have respect for the community, but for the
45 environment. I take a stewardship role in the area and I think can enhance the

1 area over time; you know well done. As I said it is not something that is going to
2 be dealt with in one fell swoop; it will be years in the making.

3
4 When Councilman Co was elected and he was kind enough to ask for my
5 opinion, it was the number one issue I put there because we are dealing with a
6 lot of other things right now, but because this will take a long time I think it needs
7 to be moved forward and you know these are going to bring out industry leaders;
8 these are going to bring our employers; these are going to bring our
9 professionals. When a school or the library needs money, these are the people
10 who can help do it and I'm not a rich guy, so I'm not speaking for me. I want to
11 bring all my buddies here. I can show you a business in town that has four men
12 that make over half a million dollars a year and how many live in this town; none
13 and the guy told me who makes over a hundred thousand dollars a year says he
14 will flip one more house and I'm out of here. The primary reason is they don't
15 feel that there are the neighborhoods and I can show you eleven or twelve more
16 people that want to have a nice house in this community but just didn't find the
17 area that they wanted to invest a million plus dollars to put a nice house in and
18 you know we need that element on the other end, so I just put that out there for
19 your consideration and I thank you greatly for your time. Thank you.

20
21 **CHAIR VAN NATTA** – Thank you for your comments.

22
23 **COMMISSIONER GIBA** – May I ask a question John? Could you enlighten me a
24 little bit because...a little history of background on that Hillside Residential Zone?
25 What is that? What is it in play? When was it put in? What is the purpose for it
26 just so that I understand it?

27
28 **PLANNING OFFICIAL TERELL** – Well the Hillside Residential has been in place
29 since the first General Plan in 1987 and in the first Zoning Code in 1992 and we
30 did update it about 2006 or 2007 to loosen it up a little bit, but that was right at
31 the beginning of the recession, so the current Hillside Ordinance is unproven but
32 it is still... the Council historically have not wanted you not to have... to be able to
33 look up at the hills and see houses, so it has created a very restrictive Hillside
34 Ordinance.

35
36 **COMMISSIONER GIBA** – Is that something we can look at here in the near
37 future or could we have a Study Session on it?

38
39 **PLANNING OFFICIAL TERELL** – Well can look at it ...sure, but it is probably an
40 issue that you can talk to at this level. Obviously it has typically been an issue at
41 the Council level and the last time we brought it up I remember the people at the
42 time saying when we look up at the house, will we see hills or will we houses and
43 I said you'll still see hills and they said okay, that's the way we want it, so it
44 doesn't usually come from the bottom up because that is a major policy decision,
45 but certainly we could have a session where we could talk about what the Hillside
46 Ordinance is currently.

1 **CHAIR VAN NATTA** – I know I’ve heard several discussions on it and there a
2 number of people who very strongly want to save our hillsides and that doesn’t
3 mean you can’t build up there, but it does limit what you can put up there. Okay,
4 are there any other public comments on matters not on the Agenda? I have no
5 Speaker Slips and see nobody else approaching the podium, so we’ll close that
6 Public Comment section. Okay that’s closed and now we’re going to go on to our
7 Agenda Items.

8
9
10
11 **PUBLIC HEARING ITEMS**

- 12
13 1. **Case Number: PA11-0028 General Plan Amendment**
14 **PA11-0029 Change of Zone**
15 **PA11-0030 Municipal Code Amendment**
16 **PA12-0046 General Plan Amendment**
17 **PA12-0047 Change of Zone**

18
19 **Case Planner: Claudia Manrique**

20
21 **CHAIR VAN NATTA** – The first Public Hearing Item, which is case PA11-0028 a
22 General Plan Amendment; PA11-0029 Change of Zone; PA11-0030 Municipal
23 Code Amendment; PA12-0046 General Plan Amendment and PA12-0047
24 Change of Zone and the Case Planner on this, is Claudia Manrique and can you
25 please help us understand what this is all about.

26
27 **ASSOCIATE PLANNER MANRIQUE** – Good evening. I’m Claudia Manrique,
28 the Case Planner for the Alessandro Boulevard Corridor Project. This is Phase II
29 the implementation. It is based on the prior Demonstration Project; Phase 1 that
30 was a SCAG sponsored project completed back in June of 2010 and it promotes
31 the Compass principals of encouraging integration between transportation and
32 the community. To assist this City in the implementation of the vision for the
33 Alessandro Corridor area Phase II includes the following:

- 34
35 • Creation of an overlay district for the Alessandro Boulevard corridor to
36 identify areas suited for Mixed Use Districts;
37 • Creation of requirements for selecting Mixed Use Districts sites;
38 • Creation of urban design strategies to intensify land uses;
39 • Rezoning of areas along Alessandro Boulevard and northeast of Perris
40 Boulevard and Iris Avenue to Residential 30 as identified in the February
41 2011 General Plan Housing Element Update;
42 • Rezoning of a 21.47 acre parcel at the southwest corner of Gention
43 Avenue and Perris Boulevard to Commercial (C);
44 • Amending the Municipal Code to include the new standards.
45

1 Planning Staff has been working with RBF Consulting through the second SCAG
2 Compass Blueprint grant to complete the required CEQA documents including a
3 Mitigated Negative Declaration and Initial Study as well as the Overlay District
4 Design Standards. The project area for the corridor includes from the west, the
5 Old 215 frontage road; east to Nason Street.

6
7 First up is Residential 30 rezoning. This includes a General Plan Amendment
8 and a Change of Zone. The goal of the Alessandro Boulevard Corridor Project
9 Phase 1 was to identify opportunities for mixed use transit along Alessandro
10 Boulevard and with this it was also to provide additional multiple family housing in
11 areas near the existing or emerging employment and shopping centers along the
12 Boulevard. Areas noted in the Alessandro Boulevard Corridor Study to be
13 rezoned to Residential 30 were also identified in the February 2011 General Plan
14 Housing Element Update along with the parcels near the northwest corner of Iris
15 Avenue and Perris Boulevard. The Residential 30 rezoning proposed will allow
16 the City of Moreno Valley to meet it's 2008 to 2014 State mandated Regional
17 Housing Needs Assessment numbers as well as providing a wider range of
18 housing. The approved Housing Element for Moreno Valley proposed to create
19 R30 Zoning designation and process a General Plan Amendment. Tonight this is
20 the General Plan Amendment and Change of Zone that was identified in the
21 Housing Element. The City of Moreno Valley made great efforts to work with the
22 public in developing its Housing Elements for the planning period of 2008 to
23 2014. Back in October of 2007 there were three community meetings. In
24 November of 2007 the City Council and Planning Commission held a Joint Study
25 Session and in September of 2009 the City Council approved the creation of
26 Residential 30 Zoning District as well as the design standards. The proposed
27 areas for R30 include:

- 28
- 29 • Area #1 – Alessandro Boulevard and Day Street
- 30 • Area #2 – Alessandro Boulevard and Elsworth Street
- 31 • Area #3 – Alessandro Boulevard and Morrison Street
- 32 • Area #4 - Perris Boulevard and Iris Avenue
- 33

34 The total acreage proposed for the R30 is 146.19 acres. The Corridor Project
35 and the proposed General Plan Amendment and Change of Zone will meet the
36 requirements of the Housing Element and is consistent with the General Plan
37 and will not be in conflict with the goals, objectives, policies or programs of the
38 General Plan.

39
40 The Commercial Zoning is a 21.47 acre parcel at the southwest corner of
41 Gentian Avenue and Perris Boulevard and is proposed to be changed from
42 Residential 5; five units per acre to Community Commercial. The parcel is
43 directly west and southwest of the parcels of Area #4 which are proposed to be
44 rezoned to R30. The other parcels nearby include an approved commercial
45 project; Home Depot and a Farmer Boys Restaurant. There is no development
46 application associated with this land use currently. The proposed zoning would

1 permit the development of a commercial shopping center and would be
2 supported by the neighboring proposed high density housing.

3
4 Moving on to the Mixed Use Overlay... The General Plan currently references
5 and encourages the mixed use development. At this time, only certain areas
6 within the City; the Village at Sunnymead and the expired Moreno Highlands
7 Specific Plan were zoned for mixed use development. In 2010 City Council
8 approved a Municipal Code Amendment creating two existing mixed use districts
9 MUD 1 and MUD2 to provide opportunities for future development that would
10 achieve the goals of mixed use. With the awarding of SCAG Compass Blueprint
11 grants, the first one; Phase 1 provided the consultant funding to develop the
12 Vision Plan for the corridor and the second implementation and with the
13 implementation and assistance with RBF consulting, Staff has developed urban
14 design strategies to intensify land use and have created the Mixed Use District
15 Overlay, which is intended to replace MUD 1 and MUD 2 with the enhanced
16 districts developed under Phase II and later to expand the Mixed Use District
17 Overlay to other areas of the City besides just the Alessandro Corridor. The first
18 step was to create the requirements for selecting the sites, which was mostly
19 done in Phase 1. The five nodes along Alessandro Boulevard that were
20 identified for inclusion in the Mixed Use District Overlay include:

- 21
- 22 • Alessandro Boulevard and Frederick Street
- 23 • Alessandro Boulevard and Heacock Street
- 24 • Alessandro Boulevard and Perris Boulevard
- 25 • Alessandro Boulevard and Lasselle Street
- 26 • Alessandro Boulevard and Nason Street
- 27

28 The Mixed Use Overlay District includes three classifications:

- 29
- 30 • Mixed Use Institutional Overlay District
- 31 • Mixed Use Community Overlay District
- 32 • Mixed Use Neighborhood District
- 33

34 The related Municipal Code Amendment includes removal of MUD 1 and 2 from
35 the Municipal Code and the addition of the Mixed Use Overlay District including
36 all the required design standards and includes additions to Chapter 9.09 Specific
37 Use Development, which will include:

- 38
- 39 • Live-Work Development
- 40 • Mixed Use Development
- 41 • Outdoor Dining
- 42

43 There are changes to the parking requirements and there are additions to
44 multiple definitions to the Definitions Section of the Code, which are all related to
45 the Mixed Use or other parts of the new sections we are adding. There are also
46 modifications to the Permitted Use Table; the removal of MUD 1 and MUD 2 and

1 the replacement of Mixed Use three classifications and we have also added
2 Residential 30 to the Mixed Use Table. Lastly we created, with the help of RBF
3 the Mixed Use Overlay District User Guide. It is a handout that will be available
4 at the counter to help developers and owners with the proposed mixed use. We
5 want to note that the choice is entirely up to the property owner and development
6 as this is an Overlay District and the underlying zoning is still in place.

7
8 With the review process we worked with RBF in putting the design standards
9 together and we also had a public information meeting that was a week before
10 this meeting back on March 7th. We had six members of the community
11 attending.

12
13 With the Environmental Review, the proposed changes will affect approximately
14 315 acres along, adjacent to or close to Alessandro Boulevard. The Project
15 includes General Plan use changes as well as changes to the Zoning Code and
16 the Zoning Map. The City has determined that the Project is subject to the
17 guidelines and regulations of CEQA and an Initial Study was completed by RBF
18 which addressed the direct, indirect and cumulative environmental changes and
19 effects of the project as proposed. Consultants from RBF are here tonight to
20 address any environmental questions.

21
22 Public Notice was sent to all property owners within 300 feet of the project,
23 picking the nodes or if they were parcels that were due to be rezoned to R30; so
24 not everybody along Alessandro Boulevard may have received a notice. The
25 public notice was also in the newspaper. As of today, I received ten to twelve
26 calls regarding the project. We have on the orange sheet, there was a change to
27 Attachment 6A, Area 1, which was parcels which were due to be rezoned R30.
28 We had the wrong number of parcels highlighted on the map. The numbers of
29 acreage on parcels listed in the Staff Report in the Resolution are correct
30 through. It was just a mistake on the Attachment map. Also attached on the
31 yellow paper is a letter that we received and the member of the community is
32 also here tonight to speak and we also have an email attached with an additional
33 map. We have an adjacent owner who is interested in having his property zoned
34 R30, which currently is not proposed.

35
36 Staff recommends approval of Resolution 2013-08, thereby recommending that
37 the City Council adopt a Mitigated Negative Declaration and approve the project.
38 Thank you.

39
40 **PLANNING OFFICIAL TERELL** – Yes, to follow up briefly to Claudia’s report, in
41 discussion with our consultant RBF, we looked at that area by the hospital and
42 we had somebody on one end of that area wanting to be out of the R30 and
43 somebody on the other end wanting to be in the R30 and because if we add a
44 few parcels on the east end, there is roughly 17 acres that we could exchange for
45 the property just to the west and with that exchange, the environmental that has
46 been done would allow that level of flexibility. We’re kind of in the neighborhood

1 and so Staff would and if you hear testimony of anyone it will be for your
2 consideration to look at doing that a way to address two concerns that have been
3 raised. The key I think is we really need to maintain the bottom line as far as the
4 R30 density; the number of units because that's what keeps our Housing
5 Element in compliance and keeping our Housing Element in compliance keeps
6 our General Plan in compliance, so they are all kind of connected, but very
7 important and of course zoning property doesn't mean it will be developed, it
8 doesn't require it to be developed but under State law it qualifies as meeting our
9 obligation to provide the opportunity for affordable housing.

10
11 **CHAIR VAN NATTA** – We all have questions and I'll go last. Commissioner
12 Crothers would you like to start?

13
14 **COMMISSIONER CROTHERS** – Sure, I just had a question about the yellow
15 letter that we got. Would that swap that you are talking about take care of this
16 letter or would they still be included and unhappy?

17
18 **PLANNING OFFICIAL TERELL** – What I just talked about, that would address
19 that concern; correct. It would remove that property and potentially add another
20 on the other end.

21
22 **COMMISSIONER CROTHERS** – So it would make this guy happy and make this
23 guy happy...

24
25 **CHAIR VAN NATTA** – Well not necessarily, but we do have a Speaker Slip from
26 that person and he can tell us how else it might affect him.

27
28 **COMMISSIONER CROTHERS** – Alright, thank you

29
30 **PLANNING OFFICIAL TERELL** – But again, it's meant to address both those
31 concerns but obviously both those folks are here and I'm sure they can speak
32 well enough for themselves.

33
34 **COMMISSIONER CROTHERS** – Okay, thank you

35
36 **CHAIR VAN NATTA** – Okay, any other questions?

37
38 **COMMISSIONER GIBA** – First of all this began what back in 2006/7 or that
39 ballpark. It was five and half years ago. Am I correct? That's quite a while ago,
40 so as I went over this whole thing, the first thing that hit me as I go through my
41 questions is that there have been a lot of changes since 2007, so please forgive
42 me as I go through a whole litany of information, but I really do need to know the
43 answers to these questions; not necessarily that they are bad or good but I just
44 need to understand them and I think the public at large probably should. I found
45 it interesting that you only had six people at the meeting just a week ago. I didn't
46 know about the meeting but I would have been happy to attend. It's probably my

1 fault because I am up in Hesperia most of the time and then all of a sudden you
2 got ten to twelve phone calls, so let's start with that one. Who were those ten to
3 twelve phone calls from all of a sudden before the meeting?
4

5 **ASSOCIATE PLANNER MANRIQUE** – The phone calls were from members
6 who received the public notice in the mail. Three of them were neighbors
7 adjacent to the property, so they were concerned if their property was actually
8 going to be rezoned and then they also wanted to know about if there was an
9 actual project proposed...currently four of the locations. Most of the calls were
10 for the Day and Alessandro corner which in the past they did have a proposed
11 affordable housing project but it was never formally submitted into planning and
12 then I had a couple of property owners who weren't included in either the Mixed
13 Use Overlay District or R30 and wanted to be in R30. Some of them it is just not
14 feasible at this time. Their lots were pretty small. That concludes most of the
15 phone calls.
16

17 **COMMISSIONER GIBA** – Now just for sake of information, I did have a
18 discussion with one of the property owners already and that is Mr. Jerry Stevens
19 and one of his property areas... just so that you know that and one of the things
20 that he did mention to me is that he was little surprised about this document and
21 what is going on with it. He is concerned about his property, but he was
22 surprised that this came out, which then of course my ears perked up and said if
23 he is surprised, this has been going on for five and half years and how many
24 other people don't really understand what is going on with this document and so
25 that is why I tended to dig in a little deeper than I probably would have because it
26 all fairly new to me so one of the questions that...
27

28 **PLANNING OFFICIAL TEREILL** – Oh Jeff...just before you go on, the calls that
29 Claudia is referring to occurred before and after. People didn't suddenly start
30 calling after the meeting we had last week, it was since we sent the notice out
31 which was a little over two weeks ago.
32

33 **COMMISSIONER GIBA** – Okay, thank you.... Thanks for the clarification
34

35 **PLANNING OFFICIAL TEREILL** – I think it says a lot that we sent out over 1,300
36 notices
37

38 **COMMISSIONER GIBA** – And only 12 people responded
39

40 **PLANNING OFFICIAL TEREILL** – Right and I wasn't involved directly in the
41 effort five and half years ago, but when they did the Housing Element, they had
42 forums with all the people that had property within the areas. I don't know who
43 they notified outside that, so the people inside the areas were notified back then
44 and again by us more recently.
45

1 **COMMISSIONER GIBA** – Yes and you know please, I’m not putting you on the
2 spot on any of that, I’m just trying to say that for my purposes this all I hear and
3 so you’re clarification like that is always so helpful John. Thank you. Why did
4 the Overlay District choose Alessandro as the area that you wanted to work on
5 and why was it that specific one and then there was also a comment in here on
6 page seven that I would like you to tell me more about because this is brand new
7 to me as a resident of Moreno Valley? The 215 and the nearby future planned
8 Metrolink Station at the western end of the Riverside County Regional Medical
9 Center; I didn’t know anything about a planned Metrolink, but then again I’m not
10 all that terrible informed and I’m sure there is a lot of other public that may not be
11 as well. Could you explain more about this plan? Do we have any information
12 about this supposed planned Metrolink and if it is supposed to be going down
13 Alessandro or something because it is going to the Medical Center?
14

15 **PLANNING OFFICIAL TERELL** – No, I’ll answer your first question of why
16 Alessandro and it is basically because to get a grant from SCAG you have to
17 deal with the high quality transit corridor. The high transit corridor we have is the
18 Alessandro corridor from the Medical Center to the planned Metrolink Station and
19 that is actually on the Countywide plans to have bus rapid transit someday, so
20 we looked at the area where is most likely that mixed use would be viable. You
21 have to have high traffic and transit availability to make mixed use work really
22 well, so that’s why we looked at the Alessandro corridor. The other statement
23 you made maybe could have more artfully written, but the Metrolink Station is at
24 Alessandro and Meridian Parkway and that’s the Metrolink that will go from and
25 George knows more about this than I do but it will go from Perris into Riverside.
26

27 **COMMISSIONER GIBA** – That one I heard about
28

29 **PLANNING OFFICIAL TERELL** – There is no Metrolink extending down
30 Alessandro
31

32 **COMMISSIONER GIBA** – I was wondering where this is... this doesn’t seem to
33 jive with what I knew... something about Perris, instead you are talking about
34 going down to Nason; it sounded like you’re going down to Nason Street.
35

36 **PLANNING OFFICIAL TERELL** – No, we’re going to the City of Perris and not
37 the street.
38

39 **COMMISSIONER GIBA** – George I know that, that’s why I’m saying there is
40 something that I don’t know about and the public doesn’t too
41

42 **PLANNING OFFICIAL TERELL** – Sorry about the confusion. The most likely
43 long term, especially as there is more intensity of many kinds along Alessandro
44 Boulevard, it’ll be a good candidate for bus rapid transit which really is buses that
45 operate more frequently and then they also intend to have express buses along

1 bus rapid transit. They are building one up in San Bernardino County right now,
2 so that's the model for rapid transit that is relatively inexpensive and flexible.

3
4 **COMMISSIONER GIBA** – Okay, how is that compared now today with Cactus,
5 because I know a lot of people use Cactus corridor almost as much as you think
6 they use the Alessandro corridor? Is there a change there at all?

7
8 **PLANNING OFFICIAL TERELL** – Yes Cactus is a commuter road and
9 Alessandro is a road where there a lot of places along Alessandro to stop and do
10 things, so that is the difference. One is more integrated with the transportation
11 along Alessandro. Cactus is almost exclusively just a road to drive through, so it
12 doesn't lend itself to bus rapid transit as there is no place to stop.

13
14 **COMMISSIONER GIBA** – A couple of comments on page 7 that I just wanted
15 clarification again and also because things have changed since this was being
16 put together. You made a comment under Section 1 under the project at the end
17 of the last paragraph and you basically said, "as well as provide a wide range of
18 housing choices for the burgeoning Moreno Valley workforce". Now 14 percent
19 unemployment doesn't sound like we've got a huge workforce out here right now,
20 so something has changed and so that would lead me to the next one down here
21 at the bottom where it says, "each City to meet its projected demand", so how is
22 this being calculated that we have this great projected demand for all this
23 workforce that right now we really don't have. I just want to understand how you
24 are projecting that?

25
26 **PLANNING OFFICIAL TERELL** – Right, Moreno Valley is at the point right now
27 where it is starting to convert from exclusively a bedroom community to having a
28 lot of local employment, so we are in between those two, so the burgeoning is
29 what is happening. We are going from housing rich, employment poor towards
30 more balanced numbers and the General Plan that adopted in 2006; the General
31 Plan update at that time, that was the key to that particular document was to
32 seek a balance. That actually has more... long term it has more jobs than
33 housing in that 2006 document, but the idea was to get moved towards balance
34 and so that is the burgeoning part and actually even during the recession the
35 number of employees working in Moreno Valley has continued to increase. It is
36 obvious and those people may live in Moreno Valley or not, but the total numbers
37 are increasing and we would anticipate that as the economy improves, that trend
38 will accelerate and there have been very few houses built at the same time.

39
40 The one at the bottom, there is a Regional Housing Needs Assessment which is
41 managed by the Southern California Association of Governments (SCAG) but
42 approved by the State of California and it is a formula based thing. It is based on
43 how much housing you have now; how fast your population is growing and how
44 much employment you have now and how fast is your employment growing and
45 in those numbers it shows over the next five to ten years the employment growth
46 in Moreno Valley will exceed the residential growth, so the trends are looking

1 good for us looking towards the future, but it is a formula based thing. It goes
2 through a lot of reviews. We had to check and make sure that the properties
3 they through were zoned for residential actually were zoned for residential and
4 there was a lot of validation, but at the end of the day it is a formula.
5 Communities like Moreno Valley that tend to have... are housing rich and have
6 an average number of affordable housing units, tend to be in balance.
7 Someplace that has very limited affordable housing tends to have a higher
8 percentage. They get a bonus of future affordable housing numbers and areas
9 that have very low income neighborhoods, they get less, so there is a balancing,
10 but if you look at Moreno Valley in the context of Southern California, we're kind
11 of in the middle.

12
13 We have a lot of affordable housing but most of it is actually not affordable to low
14 income people and so we differ from Beverly Hills from one extreme which has
15 very little and maybe Coachella on the other that has very high percentages, so
16 we are kind of in the middle. But it is a formula based thing and it goes through
17 our local Western Riverside Council of Governments which makes a
18 recommendation to Southern California Association of Governments and then
19 SCAG sends it up to the State and the State approves it.

20
21 **COMMISSIONER GIBA** – Okay, when this was done, this formula based... has
22 that been updated before this document came to us; in other words or was this
23 the day this was calculated at the time of 2007 or when they began this study? Is
24 this current or not?

25
26 **PLANNING OFFICIAL TERELL** – It is not current. It was calculated in 2006 or
27 2007. We have received new numbers for our next planning area which is 2014
28 to 2022. The numbers are almost the same.

29
30 **COMMISSIONER GIBA** – Okay, yes you guys always say I talk too much and
31 that's okay. I can take a break and give you some Meli and then come back to
32 mine if you would like.

33
34 **CHAIR VAN NATTA** – No you go ahead. I'm making notes.

35
36 **COMMISSIONER GIBA** – Oh, that's what usually happens with most of this

37
38 **CHAIR VAN NATTA** – I'm crossing things off, so either way it is fine, but just
39 remember that this is questions about the project and not necessarily our
40 discussion and our opinions and everything which we do later.

41
42 **COMMISSIONER GIBA** – I agree with that. I don't think I'm doing that in any
43 way shape or form.

44
45 **CHAIR VAN NATTA** – You are up to page 7 and there is about another 40
46 pages or so.

1 **COMMISSIONER GIBA** – Yes we’re doing so good. Don’t you worry about that?
2 Okay, so that covered those. There was a thing that sounded a little ambiguous
3 or contradictory in your statement on page 8, “consequently vacant sites zoned
4 at 30 units” and I’m assuming always 30 units we are usually talking about
5 apartment complexes generally speaking; “multi-family units per acre will
6 automatically counted as meeting the very low income RHNA categories whether
7 the units are ever built or whether the unit rents aren’t actually affordable”; so we
8 are building affordable housing that may not necessarily be affordable. Is that
9 what that’s saying for all intents and purposes? We don’t have to stick with the
10 dollar value. We just have to show them that we are building something that
11 could be available for them.

12
13 **PLANNING OFFICIAL TEREILL** – Yes we’re providing the opportunity for
14 affordable housing and in their infinite wisdom the State Legislature said if you
15 live in a metropolitan county and Riverside is a metropolitan county; if you zone
16 land at 30 units per acre, it is presumed to be available for affordable housing.

17
18 **COMMISSIONER GIBA** – Okay and on page 9 you mention a redevelopment
19 project in that area. Do we still have redevelopment?
20

21 **PLANNING OFFICIAL TEREILL** – Redevelopment is gone.
22

23 **COMMISSIONER GIBA** – So that area is no longer a redevelopment project
24 area then right? Let me see, it’s what one, two, three, four... the fifth paragraph
25 down... in an effort to make up the shortfall, the areas chosen were on major
26 streets near shopping and employment; some within the redevelopment project
27 area. At the time it was a redevelopment project area.
28

29 **PLANNING OFFICIAL TEREILL** – Yes, they weren’t all but no more. No none of
30 them are...
31

32 **CHAIR VAN NATTA** – It’s not redevelopment, we just don’t get the money for it
33

34 **COMMISSIONER GIBA** - Exactly
35

36 **PLANNING OFFICIAL TEREILL** – For new redevelopment; yes
37

38 **COMMISSIONER GIBA** – Yes and that’s kind of... I know sometimes on these
39 documents you have so much work to do on them from the time they are created
40 and the time we get them, that I find some things are not always as they should
41 be and the reason I ask those questions if anybody else was to read them they
42 might ask the same questions, so that is why and I’m just inquiring. You had
43 some designations in the General Plan Amendment for the current land uses of
44 Commercial, Residential (R), Residential 15 and Residential 5 at the time for the
45 General Plan use. At that point in time you did designate and really I’m getting
46 to something; you designated those as specific ones for a specific reason at the

1 time. Now you want to change them all to R30. Does the General Plan look at
2 that and say that's no longer important for us to do that at those sites and I'm
3 looking at PA11-0028 and that would be on page 10 and of course on page 11.
4 So what you've done is you are rezoning some Commercial, Office Commercial,
5 Residential 15, Residential 5 all into Residential 30, where originally in the
6 General Plan you said hey this is what we would like to do with these. What
7 changed that made you think we no longer need to have that kind of a
8 breakdown... just the need for the R30?

9
10 **PLANNING OFFICIAL TERELL** – The need for the R30 is part of it and then we
11 had to look at the areas where that was most appropriate and that is usually the
12 areas where higher density is successful and is near some amenity and that
13 amenity can be a work place; an employment center or it can be shopping. It can
14 be along a transit corridor so we focused in on those areas. This area and many
15 of these areas when you look at R15 and RO, which is really 15, is a Mixed Use
16 Zone but it basically it is really zoned R15. Those are already multi-family areas,
17 so existing zoned multi-family areas made the most sense to look at increasingly
18 because we chose them to be multi-family, so having higher density multi-family
19 makes more sense there than to go out with the R5 and the R5 is a little more
20 limited; that is a relatively small area and that is because we couldn't get... I think
21 that is the area primarily south at Iris and Perris where some of the land
22 immediately adjacent to the shopping area was actually zoned R5 but
23 undeveloped, so that is why.

24
25 Our current General Plan and it was acknowledged going into it had too much
26 commercial land use and too much commercial in the wrong places and we
27 worked through that and tried to adjust that as part of the General Plan Update
28 but there are still areas that didn't necessarily make sense as commercial so we
29 suggested those in this update; one or two of those in order to convert and then
30 when we looked at the Iris and Perris area we kind of ended up when we went
31 through the Housing Element with this orphan piece that was our R5 between
32 Perris Boulevard and a proposed R30 Zone, so we said well that's a very
33 appropriate location for commercial, so if we are going to remove commercial
34 someplace, let's put it in an area where it is most viable and that was one the
35 areas where it was most viable. It is an existing busy street with existing
36 commercial density and a fair amount of interest over the years; not that specific
37 parcel but that specific area has been an area where people have asked about
38 during more commercial so it makes sense to look at it there.

39
40 **COMMISSIONER GIBA** – Can't we spread this around? I mean we're putting a
41 lot of R30 down Alessandro Boulevard; a big cluster of it. Now I have no doubt
42 that as the Planning Commissioner's responsibility is to make sure that they are
43 building appropriately there. R30 is not necessarily a bad thing, but it has to be
44 done wisely and there are some areas in our City where you have clustered
45 some R30 components there that haven't out to be what I consider the most
46 delightful set of circumstances in some areas, so my concern is putting all this

1 R30 down for the purpose of because it is a transit corridor. Didn't we have any
2 other options in our City where we could have put R30 and kind of spread this
3 around a little bit rather than just keep clustering it down this one or it is only
4 because of the grant that we put it in?
5

6 **PLANNING OFFICIAL TERELL** – No it is actually unrelated to the grant and
7 when the original Housing Element was... when those discussions went through
8 there was actually six different areas that were considered and some of them
9 were all around the community and when they went through the public outreach
10 as well as the discussions with the City Council and the Planning Commission at
11 the time, three of those were eliminated and three of them were kept. The three
12 that were kept were the ones that are the two along Alessandro Boulevard and
13 the one at Iris and Perris. So there was a process they went through from
14 considering more areas and through that process it was whittled down to these
15 three areas.
16

17 **COMMISSIONER GIBA** – Okay
18

19 **CHAIR VAN NATTA** – Mr. Terell was that when we went into the meetings and
20 put little colored stickers on the maps and indicated as the public where we
21 thought things should be. I remember going to a meeting about six or seven
22 years ago out at the golf course where they had maps laid out. Was that...
23

24 **PLANNING OFFICIAL TERELL** – Claudia is nodding her head yes
25

26 **CHAIR VAN NATTA** – Yes, okay
27

28 **COMMISSIONER GIBA** – And I was not involved with the stickers, for me it is all
29 fairly foreign and as an individual I went through. On page 18 you said, “except
30 in the Mixed Use Overlay District identified Chapter 9, Mixed Use Overlay
31 Districts” you are talking about rear parking, parking in the rear buildings and
32 service area. Why did you say except in the Mixed Use Overlay District identified
33 in 9.07.090 Mixed Use Overlay Districts? No rear parking for those... what was
34 the rationale for that?
35

36 **PLANNING OFFICIAL TERELL** – Which can you...?
37

38 **COMMISSIONER GIBA** – Page 18, it would have been Staff purposes to add to
39 9.11.030 General Regulations the following...see additions, revisions to chapter
40 parking, pedestrian and loading requirements, Municipal Codes...
41

42 **PLANNING OFFICIAL TERELL** – Right I think the idea was the Mixed Use is
43 more intensive so they have more opportunity there than they do in other zones.
44 It is the inverse. This is allowing more in the Mixed Use areas than in the non-
45 Mixed Use areas and that pretty typical because they tend to be much more
46 urban.

1 **COMMISSIONER GIBA** – Okay, hide the cars so that people are out in the front
2 so to speak. That’s fine. On page 19, you have Staff purposes to revise sections
3 down there at letter B underneath the table... you have the strike out there and I
4 went and reviewed the strike out with the new one, the only difference between
5 the two was you struck out the bottom part that says senior housing complexes,
6 mobile home parks and model home complexes are exempt from this section.
7 That is really the only difference. You struck the whole thing out and re-wrote it
8 and left the bottom one out. That is basically it. You could have struck out the
9 bottom for all intents and purposes, so I was curious as to why you struck out
10 senior housing complexes, mobile home parks and model homes. I’m just
11 curious, why did you drop this or why did you feel it was important to drop it?
12

13 **PLANNING OFFICIAL TERELL** – We were organizing the way it looks. You
14 know some of it is aesthetics I guess, but the other reason is when we went
15 through the process in working with the consultant, they had suggested splitting it
16 up but they had a very high number of bicycle spots that were recommended,
17 which we felt would be inappropriate at this point in time. I can’t remember, it
18 was like one for every three units or one for every two units or whatever, so when
19 we went through that process it had already been split up and then we took off
20 multi-family senior because we didn’t feel that meeting the 5 percent was a
21 reasonable expectation. It is a relatively low number and as we all enter that
22 phase of our lives, then we can... seniors are more active now than they were 25
23 years ago when the code was originally written, so we felt that not going to a
24 much higher standard, it was a discussion with the consultants that we would at
25 least move towards having bicycle parking in all residential projects.
26

27 **COMMISSIONER GIBA** – But not for the senior housing; not for the mobile home
28 parks and model home complexes.
29

30 **PLANNING OFFICIAL TERELL** – Well correct.
31

32 **COMMISSIONER GIBA** – Because they are not exempt any more according to
33 this new change
34

35 **PLANNING OFFICIAL TERELL** – Well they would follow the category of single
36 or multi-family housing
37

38 **COMMISSIONER GIBA** – Oh, so you are just reclassifying them
39

40 **PLANNING OFFICIAL TERELL** – Correct
41

42 **COMMISSIONER GIBA** – Okay, I just need to understand it because when I’m
43 reading this that isn’t what is saying to me. You know when I’m reading this, this
44 is what it is saying to me; you are no longer exempting these particular areas, but
45 I’m not getting an explanation as to why you would do that, because I’m quite
46 sure seniors would like to ride bicycles and mobile home parks would have

1 bicycles, but you are reclassifying them instead of the same category as a single
2 family home

3
4 **PLANNING OFFICIAL TERELL** – Yes

5
6 **COMMISSIONER GIBA** – Gotcha; that’s good. Okay, that’s clear. Meli I’ll turn it
7 over to you. You don’t mind.

8
9 **COMMISSIONER BAKER** – Chairman could I interject something here. One
10 thing and I’m not trying to take away from you here Jeff. You weren’t in on some
11 of the Study Sessions that George and I were in on this deal. Now is that
12 consultant here that met with us back then or not; you know I’m talking two years
13 ago when we had a Study Session on this Alessandro Corridor.

14
15 **PLANNING OFFICIAL TERELL** – Yes that was actually Phase 1 and we actually
16 have a different consult on Phase II, but they use the same; they didn’t change
17 the vision from Phase 1.

18
19 **COMMISSIONER BAKER** – Where I’m getting at here is I think it would help
20 these people that weren’t involved in that Planning Session on what we are trying
21 to do here along Alessandro Corridor with the Mixed Use; the live and work deal
22 and that is why we had to change some of these things you know and I know we
23 are going to R30, but when you are going to build and I’m sure you guys went
24 through here and saw some of the store front deals; these are live to work; where
25 you are going to live where you work and either have the store front and whether
26 this is going to work or not; but I think this corridor is the way to do it. We don’t
27 really have another... we were even looking at Sunnymead Boulevard to do this
28 on but it doesn’t make sense down there because we’ve got so many different
29 buildings. Is that correct? We talked about that at one time; right?

30
31 **PLANNING OFFICIAL TERELL** – Yes, actually Sunnymead Boulevard is one of
32 the areas that has one of the existing Mixed Use Zones in it so we didn’t want to
33 change necessarily that. We actually looked at that for the things that work. The
34 overlay on Alessandro is different because it is an overlay. Up on Sunnymead
35 Boulevard there is more of a requirement for mixed use and that was based on
36 that and it is a Specific Plan, so that was done many years ago. There was
37 outreach on Sunnymead Boulevard and looking at doing mixed use there. As
38 you said the parcels on Sunnymead Boulevard are relatively small. They are
39 mostly developed already. There is a lot of encumbrances that make it less
40 desirable for doing a mixed use project which tend to take a fair amount of area
41 to do, so the mixed use on Sunnymead Boulevard or I’ll use “boutiquee” I guess.

42
43 Someone could live and work on the same parcel and actually there are a lot of
44 parcels on Sunnymead where that is already the case; from the 30’s and 40’s
45 and 50’s, so it already existed there, so it was trying to look to work with what
46 was there.

1 Alessandro Boulevard has lots of large parcels that are vacant that lend
2 themselves; maybe not today, but longer term for having mixed use, because of
3 the corridor; the traffic on the corridor; the transit on the corridor; the surrounding
4 residential and commercial uses, so it has a little bit more uses but here we didn't
5 want to put a Mixed Use Zone on a piece of property and say that is all you can
6 do. We wanted to do an overlay to yet provide another option.

7
8 **VICE CHAIR SALAS** – So with the overlay, basically what you are doing is that
9 is in addition to with what is already zoned there; what the General Plan calls out
10 for there in the first place; like the Village Specific Plan. Is that correct?

11
12 **PLANNING OFFICIAL TERELL** – With the overlay, basically it is says if you've
13 got a commercial zone you can do commercial but you've got the overlay so you
14 could do mixed use as an alternative.

15
16 **VICE CHAIR SALAS** – Right, it gives you more options.

17
18 **PLANNING OFFICIAL TERELL** – Correct

19
20 **CHAIR VAN NATTA** – Are there any more questions?

21
22 **COMMISSIONER RAMIREZ** – Yes John, were there any vacant property owners
23 that were not notified about this whole project?

24
25 **PLANNING OFFICIAL TERELL** – No, and I can't speak to what happened five
26 and half years ago, but when we noticed this time around, we sent out more than
27 1,300 notices. I think Claudia herself created the list and we included all the
28 properties vacant or developed within the area plus all the properties within 300
29 feet of the boundary of the area, so we notified every property owner within the
30 area as well as those within 300 feet of each of these areas, so that was 1,300
31 and change. It was over 1,300 notices.

32
33 **VICE CHAIR SALAS** – John just to clear something up, you weren't here five
34 and a half years ago?

35
36 **PLANNING OFFICIAL TERELL** – I was here five and half years ago, but I wasn't
37 doing the Housing Element. I was aware of what was going on but I wasn't in
38 charge of doing the Housing Element.

39
40 **VICE CHAIR SALAS** – Okay, when can we start blaming you... four years ago?
41 I just want to know.

42
43 **PLANNING OFFICIAL TERELL** – Oh there is plenty of things that are older than
44 five years ago that you can blame on me for, but not related to the Housing
45 Element.

46

1 **CHAIR VAN NATTA** – I think traditionally we wait until you are gone then we can
2 blame whoever isn't here anymore.

3
4 **PLANNING OFFICIAL TERELL** – I have to stay forever is what you are saying?

5
6 **CHAIR VAN NATTA** – Yes... okay, a couple of questions that I had... oh you still
7 had another one. I'm sorry, I thought you were done.

8
9 **COMMISSIONER RAMIREZ** – I'm sorry. One of my other concerns is like
10 somebody mentioned earlier is seeing R30 right next to R30, right next to R30,
11 right next to R30. If you look at the Hemlock corridor between Pigeon Pass Road
12 and Heacock, it is created like a rental price war there. People are combating for
13 lower rents or what have you and the results when that happens is you get a
14 different type of society moving in there and the crime rate goes up and I think is
15 one of the things that we are trying to ultimately you know avoid is anything that
16 would promote crime, so what happens if we don't approve this tonight?

17
18 **PLANNING OFFICIAL TERELL** – If it doesn't get approved, we won't have
19 implemented our certified Housing Element and therefore when we go forward to
20 update it, which we have to do later this year, then we are in a position of not
21 having a certified Housing Element. Not having a certified Housing Element
22 opens us up to challenge of our entire General Plan and that has occurred; the
23 most recent one I'm aware of is in San Bernardino where their entire General
24 Plan was thrown out because they were not in compliance with their Housing
25 Element. So the potential is quite severe and the other thing is if we don't do it
26 by the next cycle, instead of doing eight year cycles we get to do Housing
27 Elements every four years. So there is that potential. Also without a certified
28 Housing Element you are not eligible for a wide range of State housing and
29 transportation money, so that is the implications and we certainly have the ability
30 to place this and play around with it.

31
32 That whole area is not going to be developed overnight, but it was an area that
33 the outreach to the community at the time was supportive of... appears to be
34 relatively supportive of it still and the Council at the time and the Planning
35 Commission at the time of it were supportive of, so we have this area identified.
36 We have to maintain the number. We can move it around a little bit, but we can't
37 make any great changes with it because that would require us to go back and do
38 a new environmental and realistically we don't have the money to do it and we
39 don't have the time to do it.

40
41 **COMMISSIONER GIBA** – Okay John... are you done? Thank you guys for
42 bringing that up. Yes just a couple of quick ones because I was leading up to
43 what he was saying. You've got until 2014 for this to be done. Am I correct
44 because you said at the beginning it said between 2008 and 2014?

1 **PLANNING OFFICIAL TERELL** – The planning area is until 2014. The time
2 frame is we have to submit a new Housing Element by this October and in
3 advance of that and really the October date is a little bit elusive. It is really 90
4 days in advance of that that we have to submit it because the State has 90 days
5 to review it and prior to that time we have to be in compliance with all the
6 obligations that we agreed to in the current Housing Element and this wasn't
7 done to force the issue. Basically what forced the issue is we had to find the
8 money to do the work and that is what delayed us.

9
10 **COMMISSIONER GIBA** – Can we approve components of it or parts of it or is it
11 an all or nothing approval this evening, because you've got the General Plan
12 Amendment, Change of Zones, Municipal Code and General Plan; you've got six
13 elements in there within this whole thing. Is it possible to approve some of those
14 of elements and not others and then come back and approve the others still if we
15 wanted to tweak or play with it, if that were to take place. Is that possible?

16
17 **PLANNING OFFICIAL TERELL** – The reason it is not possible is they are in one
18 environmental document.

19
20 **COMMISSIONER GIBA** – Okay, so it is all or nothing.

21
22 **PLANNING OFFICIAL TERELL** – Unfortunately it is all or nothing. Not that
23 things can't be changed and tweaked a little. I mean I'm not saying that it's you
24 know you have to adopt it exactly as it is shown, but the basic components are
25 pretty much set by prior... and we kind of got here by prior policy decisions,
26 which I know you didn't make, but that is how we got to this point.

27
28 **VICE CHAIR SALAS** – So this doesn't go to Council? It goes after does it?

29
30 **PLANNING OFFICIAL TERELL** – Yes, Council makes the final decision

31
32 **VICE CHAIR SALAS** – Okay and a lot of these are recommendations from the
33 consultant. Is that correct? You took most of this from the consultants'
34 recommendations?

35
36 **PLANNING OFFICIAL TERELL** – Well the design of the mixed use, which I think
37 is a huge improvement as far as design standards and innovation over what we
38 have today in our existing Mixed Use Districts. That is based on the consultants'
39 recommendations. We worked quite a bit with them on that based on what works
40 elsewhere. The R30 Zone again as I stated, that really had nothing to do with
41 the consultant, it had to do with the Housing Element and policy decisions that
42 were made previously. The mixed use areas, again that was a recommendation
43 from the first Alessandro Study that looked at where does mixed use make sense
44 and it made sense at intersections primarily.

45

1 **VICE CHAIR SALAS** – I don't have any problem with the mixed use. I don't
2 have any problem with this... it's kind of like three parts... My concern is the
3 same as Carlos' concern which is about putting all the R30 just right next to each
4 other. It is going to be like 100 acres there or 75 acres of R30 there?

5 **PLANNING OFFICIAL TERELL** – Yes I think it is around 75 or 80
6

7 **VICE CHAIR SALAS** – I mean that is a lot of acreage to put R30 on. I mean I
8 just thought that maybe we could put some... maybe break it up a little bit, but if
9 that is where its gotta be, that is where its gotta be and then my other question is
10 why is Iris and Perris considered Alessandro Corridor? They are nowhere near
11 it.
12

13 **PLANNING OFFICIAL TERELL** – It isn't part of it. It was part of the original
14 Housing Element discussion and when we got the funding for Alessandro
15 Boulevard, we were able to tag along Perris and Iris because it is an add on that
16 the City paid for, but it was very inexpensive to tie in with this existing contract
17 rather than do a separate contract for that area.
18

19 **VICE CHAIR SALAS** – Okay, thank you
20

21 **COMMISSIONER BAKER** – One thing I'd like to say, on this R30, what we're
22 trying to do here is give a level playing field for everybody involved. I mean that
23 is my thought process and it doesn't mean they have to build R30 there, but at
24 least it gives them the opportunity to do it. I mean I'm sure we've had other
25 things built that were in an R30 district right that wasn't that density but are we
26 just limited to that density.
27

28 **PLANNING OFFICIAL TERELL** – We don't have any existing R30 zoned land,
29 so what we have is a minimum density and a maximum density and minimum
30 density is 80 percent of the maximum, so for an R30 zone, the minimum is 24
31 and the maximum is 30 and then we take out streets and other things so it ends
32 up... the number of units ends of being less because we don't count the street
33 towards the density, so it will be something less. There is a little bit of flexibility
34 and it also can be reduced if there is some kind of site constraint like a drainage
35 channel or something, but it has to be within a range and it typically in the other
36 multi-family zones people end up between the low and the high because getting
37 to the maximum is often very difficult even in R15 or R10 zones based on the
38 development standards and going too low is not really viable. I mean you spend
39 a lot of money for a piece of ground you want to get as close to the maximum as
40 you can, so there is a range, but I did want to point out that the number of units
41 that his proposal creates is 3,508 and the minimum number we have to get to is
42 3,045, so that is where there is some play. We certainly could reduce it and get
43 closer to that 3,045 number. We just can't go below that number.
44

45 **COMMISSIONER GIBA** – John, how difficult would it be to revisit some of those
46 units and break up that R30 a little bit and maybe remove a little bit or taking a

1 look at some multi-use changes within them. Would that take a lot of extra time
2 or could that be something that would be tweakable in a very short period of time
3 and come back to the Planning Commission for example. My concern as I said
4 from the very beginning was there was a lot of that R30 in that area and being
5 able to spread it around or to break it up just a little bit and I think Carlos did a
6 good job in expressing why his concern was there. I was just asking the
7 questions, so is this something that would be a very lengthy process because
8 you tell me you have 90 days before the October deadline on that, so I'm
9 counting days and you've got to have this thing ready to go by July basically.

10
11 **PLANNING OFFICIAL TERELL** – Well we have to have this done in advance.
12 Claudia still has to write a Housing Element before July and you have to look at it
13 before July, but I mean I think the number... if you look at it and doing the math,
14 463 units is the differential. If you divide that by 27 and you roughly have about
15 15, 16 or 17 acres that could be removed and we could look at the map tonight
16 and remove you know 16 or 20 acres.

17
18 **VICE CHAIR SALAS** – You divided people's property into two zones too right?

19
20 **PLANNING OFFICIAL TERELL** – We wouldn't recommend that.

21
22 **VICE CHAIR SALAS** – Yes, right, that's exactly what we don't want to do and I
23 wouldn't be for that either.

24
25 **PLANNING OFFICIAL TERELL** – The idea is we could certainly look at the map
26 and identify you know some properties assuming if you are looking at that area
27 on the east end, it is really taking maybe one or two other properties out of that
28 area.

29
30 **COMMISSIONER GIBA** – Yes I know that your projections have...your
31 anticipation of the building going up; the hospital area and all that, but maybe we
32 ought to save that for tomorrow. This isn't supposed to be discussed.

33
34 **PLANNING OFFICIAL TERELL** – Right, but I mean could we do that; yes;

35
36 **COMMISSIONER GIBA** – But I was just asking the questions...you know, but I
37 just needed to know that because if it is really that time sensitive then we really
38 need to crack down and make some kind of decisions tonight or delay or know
39 how long the delay could happen so that we don't delay and cost our City more
40 money in doing that and that is my concern. Is it something that we can do or not
41 do and I realize that. The Planning Commission and Council will make those
42 determinations as to the types of R30's that are going to be built and hopefully
43 we all do that wisely you know because they can really build some nice stuff.
44 Irvine has some nice very R30 all over the place.

45

1 **PLANNING OFFICIAL TERELL** – Yes and Claudia wrote R30 Zone which has
2 already been in place for quite a while and actually we do have a request; we
3 have a separate request to rezone to R30, so there is some interest in that
4 regard. One of the ordinances she looked and we did add components were the
5 Irvine ordinance, so that was one of the ordinances we looked for development
6 standards.

7
8 **CHAIR VAN NATTA** – Okay, my turn. No actually most of the concerns that I
9 had have been brought up in one way or the other, but I had a question and that
10 has to do with the R30 zoning that is planned for over at the Edgemont area. Is
11 there any concern in setting this up and saying okay this is part of Housing
12 Element when if somebody wanted to build there and they couldn't because of
13 the water situation?

14
15 **PLANNING OFFICIAL TERELL** – Yes, the R30 at the Day and Alessandro
16 location; that is actually owned by the Successor Agency to the Redevelopment
17 Agency. It was specifically purchased in order to provide a Seed project to bring
18 water service into a portion of Edgemont and so those areas were really intended
19 to bring the intensity of development that would make it feasible for someone to
20 extend the water lines and increase the water pressure, so it kind of done by
21 design, so yes you can't build anything unless you have the water pressure and
22 especially when the Redevelopment Agency was in place and this is the
23 Successor Agency which has that. I think it went to the... it will end up with the
24 Moreno Valley Housing Authority, so it is still looked at a piece of property that
25 will be used for housing and hopefully as a Seed Project to encourage water
26 service in Edgemont. I don't know if that answers your question, but it was done
27 by design to create a level of development that would make extending water lines
28 more feasible.

29
30 **CHAIR VAN NATTA** – Okay, then going to the next section which is the
31 Alessandro Boulevard on either side of Elsworth; that looks like a little patchier
32 there as far as one piece and then a piece that isn't and there is a piece that is
33 and it looks like it is covering some development that is already existing there
34 and maybe even some... I don't know what's right along there... Adrienne...
35 those are those older fourplexes and sixplexes there, so in order to redevelop or
36 in order to build R30 there, it is kind of like raze the whole thing and start from
37 scratch.

38
39 **PLANNING OFFICIAL TERELL** – Yes and in a lot of built out communities
40 obviously there are areas of what we call underutilized commercial that lend
41 themselves to being redeveloped as housing and when this was done originally,
42 that area was looked at. Again it was in the redevelopment area at the time, but
43 it was looked at in the area that is right for development and if you create enough
44 density there it might encourage people to do that and again it is the same issue,
45 obviously it was outreach to those property owners. They haven't expressed
46 any particular concerns and I haven't met them as part of that process but I've

1 met them as part of just the general use of their property in finding new tenants
2 and things like that, so there are many owners there and I think two showed up at
3 our meeting last week that are aware and didn't have an issue with that potential.
4

5 **CHAIR VAN NATTA** – That section too also has the water problem or did they
6 get water off Alessandro?
7

8 **PLANNING OFFICIAL TERELL** – West of Elsworth they would have the problem
9 and east of Elsworth they would not.
10

11 **CHAIR VAN NATTA** – Okay, so the other just remains to be solved?
12

13 **PLANNING OFFICIAL TERELL** – Correct
14

15 **CHAIR VAN NATTA** – Then the other question I had which I had initially the
16 same concern about the number of units going all in one place, but something
17 you said earlier just kind of helped solve a little bit of that problem in my mind
18 because I was thinking does a certain percentage of this have to be developed
19 for low income and what you were saying it just has to be available, but how
20 somebody develops it is up to them. I see something for that area more like
21 what's just south of the mall as far as the higher quality, better architecture and
22 so forth and not projects or something, but something more like the Broadstone
23 Rancho Belago that is up there by the Walmart or something like that and that
24 would meet that R30 for that area?
25

26 **PLANNING OFFICIAL TERELL** – Yes, if you look at newer projects, in Town
27 Gate there are three apartment projects there. They are all developed at about
28 20 to 23 units per acre, so they are close in density in what we call the dog bone
29 which is the ones just south of the mall. That is at about 24.
30

31 **CHAIR VAN NATTA** – Now to get a comparison in our mind as far as the size of
32 the project, what is the number of units there between the different developments
33 there south of the mall; the Town Gate project; the number of units there
34 compared to the number of units that would be possible in this section of
35 Alessandro and Morrison.
36

37 **PLANNING OFFICIAL TERELL** – There are... I'm trying to think... the dog bone
38 alone itself is 600 units, so there roughly; I think they are about 1,400 units there
39 and this area out by the hospital that we are looking at and if it was at maximum
40 density would be about 2,400, so it is more; it is bigger than that.
41

42 **CHAIR VAN NATTA** – Yes, much bigger
43

44 **PLANNING OFFICIAL TERELL** – The area up around Hemlock and Frederick;
45 that actually is well over 2,000 units there as I recall.
46

1 **CHAIR VAN NATTA** – But if we were to say okay let's limit to between Morrison
2 and Lassalle, then we would have to identify other properties that could meet our
3 required number of units; right?
4

5 **PLANNING OFFICIAL TEREEL** – If you took everything east of Morrison out,
6 we'd fall below that number
7

8 **CHAIR VAN NATTA** – Yes okay. Now the other end of it that is being proposed
9 to be removed; the Blue Ribbon to the east, which already has residential
10 development on it and I believe there is a church there or something...
11

12 **PLANNING OFFICIAL TEREEL** – Yes
13

14 **CHAIR VAN NATTA** – Okay, with that out of it, when that gets developed, then
15 Blue Ribbon Lane probably would be a street there?
16

17 **PLANNING OFFICIAL TEREEL** – It would probably be an improved street. I
18 think it is dirt or gravel now...
19

20 **VICE CHAIR SALAS** – It is a street now; yes
21

22 **PLANNING OFFICIAL TEREEL** – But yes there would be a street there
23

24 **CHAIR VAN NATTA** – So at that time to insulate the residential on the other side
25 of it from the multi-unit, would there be a way of conditioning that to where there
26 are fewer entrances and exits off of Blue Ribbon and more entrances and exits
27 off of Alessandro and Brodiaaea? I mean I know we can't condition that at this
28 point, but at the time that somebody comes into to develop, would that be
29 something that could be or would likely to be considered?
30

31 **PLANNING OFFICIAL TEREEL** – Yes it would be. You have to line up
32 driveways and do all kinds of other things too. If this was still these single family
33 homes at that time, yes we would definitely consider that. That area is zoned
34 Office Commercial or something so theoretically by that time it could be
35 developed as a different use and there wouldn't be as much of a concern.
36

37 **CHAIR VAN NATTA** – Yes but at least at this point the concern is there are
38 single family residences along there.
39

40 **PLANNING OFFICIAL TEREEL** – Yes we would definitely take that into account
41

42 **CHAIR VAN NATTA** – Okay, I think my questions were pretty much handled. At
43 this point then we will go into the Public Hearing section of the Hearing and can
44 we have the... does anybody have questions that are going to want to as of the
45 consultant? Is there anything that the consultant would like to talk to us about on
46 the project or if not we'll go to the public.

1 **CONSULTANT** – Go ahead

2
3 **CHAIR VAN NATTA** – Okay I have a Speaker Slip here from a Robert Monty.
4 Just introduce yourself and tell where you live.

5
6 **SPEAKER MONTY** – I’m Robert Monty, but they all call me Bob. I live at 14050
7 Blue Ribbon Lane. My wife and I bought the property; we actually moved in
8 there January 1st, 1985 and we bought the property as a residence and we
9 looked to the future as an investment property. Because of the location now with
10 Riverside Regional Medical Center just to the south of us, it would be more in line
11 for that to be developed into a medical area. In fact right now it is in the medical
12 overlay, so I have talked to at least one neighbor on the block. He was supposed
13 to be here tonight and he didn’t make it, but they are opposed to making any
14 property on Blue Ribbon R30. They would like it to remain Office Residential and
15 Office Commercial.

16
17 My property and I checked with the Senior Planner; my property right there at the
18 corner of Alessandro and Blue Ribbon Lane is zoned Office Residential and
19 Office Commercial. Now we are in the process right now of selling our property.
20 It is on the market and we want to get the price that we can for it. Over the past
21 few years, one house to the south of me in the last three or four years was sold
22 in foreclosure and that brought down the property values quite a bit on my
23 property, so we are both in our seventies and looking out for our future. We want
24 to be able to sell the property and at least break even and if you are talking about
25 the R30 property the price is very low per acre. Office Residential/Office
26 Commercial, we can get a better price for our property and hopefully we can
27 retire and not live high on the hog or anything like that but we want to be... well
28 my wife is working now just to keep us going, so we want to be able to sell our
29 property and at least make a reasonable profit, so I would ask that you consider
30 exempting Blue Ribbon Lane from the R30. Thank you.

31
32 **CHAIR VAN NATTA** – Thank you.

33
34 **COMMISSIONER GIBA** – John is that the property that is east that he is talking
35 about off of Blue Ribbon Lane?

36
37 **PLANNING OFFICIAL TERELL** – Yes

38
39 **COMMISSIONER GIBA** – All those smaller lots there

40
41 **PLANNING OFFICIAL TERELL** – Right, there is four in a row

42
43 **CHAIR VAN NATTA** – That was the section and the additional page where the
44 proposal was to remove that 17.28 acres and replace it with the acreage to the...
45

1 **VICE CHAIR SALAS** – Well we’re considering that now and you are
2 recommending doing that for him. That’s not a problem.

3
4 **PLANNING OFFICIAL TERELL** – Right, we recommend that you consider that.

5
6 **CHAIR VAN NATTA** – Are there any other members of the public who wish to
7 address at this time? If not I’m going to close the Public Comments and we will
8 open in up for Commissioner discussion. Do you want to say something?

9
10 **COMMISSIONER RAMIREZ** – Yes... I think that both the letters that we
11 received, one from Mr. Jerry Stevens as well as Mr. Robert Monty, those are
12 valid concerns. I think we should address those concerns. Perhaps we should
13 not delay this from moving it forward because it could cost us money, but if we
14 have the leverage to tweak it as we go along, we should consider doing that. We
15 really should have a Study Session with the City Council to find some direction
16 as far as what their vision is; what their intended purposes are, but that is what
17 my thoughts are right now.

18
19 **CHAIR VAN NATTA** – Thank you

20
21 **COMMISSIONER GIBA** – Well as I mentioned earlier, I was really concerned
22 about the clustering and like I mentioned before, I don’t want to delay it if is not
23 necessary to do, but to tweak it and maybe fix and maybe break up this is a little
24 bit if that is something that we could discuss. It doesn’t take long to discuss it.
25 There are two ways and I’m not clear as to how we can do that. If we approved it
26 can we still tweak that or once we approve it are we stuck with what we have or
27 do we turn it down and then just tweak it and get it back on board again and get it
28 finished, so I don’t know which way might be the better way to go with that, but I
29 am concerned about the clustering of these and it may not be necessary to do it.

30
31 **VICE CHAIR SALAS** – Can I come in on that. I agree with you Jeff but the thing
32 about it though we’re talking about only if we can make a change, it is only going
33 to be 17 acres that we can actually change and I don’t think 17 acres in the
34 whole picture plays a whole big part of this. If we were talking about 35 acres or
35 we could actually one of the big parcels I would agree with you, but I think at this
36 time we’ve got to look at it being only 17 acres and it is not going to make that
37 much of an influence. That’s my personal opinion.

38
39 **COMMISSIONER GIBA** – No, that’s what we’re talking about. I like it. It is not a
40 debate; it is a discussion so that we can help understand each other. You have a
41 lot more wisdom in those areas that I do and I depend upon your input as well as
42 yours. My concerns are always reflective of what the local community might be
43 thinking but never had a chance to say and you can convince me otherwise and I
44 don’t have a problem with that in the slightest. But that is my biggest concern
45 and I think we all expressed that a little bit is that the clustering and the amount
46 and I don’t even know if that can be conditioned in there that in the future we... I

1 don't think that can be conditioned in that we look at the type of facility that Ms.
2 Meli mentioned; some of the higher quality and doesn't turn into low income
3 housing and that has been a problem in certain areas in Moreno Valley and I
4 don't want that to happen here.

5
6 **PLANNING OFFICIAL TERELL** – Right, I would agree

7
8 **CHAIR VAN NATTA** – I don't think we need to condition it on anything like that.

9
10 **COMMISSIONER GIBA** – I don't think we can do that

11
12 **CHAIR VAN NATTA** – These projects are going to come before Planning
13 Department and those issues will be addressed.

14
15 **COMMISSIONER GIBA** – That's what I said ...

16
17 **COMMISSIONER CROTHERS** – You know I totally agree with taking Blue
18 Ribbon out and adding in the property on the opposite side. I think that it does
19 address the concern from the community. It also falls into a request by the
20 community to have their property included, so I think you know my preference
21 would be to take out the Blue Ribbon section and add in the other section as part
22 of our approval. The mixed use I'm excited for. I'm so tired of driving down the
23 street and seeing nothing but parking lots and cars. You know on a major street
24 like Alessandro we should have you know walkable accessible shopping centers
25 and you just don't do that now. You drive down the street and you park in the
26 back or you park in the front and everybody... it is not a very welcoming feeling
27 when you drive down the street and I think the mixed use will help that and
28 promote a more walkable community where people are riding bikes and a
29 community where people are spending money, because right now the way it
30 looks, it is not very inviting. The mixed use would invite people to come and walk
31 around, look at our community and know that we have places to shop; places to
32 eat at; restaurants etc. and I think this is a good project, so you've got my vote.

33
34 **CHAIR VAN NATTA** – Okay

35
36 **COMMISSIONER SALAS** – I like the mixed use. I agree with the change. I
37 agree with the whole thing. I think the next step and I agree with you. I think
38 when we actually hire the consultant, I think that when we have our initial
39 meeting, I think we need to explain to him that we don't want him to just throw a
40 section or block and make it all R30. To me it seems like he goes, here we are,
41 okay we need R30 and we need this many and let's put them here. I don't think
42 there was much thought put into it, but you know I'll go with it. The other thing is
43 on the Hillside thing that Mr. Jerele was talking about, I agree with him also. I
44 think that us saying you can't have any houses out there is ridiculous. For us to
45 say you can rezone houses, let us have the opportunity to look at the houses and

1 see if it is actually going to influence the hillside appearance before we say no
2 you can't have it there.

3
4 **CHAIR VAN NATTA** – We can't comment on other things right now. We need to
5 talk about this project.

6
7 **COMMISSIONER BAKER** – You know when we got into the Study Session on
8 this it was two or three years ago and I was all excited about this work, live along
9 that Alessandro Corridor, which made sense at the time and it still does. I know
10 there is a little concern about this R30 but you know from a property owner,
11 developer, we got to make this a level playing field along there and R30 is not a
12 bad thing. It gives them the maximum and I didn't realize on these developers
13 and property owners these zoning deals are a big deal. I mean when you are
14 trying to sell property or whatever you are working with, I didn't realize that until I
15 sat down and talked to a few people about it, so I think this is a big plus for the
16 City to move forward on this, so you've got my vote on it. I'd like to move forward
17 on this.

18
19 **COMMISSIONER GIBA** – Could I add something in?

20
21 **CHAIR VAN NATTA** – You had your turn...Go ahead

22
23 **COMMISSIONER GIBA** – This is discussion. I didn't know we did it in turns.

24
25 **CHAIR VAN NATTA** – Go ahead

26
27 **COMMISSIONER GIBA** - I don't think we mentioned Mr. Stevens request for
28 converting to R30 because he was going to speak to that and I don't think he
29 ever did.

30
31 **PLANNING OFFICIAL TERELL** – Yes, we did and obviously you have that
32 before you

33
34 **COMMISSIONER GIBA** – Yes, so that section right there has been requested to
35 be R30 as well on that corner of Lasselle and then one last thing because you
36 did bring it up and I didn't get a chance to mention it. I love your mixed use plan
37 and getting rid of the MUD's and putting in... yes, that's why I never mentioned
38 anything because I like them.

39
40 **PLANNING OFFICIAL TERELL** – It is clearer than MUD

41
42 **COMMISSIONER GIBA** – It is clearer than MUD. I like that. You guys probably
43 threw that around at the meetings right? This is going to be clearer than MUD...

44
45 **CHAIR VAN NATTA** – Leave some of the jokes for me... Okay, thank you. In
46 looking at this entire project, yes I agree it seems like a lot along the Alessandro

1 Corridor there in terms of the R30, but I don't think it is too much. The location of
2 it when you look at other areas of the City that it could be in, I think this is
3 probably the preferable area to put it. I think we're going to have enough
4 development in that area, but then we have to keep in mind that development
5 follows demand, so just because we are saying we are going to zone this for
6 R30, it doesn't mean that we're going to have you know, what 2,400 units built
7 there over night. If there is no demand for them, then they are not going to be
8 put there and like you were saying you know where you have too many in one
9 area, maybe the competition between the different ones drives the prices down,
10 well then maybe it should because these developers when they are going to be
11 putting in a large apartment complex, they do extensive market studies to
12 determine whether or not there is a demand for it before they build them, so I
13 don't think we're going to be looking at something there where we have a bunch
14 of empty apartments causing a blight on the neighborhood.

15
16 I like the Mixed Use Overlay. I think that's great. I think an attempt was made to
17 do that in the Stone Ridge Center a few years ago. Unfortunately there are a lot
18 of vacant stores up there because it was built at a time when they were expecting
19 a certain number of rooftops to be built out in that area, so they thought the
20 demand was going to be there, but we don't always read the market exactly. It is
21 not an exact science and so there are still vacancies. I don't see that there is
22 going to be a lot of people coming in and building mixed use right now because
23 there are still so much vacant mixed use properties out there, so it will probably
24 take a while before the demand causes more development. But overall, I think
25 the plan that has been laid out with the adjustment of removing the Blue Ribbon
26 to the east section and replacing it with the L-shaped section over there on
27 Alessandro and Lasselle. With that modification I think it's something that
28 everybody can be pleased with. So, is there any further discussion? When you
29 think about adding in that modification?

30
31 **VICE CHAIR SALAS** – Yes ma'am. I'll move to approve it, but how do we state
32 that John?

33
34 **CHAIR VAN NATTA** – The modification?

35
36 **PLANNING OFFICIAL TEREEL** – I think that you could just reference it as
37 moving 17 acres from the east side of area 3 to the west side of area 3 and we'll
38 clean that up for the City Council and we'll have an exhibit that shows that for
39 City Council.

40
41 **CHAIR VAN NATTA** – So we're just deleting 17 acres from the east end and
42 adding approximately 15 acres on the west end.

43
44 **VICE CHAIR SALAS** – Okay in other words I move to **APPROVE** Resolution No.
45 2013-08 and with the change of the 17 acres from the east to the west and
46 thereby **RECOMMEND** that the City Council:

1 1. **ADOPT** a Mitigated Negative Declaration for PA11-0028 General Plan
2 Amendment, PA11-0029 Change of Zone, PA11-0030 Municipal Code
3 Amendment, PA12-0046 General Plan Amendment and PA12-0047 Change of
4 Zone, pursuant to the California Environmental Quality Act (CEQA) Guidelines;
5 and,
6

7 **2. APPROVE** PA11-0028 General Plan Amendment, PA11-0029 Change of
8 Zone, PA11-0030 Municipal Code Amendment, PA12-0046 General Plan
9 Amendment and PA12-0047 Change of Zone.

10
11 **COMMISSIONER BAKER** – I'll second that.

12
13 **CHAIR VAN NATTA** – Okay, we have a motion and a second...all in favor?

14
15 Opposed – 0

16
17 **Motion carries – 6 – 0**

18
19 **CHAIR VAN NATTA** – Okay, now Other Business, what do have for us?

20
21 **PLANNING OFFICIAL TERELL** – Yes on this item we will be forwarding it to the
22 City Council for final review and action and we've tentatively scheduled that
23 meeting for April 23rd, so that is what we are working towards.
24

25
26
27 **STAFF COMMENTS**

28
29 **PLANNING OFFICIAL TERELL** – We don't have anything scheduled for your
30 April meeting yet, but there is still time, so we'll keep you advised. We may have
31 a Municipal Code Amendment. The other thing that we're working on or Claudia
32 is working on is a Municipal Code Amendment that takes care of the other things
33 that were promised in the Housing Element and that is much less dramatic than
34 what we talked about tonight and the other item that is traditional at your April
35 meetings by your by-laws is elections, so the other thing is between now and
36 then is we will have at least one new Planning Commissioner and hopefully not
37 more than one, but that is the City Council's decision and so that will be another
38 change between now and then and then hopefully shortly hereafter, we can have
39 another Brown Act presentation.
40

41 **CHAIR VAN NATTA** – That would be good

42
43 **VICE CHAIR SALAS** – I can't wait

44
45 **CHAIR VAN NATTA** – But we'll do that after we have our new member.
46

1 **PLANNING OFFICIAL TERELL** – That would be May or June

2
3 **CHAIR VAN NATTA** – Okay, so for now, the next date is tentative

4
5 **PLANNING OFFICIAL TERELL** – Well, Claudia seems really committed to
6 coming back and seeing you again. She is been lonely back in her cubicle doing
7 housing for the last several years and now she is moving back into Planning, so
8 tentatively your next meeting would be the 25th of April.

9
10
11
12 **OTHER BUSINESS**

13
14 **CHAIR VAN NATTA** – So if we don't have any Other Business are there any
15 Planning Commissioner Comments?

16
17
18
19 **PLANNING COMMISSIONER COMMENTS**

20
21 **CHAIR VAN NATTA** – Now would be the time if you wanted to talk about the
22 Hillside.

23
24 **VICE CHAIR SALAS** – Just in case you haven't heard I'm not a big fan of the
25 Hilltop Ordinance. I stated earlier what I said. I just don't like it. They ought to
26 give us the opportunity to at least what the house is going to look like before we
27 say you just can't have it. I'm done.

28
29 **COMMISSIONER GIBA** – And I agree totally. I think they ought to look at the
30 hilltop requirement. It doesn't have to be every hilltop, but it doesn't have to be...
31 but I think it's time to come back and look at that so we can bring a different
32 quality of housing to our City to match what we are trying to do in the future and I
33 think it is a good idea actually. Thank you Tom.

34
35 **PLANNING OFFICIAL TERELL** – Definitely, we'll put that on... I've got it written
36 down here so you know we can schedule it on a slow Agenda and put some
37 information on that so you can at least become more familiar with what it is and
38 really how it has changed and maybe it needs change some more.

39
40
41
42
43 **ADJOURNMENT**

44
45 **CHAIR VAN NATTA** – Okay, anything else or anyone else? Okay then will you
46 move to adjourn?

1 **VICE CHAIR SALAS** – I'll move to adjourn
2
3 **COMMISSIONER GIBA** – And I'll second
4
5 **CHAIR VAN NATTA** – Okay, and it is seconded and all in favor please stand up.
6
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14 _____
15 John C. Terell
16 Planning Official
17 Approved
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_____ Date

24 _____
25 Meli Van Natta
26 Chair
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_____ Date

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**CITY OF MORENO VALLEY
PLANNING COMMISSION
REGULAR MEETING
APRIL 25TH, 2013**

CALL TO ORDER

Chair Van Natta convened the Regular Meeting of the City of Moreno Valley Planning Commission on the above date in the City Council Chambers located at 14177 Frederick Street.

Introduction and Swearing-In of New and Re-Appointed Commissioners:

- Brian Lowell
- Jeffrey Sims

CHAIR VAN NATTA - The first item on our Agenda is the swearing in of the new Planning Commissioners and also those who have been appointed to return. At this point I am going to turn it over to our City Clerk to handle this part of the meeting.

CITY CLERK HALSTEAD – Okay if the new Commissioners would please join me at the microphone and that will be Jeffrey Sims, Brian Lowell, Ray Baker, Carlos Ramirez and Jeffrey Giba. Can you please raise your right hand and repeat after me and state your name.

JEFFREY SIMS, BRIAN LOWELL, RAY BAKER, CARLOS RAMIREZ AND JEFFREY GIBA - I do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California, that I take this obligation freely without any mental reservation or purpose of evasion and that I will and faithfully discharge the duties upon which I am about to enter.

CITY CLERK HALSTEAD – Congratulations gentlemen.

CHAIR VAN NATTA – Okay welcome and welcome back.

1 **ROLL CALL**

2
3 Commissioners Present:

4 Chair Van Natta
5 Commissioner Baker
6 Commissioner Crothers
7 Commissioner Giba
8 Commissioner Lowell
9 Commissioner Ramirez
10 Commissioner Sims

11
12 Staff Present:

13 John Terell, Planning Official
14 Claudia Manrique, Associate Planner
15 Jane Halstead, City Clerk
16 Suzanne Bryant, City Attorney

17
18
19
20 **PLEDGE OF ALLEGIANCE**

21
22
23
24 **APPROVAL OF AGENDA**

25
26 CHAIR VAN NATTA – Okay, I trust you’ve all had a chance to look at the rather
27 short Agenda for tonight, so I’d entertain a motion to approve the Agenda.

28
29 COMMISSIONER CROTHERS – I’ll motion

30
31 COMMISSIONER BAKER – I’ll second

32
33 CHAIR VAN NATTA – Okay, all in favor?

34
35 Opposed – 0

36
37 **Motion carries 7 – 0**

38
39
40
41 **PUBLIC HEARING ITEMS**

42
43 CHAIR VAN NATTA – The public is advised that procedures to be followed in
44 the meeting are posted at the back of the room.

1 **PUBLIC COMMENTS**

2
3 **CHAIR VAN NATTA** – At this time we’re going to entertain any comments by any
4 member of the public on any matter which is not listed on the Agenda and which
5 is within the subject matter jurisdiction of this Commission and I have no Speaker
6 Slips and I see no one at the podium so we’re going to close the Public
7 Comments and note also that the City of Moreno complies with Americans with
8 Disabilities Act of 1990 and if you need any special assistance please contact
9 Mel Alonzo the ADA Coordinator at least 48 hours prior to the meeting.

10
11
12
13 **NON-PUBLIC HEARING ITEMS**

14
15
16 **APPROVAL OF MINUTES**

- 17 • **August 23rd, 2012**
18 • **September 13th, 2012**
19 • **November 29th, 2012**
20 • **December 13th, 2012**
21 • **January 17th, 2013**
22

23 **CHAIR VAN NATTA** – Our first Non-Public Hearing Item is the approval of the
24 minutes and you had delivered to you prior to this meeting; the minutes for
25 August 23rd, 2012, September 13th, 2012, November 29th, 2012, December 13th,
26 2012 and January 17th, 2013 and we are going to approve each one of them
27 individually.

28
29 **CITY ATTORNEY BRYANT** – I would also recommend that Commissioners
30 Lowell and Sims abstain from the approval of these minutes because they were
31 not at those meetings.
32

33 **CHAIR VAN NATTA** – Exactly, only those who attended and if anyone here
34 missed any one of those meetings for any reason, they would also be abstaining.
35 So motion for approval for the minutes of August 23rd, 2012
36

37 **COMMISSIONER BAKER** – I so move
38

39 **COMMISSIONER GIBA** – I second
40

41 **CHAIR VAN NATTA** – Moved and seconded; any corrections? Okay, all
42 approved.

43
44 Opposed – 0

45
46 Abstentions – Commissioner Lowell, Commissioner Sims

1 **Motion carries 5 – 0 – 2, with two Abstentions**

2
3 **CHAIR VAN NATTA** – So August 23rd, 2012 minutes are approved. September
4 13th, 2012 minutes...

5
6 **COMMISSIONER CROTHERS** – I'll motion

7
8 **COMMISSIONER BAKER** – Second

9
10 **CHAIR VAN NATTA** – Motion and seconded; any discussion or corrections?
11 Okay all approved.

12
13 Opposed – 0

14
15 Abstentions – Commissioner Lowell, Commissioner Sims

16
17 **Motion carries 5 – 0 – 2, with two Abstentions**

18
19 **CHAIR VAN NATTA** – It is approved. November 29th, 2012 minutes...

20
21 **COMMISSIONER CROTHERS** – I'll motion

22
23 **COMMISSIONER BAKER** – I'll second

24
25 **CHAIR VAN NATTA** – Moved and seconded; any discussion or corrections?
26 Okay all approve?

27
28 Opposed – 0

29
30 Abstentions – Commissioner Lowell, Commissioner Sims

31
32 **Motion carries 5 – 0 – 2, with two Abstentions**

33
34 **CHAIR VAN NATTA** – Okay motion passes... minutes are approved. December
35 13th 2012 minutes...

36
37 **COMMISSIONER GIBA** – I'll motion

38
39 **COMMISSIONER CROTHERS** – I'll second

40
41 **CHAIR VAN NATTA** – Okay moved and seconded. Okay all approve?

42
43 Opposed – 0

44
45 Abstentions – Commissioner Lowell, Commissioner Sims

46

1 **Motion carries 5 – 0 – 2, with two Abstentions**

2
3 **CHAIR VAN NATTA** – January 17th, 2013 minutes...

4
5 **COMMISSIONER RAMIREZ** – I'll motion

6
7 **COMMISSIONER CROTHERS** – I'll second

8
9 **CHAIR VAN NATTA** – Okay, any corrections? Okay all approved.

10
11 Opposed – 0

12
13 Abstentions – Commissioner Lowell, Commissioner Sims

14
15 **Motion carries 5 – 0 – 2, with two Abstentions**

16
17 **CHAIR VAN NATTA** – Okay, the minutes have all been approved.

18
19
20
21 **PUBLIC HEARING ITEMS**

22
23 **1. Case Number: PA12-0028 Municipal Code Amendment**
24 **P12-117 Specific Plan Amendment**

25
26 **Case Planner: Claudia Manrique**

27
28 **CHAIR VAN NATTA** – Okay we move now in our Public Hearing Items. The first
29 case is PA12-0028 Municipal Code Amendment and P12-117 Specific Plan
30 Amendment and our Case Planner is Claudia Manrique.

31
32 **ASSOCIATE PLANNER MANRIQUE** – Good evening I'm Claudia Manrique, the
33 Planner for the proposed amendments that would modify the Moreno Valley
34 Industrial Area Specific Plan (SP208) and various provisions in the Municipal
35 Code.

36
37 I am going to start off with the Specific Plan Amendment. Prior to enactment of
38 California State Senate Bill 2, Housing Element Law required local governments
39 to identify zoning to encourage and facilitate the development of emergency
40 shelters. SB2 strengthens these requirements. Most importantly, the Housing
41 Element law now requires the identification of a zone or zones where emergency
42 shelters are permitted without a conditional use permit or any other discretionary
43 actions. To address this requirement, a local government may amend an
44 existing zoning district, establish a new zoning district or establish an overlay
45 zone for any existing zoning districts. In the 2008-2014 Housing Element
46 Update, it was stated that we would amend to add emergency shelters as a

1 permitted use in compliance of SB 2 as well as the development standards. The
2 SP 208 was identified for this use due to the fact that while homeless shelters are
3 a permitted use in the public zone, there are no longer public zone sites in the
4 City that are available or are appropriate for housing and shelter uses.

5
6 The Municipal Code Amendment has various components. The first is
7 emergency shelters. We are changing the definition of homeless to emergency
8 shelter which would match the description given in the California Health and
9 Safety Code Section. The Code amendment would also include development
10 standards for emergency shelters. Staff reviewed development standards for
11 emergency shelters from the City of Riverside, Temecula and other cities to get
12 ideas regarding how the State regulations could be implemented and the results
13 are included in the proposed specific use development standards to ensure the
14 development of quality emergency shelters in Moreno Valley.

15
16 Number 2 is Farm Worker Housing. According to the California Department of
17 Housing there are no farm worker housing units in the City of Moreno Valley.
18 Comparatively, Riverside County has 1,000 farm worker units with 400 of those
19 currently permitted and in use. Prior to 1950 the area that is now Moreno Valley
20 was primarily used for agriculture production yet farming is no longer a leading
21 industry in the City. All affordable housing in the City of Moreno Valley is
22 available for farm workers and since all affordable housing units in the City are
23 available for farm worker households at this time it is not necessary to allocate
24 any of its limited housing funds to farm worker housing. It is noted in the 2008 to
25 2014 Housing Element Update that Chapter 9 of the development code will be
26 amended to permit by right farm worker housing in all multiple family zones. This
27 is R10, R15, R20 and R30 and this is to address the housing needs of farm
28 workers. The Code amendment also includes a definition of farm worker housing
29 as well as the development standards in addition to the permitted use table.

30
31 Next we have Single room occupancy and again the Housing Element Update
32 required this amendment to establish single room occupancy, also known as
33 SRO zones within the multiple family and certain areas in town; the commercial
34 zones and the relative development standards for these units. The Single Room
35 Occupancy units can provide a valuable form of affordable private housing for
36 lower income individuals, seniors and persons with disabilities. The Code
37 amendment includes the definition of Single Room Occupancy facility as well as
38 the development standards, in addition to the permitted use table.

39
40 The next amendment is renumbering of Chapter 909 with the additions of the
41 emergency shelters, farm worker housing and Single room occupancy facilities.
42 It required the numbers to be changed and a Code amendment will fix this issue.
43 Next we have reasonable accommodation procedures. Again the update of the
44 Housing Element included the need to amend the Municipal Code to adopt
45 reasonable accommodation procedures. These will be in Chapter 9.02 and
46 include the development standards as well as the definition.

1 Lastly we have two corrections. The rear yard setback for the RS10 Residential
2 Single Family 10 District was mistakenly changed from 15 feet to 50 in a prior
3 update. The change will revise to show the correct setback of 15 feet in the
4 Residential Site Development Standard Table. In a past update, we mistakenly
5 deleted Number 4, which is the minimum front yard setback from private streets
6 in R1, R2 and R3 Districts shall be 55 feet measured from the center line of the
7 street. The minimum front yard setback on private streets within an R5 District
8 shall be 50 feet measured from the center line of said street. This was the
9 original wording that was accidently deleted and we are just replacing the old
10 wording.

11
12 This project is exempt under CEQA in accordance in Section 15061. The public
13 was notified with a public notice published in the Press Enterprise. As of tonight I
14 have received zero calls regarding this project.

15
16 Staff recommends approval of the Resolution 2013-16 thereby recommending
17 that the City Council recognize that it is exempt from CEQA and approve the
18 project. Thank you.

19
20 **CHAIR VAN NATTA** – Okay, do we have any Speaker Slips on this item?
21 Seeing no one coming forward, I will open and close the Public Comment item on
22 this. Do any Commissioners have any questions of Staff?

23
24 **COMMISSIONER CROTHERS** – Just one quick question Claudia. Do we have
25 any Single Room Occupancy facilities in the City currently?

26
27 **ASSOCIATE PLANNER MANRIQUE** – Currently we do not.

28
29 **CHAIR VAN NATTA** – And I have a question as this was coming up.
30 Occasionally when I'm showing a house I see that we have a five or six bedroom
31 house where every room has an individual lock and it has been used to rent
32 individual rooms. Is that then something that according to the reading of this,
33 that would not be considered a single room occupancy even though it is
34 functioning as that? Would that be something that is not a permitted use of a
35 residential dwelling?

36
37 **PLANNING OFFICIAL TERELL** – It is not a residential permitted use. It would
38 loosely be defined as a room. We get complaints fairly often about those types
39 of arrangements and that would qualify as a rooming house and rooming houses
40 are prohibited in a single family zone. They are permitted in multi-family zones,
41 so there are actually some rooming houses that are in single family houses that
42 happen to be in multiple family zones.

43
44 **CHAIR VAN NATTA** – What makes it fit the definition of rooming house if
45 somebody rents out one room to somebody or two? At what point is it when the
46 family or the owner of the house is not living there and they are just renting the

1 rooms out or if someone has a five bedroom house and they are renting out two
2 of the bedrooms for extra income.

3
4 **PLANNING OFFICIAL TERELL** – Technically if they are leasing out or renting
5 out any rooms it fits in the definition of a rooming house. We haven't got
6 complaints about that situation. But where people are sharing a house that is a
7 typical use in a single family zone where three people might be on the lease for a
8 house. That is a household, so that is the difference in the definition. There
9 certainly are some issues related to sober living facilities and they are licensed...
10 there are certain regulations at the State level that do allow sober living facilities,
11 but they...

12
13 **CHAIR VAN NATTA** – But that comes under a different definition

14
15 **PLANNING OFFICIAL TERELL** - Correct

16
17 **CHAIR VAN NATTA** – Yes, okay. Alright, any other questions?

18
19 **COMMISSIONER SIMS** – Yes I just... Thank you. So my questions are as a
20 newbie here so bear with me. Is this kind of amendment to the Specific Plan and
21 Municipal Code; is there a great need or how does something like this come up?
22 Is this just something as a Staff correction or was did we get applicants come in
23 and try do housing that would go through planning or entitlement process or is
24 this strictly cleanup?

25
26 **PLANNING OFFICIAL TERELL** – It is not really cleanup; the two last items are
27 cleanup, but the State... we are required to develop and adopt a Housing
28 Element and it is required to be in compliance with State law and the farm worker
29 housing; the Single Room Occupancy and emergency shelter as well as the
30 reasonable accommodation are requirements of State Housing Law, so we are
31 just implementing those.

32
33 **COMMISSIONER SIMS** – In compliance

34
35 **PLANNING OFFICIAL TERELL** – Correct

36
37 **COMMISSIONER SIMS** – I apologize but this more just curiosity but this
38 provides the City with the ability if there was... and I'll get the names down here
39 soon, but our Commissioner was just talking about a single family with multiple
40 rental tenants in a room. Is this something that enables Code Enforcement to go
41 in and work as it is not compliant; there is activity that is not compliant with the
42 Municipal Code or Specific Code?

43
44 **PLANNING OFFICIAL TERELL** – In this case it just means that we said we
45 would comply with State Law and the Housing Element and this is implementing
46 it, so our Housing Element remains in compliance and having our Housing

1 Element remain in compliance obviously strengthens our ability to Code
2 Enforcement and a lot of other things, but the prohibitions against rooming
3 houses in certain zones, that is already in the code.

4
5 **CHAIR VAN NATTA** – I understand there was a public meeting with Mayor
6 Owings and Mayor Pro Tem Co that they were addressing some of these issues
7 about providing services for the homeless and a meeting with owners along
8 Sunnymead Boulevard. Did that have anything to do with this coming up or was
9 that just an outreach meeting?

10
11 **PLANNING OFFICIAL TERELL** – It was just an outreach; coincidental I guess.
12 There are some issues with the homeless that reside along Sunnymead
13 Boulevard and they wanted to have an outreach to identify... have a cooperative
14 approach to how the City and local property owners and merchants deal with the
15 homeless. There are homeless services available; not necessarily in Moreno
16 Valley but immediately adjacent on the northeast corner of March Air Reserve
17 Base and there are a variety of resources that homeless people can be directed
18 to help them get off the streets.

19
20 **CHAIR VAN NATTA** – Do you know of any plans for setting some sort of an area
21 where they can go to shower, make phone calls, get mail or anything like that?

22
23 **PLANNING OFFICIAL TERELL** – I wasn't at the meeting so I'm not aware of the
24 outcome of it.

25
26 **CHAIR VAN NATTA** – Okay, I just heard about it second hand and it sounded
27 like some interesting thoughts were brought up in that meeting and that's why I
28 wondered if it had anything to do with this, but like you said it was just
29 coincidental. Okay, any other discussion from the Commissioners. Well we
30 don't call it debate, but Commissioner Comments. Okay, then we are waiting for
31 a motion. Who would like to do that?

32
33 **COMMISSIONER LOWELL** – I'll motion we **APPROVE** Resolution No. 2013-16
34 and thereby **RECOMMEND** that the City Council:

- 35
36 **1. RECOGNIZE** that PA12-0028 Municipal Code Amendment and P12-117
37 Specific Plan Amendment, qualify as exemptions in accordance with CEQA
38 Guidelines, Section 15061 as defined by Section 15378; and,
39
40 **2. APPROVE** PA12-0028 Municipal Code Amendment and P12-117 Specific
41 Plan Amendment.

42
43 **COMMISSIONER BAKER** – I'll second that

44
45 **CHAIR VAN NATTA** – Okay we have a motion and a second; any discussion...
46 Okay, I'll call for the vote; all in favor?

1 Opposed – 0

2
3 **Motion carries 7 – 0**

4
5 **CHAIR VAN NATTA** – It is unanimous and it has been approved

6
7 **PLANNING OFFICIAL TERELL** – Yes, this recommendation shall be forwarded
8 to the City Council for final review and action.

9
10 **CHAIR VAN NATTA** – Thank you

11
12
13
14 **OTHER BUSINESS**

15
16 **1. 2012 Annual Report of the Planning Commission**

17
18 **CHAIR VAN NATTA** – The first item under Other Business is the 2012 Annual
19 Report of the Planning Commission. Would Staff like to say anything about it?

20
21 **PLANNING OFFICIAL TERELL** – Yes, this is a report that is required by the
22 State for the City to issue every year. It is prepared by Staff and then
23 recommended by the Planning Commission... it is a receive and file with the City
24 Council before we forward it to the State to put on the public record and it is a
25 listing of all the items that you looked at last year and took action on. There were
26 46 of them and it was a relatively... it is a lot but I think they'll be more this year
27 and in addition to that it just recognizes that a lot of items happen administratively
28 and there were 743 administrative approvals as well and with that if there are any
29 questions, I will leave it to the Planning Commission to take action on this.

30
31 **CHAIR VAN NATTA** – Everyone has had an opportunity to look at it. I think the
32 motion on this should come from somebody who was with the Planning
33 Commission from all of the last year.

34
35 **COMMISSIONER GIBA** – I'm curious John, how many... as I was going through
36 it I don't know that they all tell me what are in play right now and work done. I
37 know they finally broke ground on the facility over there. I was excited to see that
38 they are finally doing that, but I haven't seen the towers being put up or anything.
39 Is there any mention as to when they intend to do those or I mean we approved
40 them but a lot of them haven't been done yet.

41
42 **PLANNING OFFICIAL TERELL** – That's correct. You know it is left in the
43 applicant's hand after you guys take an action or in some cases the City Council
44 to take action before they can... We haven't listed that on here. Certainly if you
45 have a question about a particular item we can look up those and follow up on

1 the next meeting to give you an update on all these projects. It should be pretty
2 simple to do.

3
4 **COMMISSIONER GIBA** – Yes I was just curious mainly about the two cell towers
5 they were supposed to put up there... was it off of Perris and Manzanita and then
6 the one on Heacock. I hadn't seen any activity on those two cell towers at all.

7
8 **PLANNING OFFICIAL TERELL** – I'll have to check. I'm not sure. I know they
9 were submitted into plan check but when they will be building I don't know.

10
11 **COMMISSIONER GIBA** – I'm sorry, one was my provider so...when am I going
12 to get my cell tower.

13
14 **PLANNING OFFICIAL TERELL** – But I'd be happy to check on that and let you
15 know.

16
17 **COMMISSIONER GIBA** – Yes, thanks

18
19 **CHAIR VAN NATTA** – It would be interesting to see that. Some of things it is
20 kind of exciting to see how quickly Kaiser got their building done and open and...

21
22 **COMMISSIONER GIBA** – The mall over there

23
24 **CHAIR VAN NATTA** – Yes and then Renaissance Village over there on Moreno
25 Beach. I drive by that every day and they are busy working moving ground
26 around, so that's nice to see. Okay, at this point can we have a motion to
27 approve?

28
29 **COMMISSIONER CROTHERS** – I'll motion to approve

30
31 **COMMISSIONER BAKER** – I'll second

32
33 **COMMISSIONER CROTHERS** – I motion that Planning Commission:

- 34
35 **1. ACCEPT** the 2012 Annual Report of the Planning Commission; and,
36
37 **2. DIRECT** Staff to forward the 2012 Annual Report of the Planning
38 Commission to the City Council

39 **COMMISSIONER BAKER** – I'll second that

40
41 **CHAIR VAN NATTA** – Okay, all in favor?

42
43 Opposed – 0

44
45 **Motion carries 7 – 0**

1 **CHAIR VAN NATTA** – And so it is
2
3
4

5 **2. Election of Officers**
6

7 **CHAIR VAN NATTA** – Okay and then our final item here before we go to Staff
8 Comments is the Election of Officers. At this point we are going to be electing a
9 new Chair or an old one and a new Vice Chair since our old Vice Chair is not with
10 us anymore.
11

12 **COMMISSIONER GIBA** – I would like to re-nominate Miss Meli. I think you've
13 done a marvelous job. I have no reason to have to change that in any way
14 shape or form, but you are not the old Chair, you are the old young Chair.
15

16 **CHAIR VAN NATTA** – Thank you very much. Okay any other nominations? I
17 think we have to have a second for that.
18

19 **COMMISSIONER RAMIREZ** – I'll second that.
20

21 **CHAIR VAN NATTA** – Okay we have about three seconds there. Okay any
22 other nominations? I guess that pretty much closes the nominations for Chair.
23 Do we still have to vote on it if we have only one? Okay then let's vote on it...All
24 in favor?
25

26 Opposed – 0
27

28 **Motion carries 7 – 0**
29

30 **CHAIR VAN NATTA** – It looks it's pretty much unanimous and then for Vice
31 Chair. Does anyone have a nomination for Vice Chair?
32

33 **COMMISSIONER RAMIREZ** – I would like to nominate Commissioner Crothers
34 for Vice Chair.
35

36 **CHAIR VAN NATTA** – I'll second that
37

38 **COMMISSIONER GIBA** – I'll third it
39

40 **CHAIR VAN NATTA** – Okay, are there any more nominations? Okay then we
41 are going to close the nominations for Vice Chair... then all in favor?
42

43 Opposed – 0
44

45 **Motion carries 7 – 0**
46

1 **CHAIR VAN NATTA** – And once again it looks like it is unanimous, so we have a
2 new Chair and Vice Chair for our next meeting and now we go to Staff
3 Comments.
4
5
6

7 **STAFF COMMENTS**
8

9 **PLANNING OFFICIAL TERELL** – Yes, your next meeting is on May 23rd. We
10 are working on one item that looks pretty sure. They are very motivated to go on
11 May 23rd and that is a 144 unit affordable housing project at the south east
12 corner of Alessandro and Lasselle Street and that also includes a Zone Change
13 and General Plan Amendment from the current zoning which is R15 and
14 Commercial to R30 and Open Space. So if you are familiar with that location
15 there is a big rock pile there and then there is some graded area at the bottom.
16 The graded area at the bottom is proposed to be the apartment complex. The
17 rock pile is proposed to be the open space.
18

19 **CHAIR VAN NATTA** – Good choice
20

21 **PLANNING OFFICIAL TERELL** – It is very expensive, but they wanted to do the
22 opposite but we convinced them that this would work better, so that will be
23 coming forward. The other item that we'll have is that you have an annual Brown
24 Act Conflict of Interest presentation by our esteemed City Attorney and she is
25 prepared to do that again for you in May.
26

27 **CHAIR VAN NATTA** – That is always interesting.
28

29 **PLANNING OFFICIAL TERELL** – And then finally we are going to invite George
30 Salas to come back and get his proclamation for his service on the Planning
31 Commission and I talked to him and he's willing and able to do that, so that is all
32 the items for now.
33

34 **CHAIR VAN NATTA** – So next week for the Brown Act could we have coffee in
35 the pitchers instead of water?
36

37 **PLANNING OFFICIAL TERELL** – Well you know Suzanne does a scintillating
38 presentation so coffee would not be required.
39

40 **CHAIR VAN NATTA** – I'm just teasing her.
41

42 **COMMISSIONER CROTHERS** – So stop at Starbucks
43
44
45
46

1 **COMMISSIONER COMMENTS**

2
3 **CHAIR VAN NATTA** – Yes... Okay, Planning Commissioner Comments.
4 Commissioner Ramirez do you have anything to comment on?

5
6 **COMMISSIONER RAMIREZ** – Yes I would just like to welcome Commissioner
7 Lowell and Commissioner Sims on board. We look forward to working with you
8 and that's pretty much it. Thank you

9
10 **CHAIR VAN NATTA** – Thank you...

11
12 **COMMISSIONER GIBA** – I would also like to congratulate you both and
13 welcome you. You are in the place where I was a while ago, so enjoy. This as a
14 wonderful bunch of people I've worked with and I personally have enjoyed
15 working for the City of Moreno Valley and the Planning Commission and the next
16 four years will be fun too.

17
18 **COMMISSIONER CROTHERS** – First I'd like to say thank you for the
19 nomination. I'm very honored to have this title and to work with this group of
20 people. I've enjoyed my last year here and I look forward to many more actually
21 and I hope that we can grow and make this City what we want it to be. Thank
22 you.

23
24 **COMMISSIONER BAKER** – One thing that I'd like to mention tonight is to
25 welcome these two fellows on board. It is great to have you on and I think you'll
26 bring a lot of knowledge to the Commission here and we'll help you any way we
27 can. There's not a dumb question out here trust me. We'll get it figured out. The
28 other thing I wanted to do is compliment the Public Works Department. It seems
29 like when you listen to a lot of the City Council meetings you get a lot of
30 negativity and they've done a whale of a job on getting the Nason to Iris
31 extension done. It really looks good. Also they did a whale of a job at and
32 whoever the contractor, but somewhere it has to start at the division to get this
33 done; this Cactus right down here at this intersection here got done and then the
34 Cactus and Lassalle over to Iris is another good improvement this last month or
35 so, so kudos to the Public Works Department okay. Thank you

36
37 **COMMISSIONER LOWELL**- Just a short... I'm very glad to be on board. I look
38 forward to working with everybody in the future. The next few years are going to
39 be very enlightening and I'm glad to be on board.

40
41 **COMMISSIONER SIMS** – Yes I'd like to go with Brian's comments. It is a great
42 honor to be appointed to this and I really look forward to working with all of you
43 with the goal of making the right decisions to make the City a better place and as
44 good as it could possibly be, so I really do appreciate the opportunity. I only
45 have a short term though. I only have a two year appointment, but hopefully if I

1 do a good job maybe I will be reappointed, but anyhow it is a great honor and I
2 appreciate it. Thank you.

3
4 **CHAIR VAN NATTA**- And I would like to join everybody else and welcome both
5 of you Commissioner Lowell and Commissioner Sims on board and you probably
6 already know this but we're not always dry and quiet and serious and sometimes
7 we joke around a little bit, but that's what we need to do to keep ourselves awake
8 and alert. And I have three requests of Staff. One of them is I'm a little confused
9 on the difference between the minutes and transcript because we are given
10 minutes to approve that are really a transcript of the entire meeting. I would
11 really like to see at each meeting the minutes of the meeting prior to for our
12 approval and by minutes I mean what is more generally accepted as minutes
13 which is who is there, what time we started, what the Agenda was, who came
14 forward with public comments; were they for or against; that sort of thing and the
15 actions that were taken and when we adjourned as far as the minutes go.
16 Having said that I don't want to do away with transcripts, but I would like to
17 request that whenever we make a recommendation that the City Council is then
18 going to make a decision based on our recommendation or whenever we've
19 made a decision that the City Council then has been asked to... has been
20 appealed to the City Council that that transcript be made available to them prior
21 to whatever meeting is scheduled for them to hear it. I think sometimes these
22 transcripts that come out months later I think that really kind of loses the whole
23 idea of what needs to be done, so that is number one and number two. Number
24 three is we are not really busy tonight. We don't have a lot of people at the
25 podium but when we do have a heated discussion going on and we're trying to
26 keep the speakers to three minutes or less I think it would be a courtesy to them
27 if we also have that three minute timer available to us that the City Council uses
28 so that the Speaker knows when they are ending or when they are coming to the
29 end of their three minutes and I don't have to be watching my watch and telling
30 them it is 30 seconds, so that is my requests from Staff and by all means tell me
31 if we can't do that.

32
33 **PLANNING OFFICIAL TEREELL** – Well we do action minutes and we can
34 certainly include those in your packet. They don't include the speakers because
35 the reason we do transcripts is because we don't have the Staff to do minutes in
36 house; we just don't, so we went to transcripts many years ago because it is
37 quite inexpensive but we've had some issues with our contractor for that and so
38 we are trying to address it so that it is not such a lag time between when they are
39 sent to the transcriptionist and when we receive them back, so we are well aware
40 of the problem we've had this year about them not coming forward, so that is a
41 contract issue that we are dealing with. As far as the transcripts to the City
42 Council, we are working on it because obviously City Council are the ones that
43 originally asked for the transcripts and we used to have to have to one person that pretty
44 was much all she did. Obviously we don't have the luxury of that any more. The
45 three minute timer; yes I think that is a good idea to have one as you said. We
46 have one or two potentially contentious items coming to you this year and I will

1 commit to having someone available to do it because somebody has to do that.
2 It doesn't run itself so we'll just work to have one work at these meetings.

3
4 **CHAIR VAN NATTA** – Can it be run from up here? Can one of us...

5
6 **COMMISSIONER BAKER** – Oh, right at that desk

7
8 **PLANNING OFFICIAL TERELL** – Right there... and it takes an operator, so we
9 just need to make sure that there is somebody here that can do it... someone
10 who is trained to do it and I will certainly commit to doing that.

11
12 **CHAIR VAN NATTA** – Okay

13
14 **PLANNING OFFICIAL TERELL** – It will not be me

15
16 **CHAIR VAN NATTA** – Okay, are there any other Commissioner Comments?

17
18 **COMMISSIONER GIBA** – Yes if I may, John do you know when one of those
19 contentious EIR's are going to come our way?

20
21 **PLANNING OFFICIAL TERELL** – When what?

22
23 **COMMISSIONER GIBA** – Contentious EIR's

24
25 **PLANNING OFFICIAL TERELL** – Potentially contentious?

26
27 **COMMISSIONER GIBA** – Yes, potentially contentious... I mean we have the
28 draft but I know you are working on the responses probably to that draft...

29
30 **CHAIR VAN NATTA** – Are you planning your vacation Commissioner Giba?

31
32 **PLANNING OFFICIAL TERELL** – I can't provide you a specific time frame. As
33 you know comments on the World Logistics Center closed on April 8th and we are
34 still receiving comments.

35
36 **COMMISSIONER GIBA** – Okay, are you going to update us on that so we can
37 you know have enough time in advance to review that because that is probably
38 one that we really do need a lot of time on.

39
40 **PLANNING OFFICIAL TERELL** – I will try

41
42 **COMMISSIONER GIBA** – Four days is not going to be enough on it

43
44 **PLANNING OFFICIAL TERELL** – I'll give you more than four, but at last count
45 there over 140 comment letters, so it will be substantial. Some of those are very
46 brief comments and some others are very intense comments, so right now the

1 Environmental Consultant is looking at all those to give us an idea on how long
2 they think it will take them to provide the responses for Staff to review, so until I
3 meet with them and they actually asked for three weeks just to figure that out
4 based on the number of comments. When I know, you'll know. The minimum
5 time frame and obviously with projects that are of high interest, sometimes the
6 minimum rule is there is a minimum notice period of ten days for a Final EIR. I
7 will make every effort to encourage a longer time frame because it will be
8 substantial.

9
10 **COMMISSIONER GIBA** – Is it possible that as you get responses and they
11 answer them or they get that those pieces can be shuffled to us or do you have
12 to send it all as one huge package.

13
14 **PLANNING OFFICIAL TERELL** – It is the Final EIR and as part of that the
15 comments need to be sent individual commenter as well as the public at large
16 and the comments won't be final until all of the comments are done, because
17 some of them relate to each other, so that is why it is done all at one time. We
18 will be... you know Staff will be reviewing them hopefully as they come in order to
19 facilitate our comments going in before everything is done because that will
20 provide a very long time for Staff to review them after the consultants provide
21 their responses, so we're going to try to keep it going, but unfortunately we can't
22 send out comments individually because that means some people would get their
23 comments early and other people would get their comments late and that
24 wouldn't be fair.

25
26 **COMMISSIONER GIBA** – What about the responses; the response letters to the
27 draft that you are preparing the comments for. Is there any possibility we can
28 see those letters because I know we'll get several of them all at one time and
29 sometimes I'll have one dropped on my desk the night of, so it would be nice if
30 we have it in advance to read it especially when it is about this thick.

31
32 **PLANNING OFFICIAL TERELL** – Well as far as the Final EIR we'll try to give
33 you as much time as possible. People will drop off their comments the night of
34 the meeting.

35
36 **COMMISSIONER GIBA** – Okay

37
38 **PLANNING OFFICIAL TERELL** – Commissioner Giba I think what you are
39 saying is we as Staff receive comments prior to the meeting, can we forward
40 those to you. Yes we can work to provide those to you in advance because they
41 are really comments to you; they are not comments to Staff.

42
43 **COMMISSIONER GIBA** – You know you are absolutely correct, but I would like
44 to see them if I can. That is all I'm saying is I don't like to have to sit down and
45 go through them and you know I will, but that is a lot of work to do at one time
46 especially for something this important. I'd like to have time to chew on it.

1 **CHAIR VAN NATTA** – In having read the transcripts of all of our meetings, I’m
2 going to try very hard not to say okay so much.

3
4 **COMMISSIONER GIBA** – I’m going to quit being the one who does the
5 approvals of the minutes.

6
7
8
9 **ADJOURNMENT**

10
11 **CHAIR VAN NATTA** – Okay I’ll entertain a motion to adjourn

12
13 **COMMISSIONER GIBA** – I’ll move that we adjourn

14
15 **COMMISSIONER BAKER** – I’ll second

16
17 **CHAIR VAN NATTA** – Motion and seconded...all approve?

18
19 Opposed – 0

20
21 **Motion carries 7 – 0**

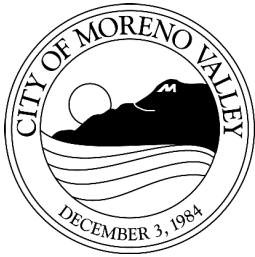
22
23 **CHAIR VAN NATA** – We are adjourned.

24
25
26
27
28
29
30
31 _____
32 John C. Terell
33 Planning Official
34 Approved

Date

35
36
37
38 _____
39 Meli Van Natta
Chair

Date



**PLANNING COMMISSION
STAFF REPORT**

Case: PA13-0006 – Plot Plan
PA13-0007 – Zone Change
PA13-0008 – General Plan Amendment
P13-029 – Variance

Date: May 23, 2013

Applicant: Rancho Belago Developers, Inc.

Representative: Winchester Associates, Inc.

Location: Southeast corner of Alessandro Blvd. and Lasselle St.

Proposal: Plot Plan application for a 141 unit affordable apartment project on approximately 10 acres. Development of this project will require a Zone Change and General Plan Amendment from Neighborhood Commercial and R15 to R30 and Open Space. The project also proposes a variance to reduce the covered parking requirement from 2 spaces to 1 space per unit for the 3-bedroom units.

Recommendation: Approval

SUMMARY

Boulder Ridge Family Apartments proposes a General Plan Amendment and Zone Change to develop a 141 unit affordable apartment project on approximately 10 acres. The project also proposes a Variance to reduce the covered parking requirement for 3-bedroom units.

PROJECT DESCRIPTION

Project

The Boulder Ridge Family Apartments project proposes to construct a 141 unit affordable apartment project on approximately 10 acres. Development of the project requires approval of a General Plan Amendment and Zone Change from Neighborhood Commercial and R15 to R30 and Open Space. The project also proposes a variance to reduce the covered parking requirement from 2 spaces to 1 space per unit for the 3-bedroom units.

Site

The project site is comprised of approximately 10 acres located within Assessor's Parcel Number 486-280-044 and a ½ acre portion of 486-280-043. The site is located at the southeast corner of Alessandro Boulevard and Lasselle Street.

The site is currently vacant with generally flat topography along the site's Alessandro Boulevard and Lasselle Street frontages. The project site is square in shape with topography that ranges from level to sloping and includes a hillside with substantial rock outcroppings.

The project site has been previously disturbed through permitted stockpiling and borrowing activities and a City street widening project along Lasselle Street.

Land Use Changes

General Plan Amendment application PA13-0008 and Zone Change application PA13-0007 proposes to change the land use designations for the project site from Neighborhood Commercial and R15 to R30 and Open Space.

The R30 designation would apply to the portions of the site proposed for construction of the apartment buildings and related improvements and would extend to the toe of the manufactured slopes.

The slopes and undisturbed hillside and rock outcroppings would be assigned the Open Space zone, which will prevent future development of the hilltop and protect the existing natural slopes and rock outcroppings.

The project site is bounded by Neighborhood or Community Commercial zoned land to the north, northwest and west. Existing tract homes are located further to the northwest, southwest and northeast. Vacant Open Space and R30 land use is located to the east and south which was recently changed in conjunction with the R30 Housing Element conformance project.

Planning Commission Staff Report

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Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, anticipated project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections under the current land use and will not exceed General Plan build out traffic projections for the project site

The proposed land use change and apartment project is compatible with surrounding land uses and will not physically divide an established community. The proposed changes establish a mix of residential land use and open space that results in an appropriate residential density for the area and protection for the slopes and rock outcroppings that is consistent with the General Plan, and its goals, objectives, policies and programs.

Variance – P12-114

A variance is proposed to reduce the covered parking requirement from 2 spaces per unit to 1 space per unit for 3-bedroom apartments. The proposed variance to reduce the covered parking requirement will not result in a deficiency in total required parking for the project.

Municipal Code Section 9.02.100 states that variances are intended to provide for equity in use of property, and to prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title.

The project site includes a rocky hillside with topography that varies from level to sloping with substantial rock outcroppings. The project design is consistent with General Plan and Municipal Code guidelines regarding protection of slopes, ridgelines and rock outcroppings. The result is a developable portion of the site that is irregular in shape which poses challenges when designing the project to meet required parking lot landscape, required parking and required covered parking requirements.

The proposed reduction in covered parking is consistent with Objective 8.9 of the City's Housing Element which encourages a review of parking standards for multi-family 3 and 4 bedroom units, including covered parking requirements to determine if reductions are appropriate.

Per the requirements of Municipal Code Section 9.02.100, required findings have been prepared in support of the variance. The findings are attached to this report in Planning Commission Resolution #2013-17.

Plot Plan – PA13-0006

Plot Plan PA13-0006 proposes to develop a 141 unit apartment project on approximately 10 acres located at the southeast corner of Alessandro Boulevard and Lasselle Street.

Planning Commission Staff Report

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The project will include eight apartment buildings with a unit mix that includes 1, 2 and 3 bedroom apartments ranging from 723 square feet to 1,301 square feet

The site design includes an even distribution of open, covered and visitor parking, trash enclosures, and landscape planters. Other amenities include four laundry facilities, three tot lots, two recreation buildings and a pool.

Surrounding Area

The area surrounding the proposed project includes vacant commercial land at the northwest, northeast and southwest corners of Alessandro Boulevard and Lasselle Street. The vacant property at the northeast corner of Alessandro and Lasselle has an active approval for development of a grocery store. Vacant land immediately to the north is zoned R5 for single-family development and to the south, east and southeast is Open Space and R30 land use recently changed in conjunction with the Housing Element conformance project.

Existing tract homes are located to the southwest in the RS-10 and R5 zones and to the northwest in the R5 zone on the west side of Lasselle Street and to the northeast along Morrison Street between Bay Street and Alessandro Boulevard. The Riverside County Medical Center is located approximately one mile to the southeast at Nason Street and Cactus Avenue.

Overall, the proposed Plot Plan, Zone Change, and General Plan Amendment are compatible with the City's General Plan and adjacent land uses.

Access/Parking

The apartment project is proposed to be gated with right-in, right-out access at the Alessandro Boulevard driveway due to a required raised median along Alessandro Boulevard. The Lasselle Street driveway will be restricted to emergency vehicle and exit only access.

The project includes garage and carport parking for the residents and additional uncovered parking for residents and guests.

Subject to approval of Variance application P13-029 and as designed and conditioned, the project satisfies all parking requirements of the City's Municipal Code.

Design/Landscaping

The proposed project includes a total of eight 3-story apartment buildings of contemporary California Mission style architecture. The buildings will include tuck-under parking garages that are mainly oriented towards the interior of the site which allows the building fronts to face the street.

Planning Commission Staff Report

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The design of the development relies on simple massing with details that include recessed windows, articulated roof overhangs, and arch details at the stair enclosures and private patios. Variation among the buildings is created with multiple color schemes and an assortment of details, including decorative stone elements, metal awnings, decorative wrought iron elements, exposed rafter tails, and trellis structures.

The recreation buildings are consistent with project architecture in colors, materials and level of detail.

This project has been reviewed and the design of the proposed plot plan conforms to all development standards of the R30 zone and the design guidelines for multiple family uses as required within the City's Municipal Code.

Decorative wrought iron or tubular steel fences and gates with stucco and/or stone treated pilasters are required for any perimeter fences/walls. Decorative block is required for all retaining walls. The walls and fences for this project are conditioned to be consistent with the City's Municipal Code standards for placement, height and materials.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed project.

Upon review by the Project Review Staff Committee (PRSC) in March 2013, modifications were required to the plot plan exhibits and preliminary grading plan. Comments from staff included the preparation of studies by a qualified consultant(s) to address potential impacts to cultural resources, a general biological assessment, an assessment for burrowing owl, a focused traffic analysis, a slope stability analysis and a preliminary water quality management plan.

Revised plans and studies were submitted in April and May 2013. Upon review of the studies and the revised exhibits, a determination was made to schedule the project for a Planning Commission public hearing.

ENVIRONMENTAL

Biological Resources

A Biological Reconnaissance Survey and Habitat Assessment for Burrowing Owl was prepared in April 2013 by Tetra Tech. Based on the results of the field survey of the site, there is no likelihood of sensitive resources being found on the site. No sensitive plant or animal species were observed on the site. No suitable habitat for occupation by burrowing owls was observed and no signs of burrowing owl or owls were observed on the site.

Planning Commission Staff Report

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The consultant does not recommend additional surveys for burrowing owl. However, the project has been conditioned to conduct a pre-construction survey for burrowing owl, 30 days in advance of grading or site disturbance.

No suitable habitat or Multiple Species Habitat Conservation Plan (MSHCP) designated survey areas for riparian and wetland-associated plant and animal species are present on the project site. No vernal pools or vernal pool species are present on the project site.

Cultural Resources

Archaeological surveys were prepared for the project site in 2007 and again in 2013. The archaeological surveys did not identify cultural resources within the boundaries of the proposed development nor recommend monitoring or other mitigation.

However, in order to avoid impacts to potential cultural resources within the project site boundaries, conditions of approval and mitigation measures have been included for the project to ensure the participation of a monitor(s) including a qualified archaeologist and tribal representatives during all grading and site disturbance activities.

If recorded archaeological sites are found to be within the limits of the project site within undisturbed slopes or rock outcroppings, a long-term preservation plan for the protection of these cultural resources will be prepared and executed between the appropriate Native American Tribe and the Project Applicant.

Slopes

This site includes a hillside with steep slopes and rock outcroppings. The project proposes some manufactured slopes which are conditioned to comply with City Public Works standards for storm runoff and slope design. The manufactured slopes will be landscaped and irrigated for erosion control.

Based upon the results of a slope stability analysis, conditions of approval and mitigation measures have been included for the project. As designed and conditioned and with the enforcement of mitigation measures, impacts from landslides are less than significant.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project and other interested parties. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all potentially affected reviewing agencies.

<u>Agency</u>	<u>Response Date</u>	<u>Comments</u>
Riverside Transit Agency	March 21, 2013	Bus stop request
Pechanga Band of Mission Indians	April 25, 2013	Request for consultation
Soboba Band of Luiseno Indians	April 24, 2013	Request for consultation

Staff has coordinated with the responsible agencies listed above and where applicable, conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2013-17 and thereby **RECOMMEND** that the City Council:

1. **ADOPT** a Mitigated Negative Declaration for PA13-0008 (General Plan Amendment), PA13-0007 (Change of Zone), P13-029 (Variance) and PA13-0006 (Plot Plan), pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
2. **APPROVE** PA13-0008 (General Plan Amendment), PA13-0007 (Change of Zone), P13-029 (Variance) and PA13-0006 (Plot Plan) based on the findings contained in this resolution, and as shown on the attachments included as Exhibits A and B, and subject to the attached conditions of approval included as Exhibit C.

Prepared by:

Jeff Bradshaw
Associate Planner

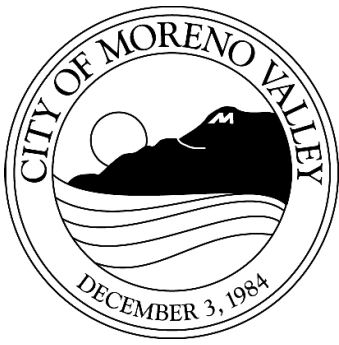
Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2013-17
3. Negative Declaration
4. Initial Study Checklist
5. Aerial Photograph
6. Architectural Plans
7. Preliminary Grading

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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(s):

CASE: PA13-0006 – Plot Plan
PA13-0007 – Zone Change
PA13-0008 – General Plan Amendment
P13-029 – Variance

APPLICANT: Rancho Belago Developers, Inc.

OWNER: Lakeridge Marketplace, LLC

REPRESENTATIVE: Winchester Associates, Inc.

LOCATION: Southeast corner of Alessandro Blvd. and Lasselle St.

PROPOSAL: Plot Plan application for a 141 unit affordable apartment project on an 8.5 acre parcel. Project to include eight apartment buildings, two clubhouses with tot lots and pools. Unit mix of 1 to 3 bedroom apartments ranging from 723 square feet to 1,301 square feet. Development of this project will require a Zone Change and General Plan Amendment from Neighborhood Commercial / R15 to R30 / Open Space to allow for higher density multiple family land uses and to protect the existing slopes and rock outcroppings. The site has been graded previously under permit. The project also proposes a variance to reduce the covered parking requirement from 2 spaces to 1 space per unit for the 3-bedroom units.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

COUNCIL DISTRICT: 3

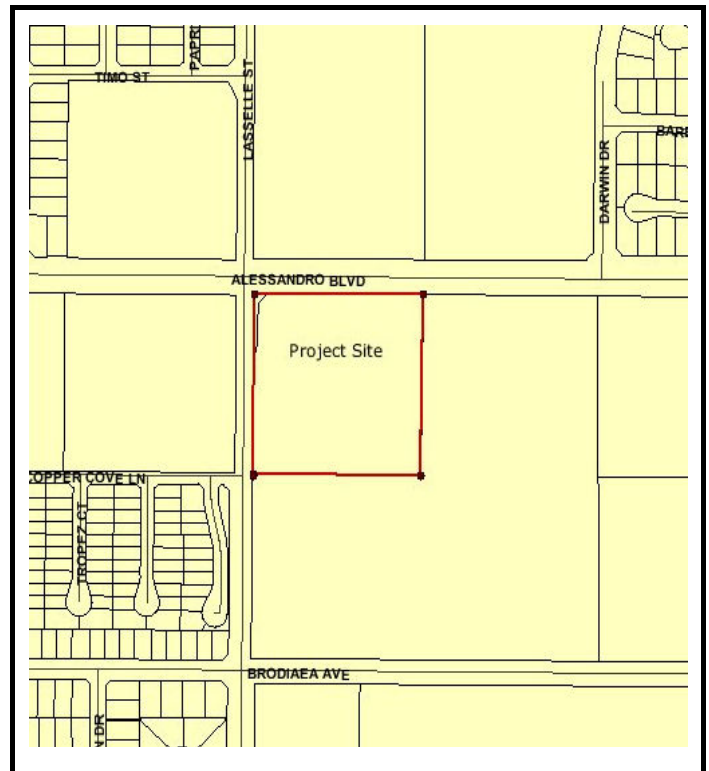
STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic 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), 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.

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



LOCATION N ↑

PLANNING COMMISSION HEARING

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

DATE AND TIME: May 23, 2013 at 7 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

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PLANNING COMMISSION RESOLUTION NO. 2013-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING THAT THE CITY COUNCIL APPROVE: GENERAL PLAN AMENDMENT APPLICATION NO. PA13-0008 AND ZONE CHANGE APPLICATION NO. PA13-0007, CHANGING THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL AND R15 TO R30 AND OPEN SPACE; VARIANCE APPLICATION NO. P13-029 TO REDUCE THE COVERED PARKING REQUIREMENT FROM 2 SPACES TO 1 SPACE PER UNIT FOR 3-BEDROOM UNITS; AND PLOT PLAN APPLICATION NO. PA13-0006 TO DEVELOP A 141 UNIT AFFORDABLE APARTMENT PROJECT ON APPROXIMATELY 10 ACRES LOCATED AT THE SOUTHEAST CORNER OF ALESSANDRO BOULEVARD AND LASSELLE STREET (APN'S 486-280-044 AND PORTION OF -043)

Section 1:

WHEREAS, the applicant, Rancho Belago Developers, Inc., filed Application No. PA13-0008, requesting an amendment to the Moreno Valley General Plan, as described in the title of this resolution and the attached Exhibit A.

WHEREAS, on May 23, 2013, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and all of the environmental documentation prepared for the project.

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

WHEREAS, the Planning Commission considered the initial study prepared for the project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the initial study, it was determined that the project will not have a significant effect and approval of a Mitigated Negative Declaration is recommended.

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

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

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, 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 general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The project proposes a General Plan Amendment from Neighborhood Commercial and R15 to R30 and Open Space for development of a 141 unit affordable apartment complex. Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections under the current land use and will not

exceed General Plan build out projections for the project site. The proposed general plan amendment of a mix of residential land use and open space establishes a residential density and protection for the slopes and rock outcroppings that is consistent with the General Plan, and its goals, objectives, policies and programs.

2. **Health, Safety and Welfare** – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been completed in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been prepared, as there is no evidence that the proposed land use change will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

Section 2:

WHEREAS, the applicant, Rancho Belago Developers, Inc., filed Application No. PA13-0007, requesting an Amendment to Pages 98 and 99 of the Official Zoning Atlas, as described in the title of this resolution and the attached Exhibit A.

WHEREAS, on May 23, 2013, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and all of the environmental documentation prepared for the project.

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

WHEREAS, the Planning Commission considered the initial study prepared for the project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the initial study, it was determined that the project will not have a significant effect and approval of a Mitigated Negative Declaration is recommended.

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

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

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, 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 Zone Change is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The project proposes a Zone Change from Neighborhood Commercial and R15 to R30 and Open Space for development of a 141 unit affordable apartment complex. Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections under the current land use and will not exceed General Plan build out projections for the project site. The proposed zone change establishes a mix of

residential land use and open space that results in an appropriate residential density and protection for the slopes and rock outcroppings that is consistent with the General Plan, and its goals, objectives, policies and programs.

2. **Conformance with the Zoning Regulations** – The proposed Zone Change is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The Zone Change application has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Neighborhood Commercial and R15 to R30 and Open Space for the approximately 10 acre project site is consistent with the purposes and intent of Title 9.

3. **Health, Safety and Welfare** – The proposal will not be detrimental to the public health, safety or welfare.

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been completed in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been prepared, as there is no evidence that the proposed land use change will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

Section 3:

WHEREAS, the applicant, Rancho Belago Developers, Inc., filed Application No. P13-029, requesting a Variance to reduce the covered parking requirement from 2 spaces to 1 space per unit for the 3-bedroom units, as described in the title of this resolution.

WHEREAS, on May 23, 2013, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and all of the environmental documentation prepared for the project.

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

WHEREAS, the Planning Commission considered the initial study prepared for the project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the initial study, it was determined that the project will not have a significant effect and approval of a Mitigated Negative Declaration is recommended.

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

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

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

1. **Unnecessary Hardship** – That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

FACT: The project site includes a rocky hilltop with topography that varies from level to sloping with substantial rock outcroppings. The project design is consistent with General Plan and Municipal Code guidelines regarding protection of slopes, ridgelines and rock outcroppings. The result is a developable portion of the site that is irregular in shape which poses challenges when designing the project to meet required parking lot landscape, required parking and required covered parking requirements. As an affordable apartment project, a reduced parking calculation is permitted. The 141 unit affordable apartment project as designed, provides required parking for the proposed unit mix of 1, 2 and 3 bedroom units. The proposed reduction in covered parking for 3 bedroom units allows for a design that is more open and which satisfies required parking lot landscape and overall parking requirements. Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

2. **Exceptional or Extraordinary Circumstances** – That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification.

FACT: The project site includes a rocky hilltop with topography that varies from level to sloping with substantial rock outcroppings. The project design is consistent with General Plan and Municipal Code guidelines regarding protection of slopes, ridgelines and rock outcroppings. The result is a developable portion of the site that is irregular in shape which poses challenges when designing the project to meet required parking lot landscape, required parking and required covered parking requirements. As an affordable apartment project, a reduced parking calculation is permitted. The 141 unit affordable apartment project as designed, provides required parking for the proposed unit mix of 1, 2 and 3 bedroom units. The proposed reduction in covered parking for 3 bedroom units allows for a design that is more open and which satisfies required parking lot landscape and overall parking requirements. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties in the vicinity and under the same zoning classification.

3. **Deprive the Applicant of Privileges** – That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification.

FACT: The project site includes a rocky hilltop with topography that varies from level to sloping with substantial rock outcroppings. The project design is consistent with General Plan and Municipal Code guidelines regarding protection of slopes, ridgelines and rock outcroppings. The result is a developable portion of the site that is irregular in shape which poses challenges when designing the project to meet required parking lot landscape, required parking and required covered parking requirements. As an affordable apartment project, a reduced parking calculation is permitted. The 141 unit affordable apartment project as designed, provides required parking for the proposed unit mix of 1, 2 and 3 bedroom units. The proposed reduction in covered parking for 3 bedroom units allows for a design that is more open and which satisfies required parking lot landscape and overall parking requirements. Strict enforcement of the required covered parking requirement for 3 bedroom units would deprive the applicant of privileges enjoyed by other property owners in the vicinity or under the same zoning classification.

4. **A Grant of Special Privilege** – That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification.

FACT: Approval of the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification. There are no other properties in the vicinity of the project or under the same zoning classification which also share the same site constraints (unique buildable parcel area and topography).

5. **Health, Safety and Welfare** – That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and

FACT: The granting of a variance would allow for a reduced covered parking requirement for 3 bedroom units. Total required parking would still be provided per the City's Municipal Code. The project as proposed will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

6. **Conformance with General Plan Policies** – That the granting of a variance is consistent with the objectives and policies of the general plan and the intent of this title.

FACT: The granting of the variance is consistent with the objectives and policies of the General Plan and the intent of the Municipal Code. The project design is consistent with General Plan and Municipal Code guidelines regarding protection of slopes, ridgelines and rock outcroppings. The result is a developable portion of the site that is irregular in shape which poses challenges when designing the project to meet required parking lot landscape, required parking and required covered parking requirements. If the standard requirement for covered parking for the 3 bedroom units is not reduced, this will result in a reduction in parking lot landscape and potentially total required parking. The reduction in covered parking is also consistent with Objective 8.9 of the City's Housing Element which encourages a review of parking standards for multi-family 3 and 4 bedroom units, including covered parking requirements to determine if reductions are appropriate. The variance will provide for equity in the use of the project site, and will prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations.

Section 4:

WHEREAS, the applicant, Rancho Belago Developers, Inc., filed Application No. PA13-0006, a Plot Plan for a 141 unit affordable apartment project, as described in the title of this resolution.

WHEREAS, on May 23, 2013, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and all of the environmental documentation prepared for the project.

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

WHEREAS, the Planning Commission considered the initial study prepared for the project for the purpose of compliance with the California Environmental Quality Act (CEQA).

Based on the initial study, it was determined that the project will not have a significant effect and approval of a Mitigated Negative Declaration is recommended.

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

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

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, 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 General Plan encourages a range of housing types with common amenities and open space. The affordable housing project is consistent with Objective 8.9 of the City's Housing Element which encourages the creation of affordable housing. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The related General Plan Amendment and Zone Change to establish a mix of residential land use and open space results in a residential density that is appropriate for the area and protection for the slopes and rock outcroppings that is consistent with the General Plan, and does not conflict with its goals, objectives, policies and programs.

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

FACT: Subject to approval of related Variance application P13-029, the project as designed and conditioned is in compliance with all applicable provisions of the City's 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 proposed plot plan as designed and conditioned will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been completed in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been prepared, as there is no evidence that the proposed land use change will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

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 design of the proposed apartment project is consistent with the Design Guidelines and development standards of the City's Municipal Code. The proposed apartments are a permitted use in the proposed R30 zone. The operation of the proposed project will be consistent with the proposed R30 and Open Space zones.

The project as design ed and co nditioned will be comp atible with existing and planned land uses in the vicinity.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2013-17 and thereby, **RECOMMENDS** that the City Council:

1. **ADOPT** a Mitigated Negative Declaration fo r PA13-0008 (General Plan Amendment), PA13-0007 (Change of Zone), P 13-029 (Variance) and PA13-0006 (Plot Plan), pursuant to th e California Environmental Quality Act (CEQA) Guidelines; and
2. **APPROVE** PA13-0008 (General Plan Amend ment), PA13-0007 (Change of Zone), P13-029 (Variance) and PA13-0006 (Plot Plan) based on the fin dings contained in this resolution, and as shown on t he attachments include d as Exhibits A and B, and subject to the attached conditions of approval include d as Exhibit C.

APPROVED this 23rd day of May, 2013.

Chair,

Meli Van Natta
Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

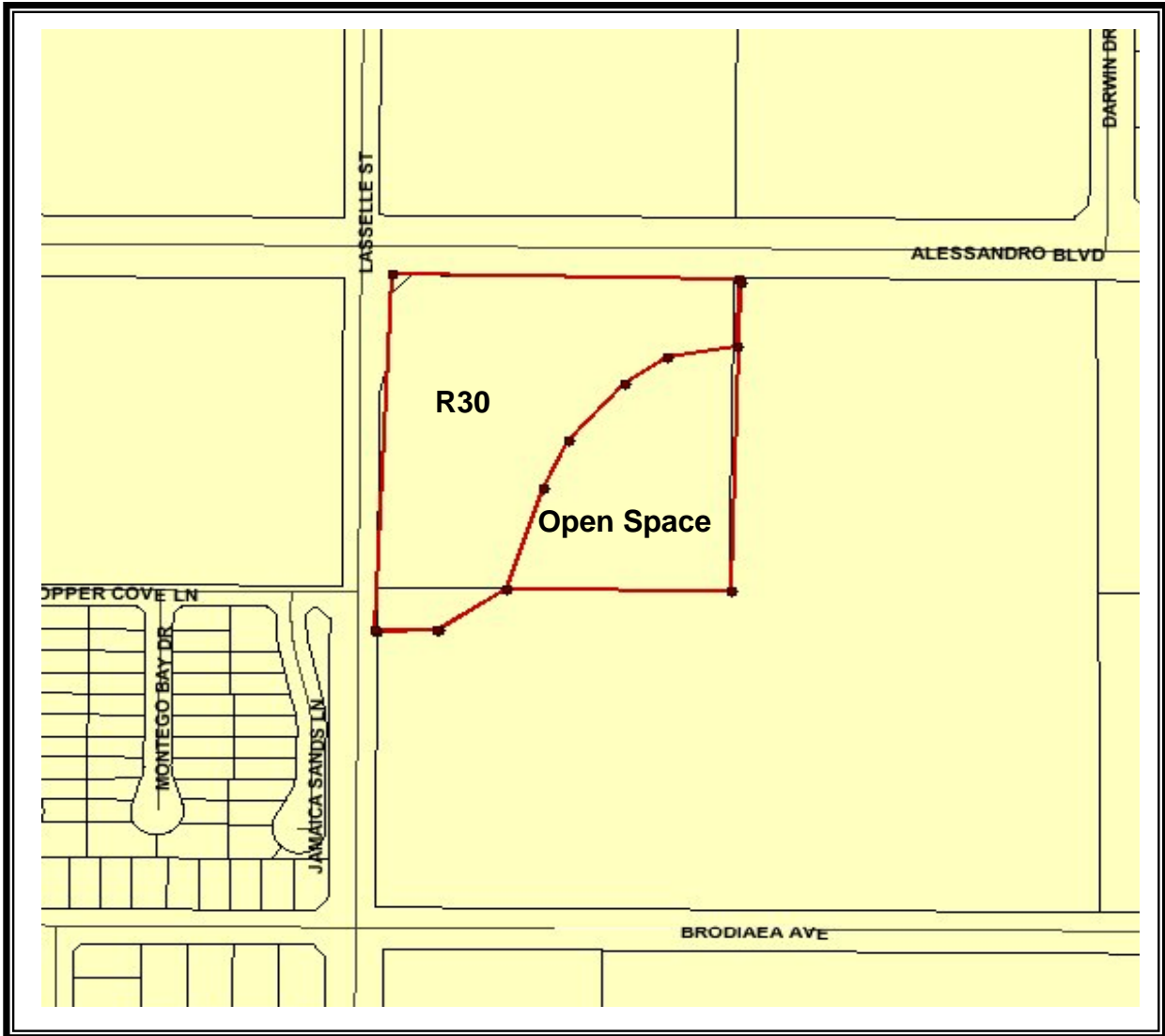
City Attorney

ATTACHED:



GENERAL PLAN AMENDMENT

Application No. PA13-0008
APN's 486-280-044 and portion -043
Resolution No. 2013-17



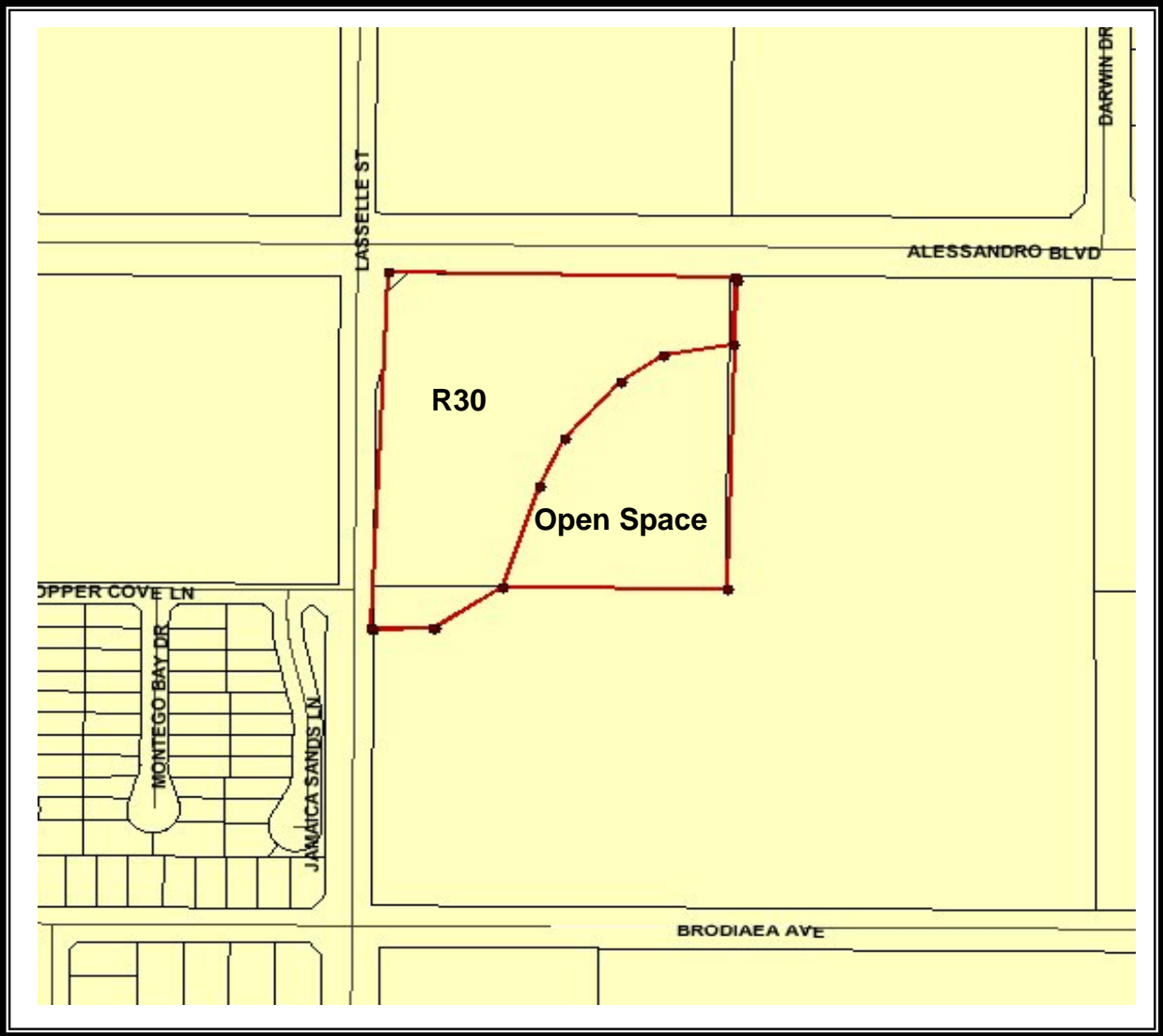
ADOPTED _____

EFFECTIVE _____





ZONE CHANGE
Application No. PA13-0007
APN's 486-280-044 and portion -043
Resolution No. 2013-17



ADOPTED _____

EFFECTIVE _____

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA13-0006
PLOT PLAN FOR A 141 UNIT AFFORDABLE APARTMENT PROJECT
ASSESSOR'S PARCEL NUMBERS: 486-280-044 AND PORTION OF -043**

**APPROVAL DATE:
EXPIRATION DATE:**

- Planning (P), including Building (B) School District (S), Post Office (PO),**
- Public Works, Land Development Division (LD)**
- Fire Prevention Bureau (F)**
- Public Works – Special Districts Division (SD)**
- Public Works – Transportation Engineering Division (TE)**
- Public Works – Moreno Valley Utilities (MVU)**
- Parks & Community Services (PCS)**
- Police (PD)**
- Other (Specify or Delete)**

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

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

- P1. Approval of Plot Plan PA13-0006 is subject to approval of General Plan Amendment application PA13-0008, Zone Change application PA13-0007, and Variance application P13-029.**

- P2. Plot Plan PA13-0006 has been approved for development of a 141 unit affordable apartment project on a site of approximately 10 acres. A change or modification shall require separate approval.**

- P3. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)**

Exhibit C

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

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

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

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

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
PAGE 2 OF 39**

- P4. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

General Conditions

- P5. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
- P6. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
- P7. 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)
- P8. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P9. A drought tolerant, low water using landscape palette shall be utilized throughout the project.
- P10. Any signs indicated on the submitted plans are not included with this approval. Any signs, **whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag)**, proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. **No signs are permitted in the public right of way.** (MC 9.12)

Prior to Issuance of Grading Permits

- P11. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.
- P12. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
PAGE 3 OF 39**

area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, **no further disturbance shall occur until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be contacted within a reasonable timeframe to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).** (GP Objective 23.3, CEQA).

- P13. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
- P14. (GP) Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division, and Public Works Department – Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW - Special Districts.
- P15. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Planning Division for review and approval.
- P16. (GP) Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan.
- P17. (GP) Prior to issuance of any grading permits, rock outcroppings or aesthetic features shall be identified on the grading plans as preserved in place, relocated, transplanted or otherwise protected. Features to be protected shall be identified and designated on the grading plan. (DG)
- P18. The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
PAGE 4 OF 39**

- P19. (GP) At grade decorative concrete shall be used to delineate pedestrian pathways across circulation aisles/paths within the drive aisles throughout the development to connect dwellings with open spaces and/or recreational uses and/or the public right-of-way. The pathways shall be shown on the precise grading plan. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required. (GP Objective 46.8, DG)**
- P20. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers or decorative concrete for all driveway ingress/egress locations of the project and for the drive aisle segment between Buildings 3A and 7.**
- P21. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**
- A. A maximum 6 foot high tubular steel fence shall be required at the property line, for all flat portions of the site outside of slopes, to separate the project from adjacent Open Space areas.**
 - B. Any proposed retaining walls shall be constructed with decorative block or treated with stucco to match the apartments.**
- P22. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. The following mitigation measures must be addressed prior to issuance of grading permits:**

Cultural Resources:

MM CUL-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives and that a professional archaeological monitor has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.

MM CUL-2 Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist and the Tribal representative(s) shall be

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
PAGE 5 OF 39**

allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist or the tribal representative shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.

MM CUL-3 If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated according to the current professional repository standards and may include the Pechanga Bands curatorial facility.

MM CUL-4 Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:

"If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."

MM CUL-5 Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
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“If any suspected paleontological resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction.”

MM CUL-6 If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.

MM CUL-7 There are recorded archaeological sites within the vicinity of the Project, but no recorded archaeological sites within the Project boundaries. Prior to construction of the project, the developer shall coordinate with the City on a fence plan to restrict movement from the project site onto off-site resources on the adjacent parcel (APN 486-280-043) to reduce potential impacts by non-construction activities on recorded off-site archaeological resources. If the project limits are determined to include recorded archaeological sites that are outside of areas proposed for development, then, given the sensitivity of these resources and the potential for their impact by non-construction activities, a long-term preservation plan for the protection of these cultural resources will be prepared and executed between the appropriate Native American Tribe and the Project Applicant. The sites that will be included in the preservation plan shall include but not be limited to CA-RIV-857, CA-RIV-3159, CA-RIV-3341 and CA-RIV-3342. The Preservation Plan must, at a minimum, include provisions for allowable activities, if any, around the cultural resources; what kinds of protective measures will be put in place (i.e., appropriate fencing, use of native plants and other methods that are acceptable to all parties); the roles of each party with respect to the maintenance and protection of the resources and any surrounding landscaping; methods of addressing nuisance

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
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concerns and potential vandalism; and any other provisions necessary for the protection of these cultural resources in perpetuity.

Slope Stability

MM LD-1 Cut slopes in rock can be excavated at 1:1, but colluvium shall be sloped back at 2:1.

MM LD-2 Cut slopes to be mapped upon exposure to confirm wedge analysis results.

MM LD-3 Further evaluation of boulders identified as having the potential to be unstable shall be conducted prior to site grading.

MM LD-4 Loose boulders identified on the map or during grading shall be removed or stabilized.

MM LD-5 Erosion control such as plants or jute netting shall be installed on cut slopes.

PRIOR TO BUILDING PERMITS

- P23. Prior to issuance of any building permits, the applicant shall provide evidence guaranteeing the project's long term affordability consistent with Municipal Code requirements.**
- P24. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)
- P25. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
PAGE 8 OF 39**

- P26. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.25 foot candles illumination within five feet of a property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)
- P27. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to the City's adopted Development Impact Fees. (Ord)
- P28. (BP) Prior to issuance of building permits, for multi-family projects that will be phased, a phasing plan application shall be submitted to the Planning Division for approval, if occupancy is proposed to be phased.
- P29. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and shall include:**
- A. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.**
 - B. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.**
 - C. Street trees shall be provided every 40 feet on center in the right of way.**
 - D. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.**
 - E. Enhanced landscaping shall be provided at all driveway entries and street corner locations**
 - F. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.**
 - G. Landscaping on three sides of any trash enclosure.**
 - H. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for**

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
PAGE 9 OF 39**

the site or phase in question.

- P30. (BP) Prior to the issuance of building permits, elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed buildings on the site, subject to the approval of the Planning Division.**
- P31. (BP) Prior to the issuance of building permits, the plot plan shall include decorative concrete pavers for all driveway ingress/egress locations for the project.**
- P32. (BP) Prior to the issuance of building permits, the building plans shall reference the use of stone treatments on the patio enclosure walls at the corner of Building 1 and the pilasters and caps for the fence and gates at the Alessandro Boulevard entrance.**

PRIOR TO CERTIFICATE OF OCCUPANCY

- P33. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (MC 9.03.040)**
- P34. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).**
- P35. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or phase in question.**

Building and Safety Division

- B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All projects shall provide a soils report as well. Plans shall be submitted to the Building Department as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.**

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
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- B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include “as built” plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.
- B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed “Waste Management Plan” (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.
- B4. (BP) Prior to the issuance of a building permit, show on the plans that no gutter, drainage feature, swale or other deviation in the flat level surface at the accessible parking spaces exists within and for a minimum four foot extension beyond the outer dimensions of the parking space, loading zone and path of travel.

SCHOOL DISTRICT

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

UNITED STATES POSTAL SERVICE

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

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Land Development Division

The following are the Community & Economic Development 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 Community & Economic Development Department – Land Development Division.

General Conditions

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC)
- LD2. (G) The developer shall dedicate right-of-way by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.
- LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.
- LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
 - (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

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

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

- LD6. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) . Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Community and Economic Development Department.
- LD7. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work . Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.
- LD8. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

- LD9. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

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

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

LD11. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD12. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD13. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

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

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Community and Economic Development Department. **The final WQMP submittal shall include payment of fee as set by the City for review of the final WQMP.**

- LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Community and Economic Development Department.

- LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

- LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

- LD17. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept

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at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD18. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD19. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD20. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD21. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD22. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Improvement Plan Approval or Construction Permit

LD23. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

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

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

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

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

- a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

LD28. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD29. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD30. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD31. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD32. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Community and Economic Development Department.

LD33. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

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Prior to Building Permit

- LD34. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.
- LD35. (BP) Prior to issuance of building permits for non-subdivisions, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.
- LD36. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

- LD37. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.
- LD38. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
 - b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial

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option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD39. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD40. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD41. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
- b. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

LD42. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD43. (CO) Prior to issuance of a certificate of occupancy or building final, the applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:

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

Prior to Acceptance of Streets into the City Maintained Road System

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LD44. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to the end of the one-year warranty period of the public streets at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additives shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

Special Conditions

LD45. **The following project engineering design plans (24”x36” sheet size) shall be submitted for review and approval as well as additional plans deemed necessary by the City during the plan review process:**

- a. **Rough Grading Plan**
- b. **Precise Grading Plan**
- c. **Street Improvement Plan**
- d. **Signing and Striping Plan**
- e. **Traffic Control Plan**
- f. **Final Drainage Study**
- g. **Final WQMP**
- h. **Lot Line Adjustment**
- i. **As-Built Plans of all “plans” listed above. In addition, As-Built Plan of Borrow Site Plan.**

LD46. **Prior to rough grading plan approval, the following offers of dedication shall be submitted for review and approval:**

- a. **A 7-foot right-of-way dedication on the south side of Alessandro Boulevard along the north project boundary.**
- b. **A 7-foot right-of-way dedication on the east side of Lasselle Street along the west project boundary between the proposed driveway approach and Alessandro Boulevard.**
- c. **A 2-foot pedestrian access easement along the north project boundary for that portion of curb separated sidewalk to be located beyond proposed right-of-way.**
- d. **A 4-foot pedestrian right-of-way dedication behind driveway approaches per City Standard 118C on Alessandro Boulevard and Lasselle Street.**

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- e. **Additional right-of-way for a corner cutback at the southeast corner of Alessandro Boulevard and Lasselle Street per City Standard 208.**
 - f. **Additional right-of-way for a bus bay per City Standard 121.**
- LD47. Prior to rough grading plan approval, this project shall submit for review and approval a lot line adjustment for the intention of adjusting the common lot line between APNs 486-280-043 and 486-280-044 required in order to include the proposed desilting basin within the project boundary.**
- LD48. Prior to building permit issuance, this project shall record the lot line adjustment mentioned in condition of approval LD49.**
- LD49. Prior to rough grading plan approval, the developer shall incorporate into the plan the recommendations made in the document prepared by LOR Geotechnical Group, Inc. titled "Slope Stability Assessment, Proposed 1:1 (horizontal to vertical) Cut Slope, Proposed Multi-Family Development, SEC Alessandro Boulevard and Lasselle Street, Moreno Valley, California" dated November 2, 2012 as revised on April 10, 2013 including those conditions of approval provided by the City's consultant, Langan Engineering and Environmental Services, Inc., in a letter dated April 16, 2013. These conditions of approval are listed below for convenience.**
- a. **Cut slopes in rock can be excavated at 1:1, but colluvium should be sloped back at 2:1.**
 - b. **Cut slopes shall be mapped upon exposure to confirm wedge analysis results.**
 - c. **Loose boulders identified on the plans or during grading should be removed or stabilized.**
 - d. **Erosion control such as plants or jute netting should be installed on cut slopes.**
- LD50. Prior to rough grading plan approval, further evaluation of the rock fall potential of certain boulders identified as having the potential to be unstable should be conducted prior to site grading.**
- LD51. Prior to rough grading plan approval, the grading plan shall show a 2-foot bench upslope of the proposed reinforced concrete v-ditch, terrace drain.**
- LD52. Prior to rough grading plan approval, the proposed swale from the down drain to the desilting basin shall be constructed of reinforced concrete or as otherwise determined by the City Engineer.**
- LD53. Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for**

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recyclables. The trash enclosure shall be per City Standard Plan 627, modified to include a fully covered, solid roof.

LD54. Prior to precise grading plan approval, the plans shall show onsite concentrated flows being conveyed at the front of parking stalls, instead of down the middle of drive aisles or back of parking stalls, to the extent possible, as approved by the City Engineer.

LD55. Prior to precise grading plan approval, the plan shall show detail of proposed onsite drainages system connections to back of existing catch basins. The one hundred year storm flow hydraulic grade line of existing catch basins shall be shown on the plans to determine the need for additional onsite detention in order to ensure additional project drainage will not cause flooding within the public right-of-way.

LD56. Prior to issuance of a building permit, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Alessandro Boulevard, Divided Major Arterial, City Standard 101A Modified (134-foot RW / 110-foot CC) shall be constructed to half-width plus an additional 23 feet north of the centerline, along the entire project's north frontage. The standard street section is modified to accommodate a 6-foot wide curb separated sidewalk, set back from curb by 8 feet. A 7-foot right-of-way dedication on the south side of the street, along the project's north property line is required and shall be recorded by separate instrument. A 2-foot portion of sidewalk shall be within a pedestrian access easement, which shall be dedicated and located adjacent to and beyond the standard 12-foot wide parkway. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approach, raised landscape median, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities.

b. Lasselle Street, Arterial, City Standard 104A Modified (100-foot RW / 76-foot CC) shall be constructed to complete any improvements not constructed by the City's Lasselle Street Widening project. The standard is modified to accommodate varying half-street right-of-way widths along project frontage with only 3 feet instead of the standard 6 feet from back of sidewalk to proposed right-of-way. Improvements shall consist of, but not be limited to, sidewalk from the proposed project entrance to Alessandro

Boulevard, driveway approach, connections to existing catch basins, street lights, pedestrian ramps, and dry and wet utilities. The applicant shall schedule a walk through with a Land Development Division Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards.

- c. Driveway approaches shall be constructed per City Standard No. 118C. The project plans shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.
- d. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD57. In the Final WQMP, all bioretention basins shall be designed utilizing the approved final worksheets contained in the RCFC&WCD's *Design Handbook for Low Impact Development Best Management Practices*, dated September 2011 or later.

LD58. In the Final WQMP, all bioretention basins shall be shown on the WQMP Exhibit and their design volumes shall be calculated based on the RCFC&WCD's approved final worksheets.

LD59. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP) for PA13-0006 Boulder Ridge Family Apartments. The F-WQMP shall be consistent with the approved P-WQMP and the Special Project Conditions listed above, as well as in full conformance with the document; "*Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County* dated October 22, 2012. At a minimum, the F-WQMP shall include the following: stormwater BMPs; LID principles; Source control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

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- LD60. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
- LD61. The Applicant has proposed to incorporate the use of bioretention basins. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP, per the Special Project Conditions listed above. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.
- LD62. The NPDES notes per City Standard Drawing No. 711 shall be included in grading plans.
- LD63. Stormwater BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.
- LD64. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:
- a. That all stormwater BMPs have been constructed and installed in conformance with the approved plans and specifications;
 - b. That all stormwater BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
 - c. That the applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
 - d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

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FIRE PREVENTION BUREAU

1. The hydrant system on the public road shall be extended into this area.
2. The clearance between the structures is measured at the outermost extension of the buildings. There shall be a clear 30' access/separation for any structure that measures 35' or higher to its highest point and a minimum of 24' for all others.
3. Fire lane between buildings 3 and 7 shall be widened to either 24' or 30', depending on the size of the structure next to it.
4. This project is in the high fire severity zone and will have additional construction requirements.
5. Please complete and return attached fire flow letter. The following Standard Conditions shall apply.

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

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 2250 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B). **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**
- F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 1/2" x 2 1/2") and super enhanced fire hydrants (6" x 4" x 4" x 2 1/2") shall not be

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- closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)
- F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2, MVMC 9.15.030)
- F5. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.2 and 503.2.5)
- F6. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)
- F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)
- F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
- F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
- F10. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
- F11. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3)

**CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
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- F12. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
- F13. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
- F14. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
- a) Be signed by a registered civil engineer or a certified fire protection engineer;
 - b) Contain a Fire Prevention Bureau approval signature block; and
 - c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

- F15. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)
- F16. Prior to Certificate of Occupancy or Building Final, all structures shall have fire retardant roofing materials (Class A roofs) as described in CBC Chapter 7A and CFC Chapter 49.
- F17. Prior to issuance of Certificate of Occupancy or Building Final, all multi-family residences shall display the address in a visible location on the street side of the building and visible from public sidewalks. The building numerals shall be a minimum of twelve (12) inches in height and individual dwelling units shall not be less than four (4) inches in height on a contrasting background. The address shall be illuminated as approved by the Fire Prevention Bureau. (CFC 505.1 and MVMC 9.08.100 Section G)
- F18. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile

CONDITIONS OF APPROVAL
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home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060)

- F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a firesprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)
- F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
- F21. 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. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
- F22. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F23. Prior to issuance of Building Permits, fuel modification plans shall be submitted to the Fire Prevention Bureau for review and approval for all open space areas adjacent to the wildland vegetation interface. (CFC Chapter 49)
- F24. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
- F25. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

CONDITIONS OF APPROVAL
PLOT PLAN PA13-0006
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- F26. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060)
- F27. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F28. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)
- F29. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)
- F30. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)
- F31. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)
- F32. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

**CONDITIONS OF APPROVAL
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- F33. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)
- F34. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)
- F35. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts Conditions of Approval for project **PA13-0006**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' 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 Financial & Management Services Department 951.413.3480 or by emailing specialdistricts@moval.org.

General Conditions

- SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.
- SD2. Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. To obtain a copy of these guidelines, please contact the Special Districts Division at 951-413-3480 or visit the Special Districts webpage at www.moval.org/sd.
- SD3. The developer, or the developer's successors or assignees shall be responsible for all parkway and/or median landscape maintenance for a period of one (1) year as per the *City of Moreno Valley Public Works Department Landscape Design Guidelines*, or until such time as the District accepts maintenance responsibilities.
- SD4. Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.
- SD5. The ongoing maintenance of any landscaping required to be installed behind the curb on **Alessandro Blvd. and Lasselle St.** shall be the responsibility of the property owner.

**CONDITIONS OF APPROVAL
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- SD6. Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)
- SD7. Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)
- SD8. Streetlight Authorization forms, for all streetlights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, prior to streetlight installation. The Streetlight Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

Prior to Building Permit Issuance

- SD9. (BP) This project has been identified to 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 the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)
- SD10. (BP) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.
- a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
 - b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

Annexation to CFD No. 1 shall be completed or proof of payment to establish the endowment shall be provided prior to the issuance of the first building permit for this project.

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SD11. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer 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 Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD12. (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Alessandro Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

- a. Participate in a ballot proceeding for **improved median maintenance** and pay all associated costs with the ballot process and formation costs, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or
- b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of certificate of occupancy.

SD13. *Commercial* (BP) If Land Development, a Division of the Community and Economic Development Department, requires this project to supply a funding source necessary to provide, but not limited to , stormwater utilities services for the monitoring of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD14. (BP) Prior to the issuance of the first building permit for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the

**CONDITIONS OF APPROVAL
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Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council.

The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

SD15. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Covenant of Assessments** for each assessable parcel therein, whereby the developer covenants the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Covenant of Assessments shall be submitted to the Special Districts Division. For a copy of the Covenant of Assessments form, please contact Special Districts, phone 951.413.3480.

SD16. (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community and Economic Development Department-Planning Division, the Financial & Management Services Department-Special Districts Division, and the Public Works Department-Transportation Division prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD18. (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for the **first building** for this project.

SD19. (CO) Landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated for incorporation into Moreno Valley Community Services District shall be placed on compact disk (CD) in pdf format. The CD shall include "As Built" plans, revisions, and changes. The CD will become the property of the City of Moreno Valley and the Moreno Valley Community Services District.

PUBLIC WORKS DEPARTMENT

Transportation Engineering Division – Conditions of Approval

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

General Conditions

TE1. Alessandro Boulevard is classified as a Divided Major Arterial (134'RW/110'CC) per City Standard Plan No. 101A modified for curb separated sidewalk. Any improvements to the roadway shall be per City standards. Improvements include a landscaped, raised median along project frontage per the alignment study. Pavement tapers may be necessary east and west of the project frontage. Traffic signal modifications will be necessary at the Alessandro Boulevard/Lasselle Street intersection.

TE2. Lasselle Street is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A, modified. Any improvements to the roadway shall be per City standards.

TE3. Driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. 118C for commercial driveway approach. Driveway access shall be the following:

- The Alessandro Boulevard driveway will have right-in, right-out access due to the raised median along Alessandro Boulevard.
- The Lasselle Street driveway shall be restricted to emergency vehicle and exit only access.

TE4. The Alessandro Boulevard gated entrance shall be provided with the following:

- a) A storage lane with length sufficient to support an emergency response vehicle.
- b) A second storage lane for visitors to stop in prior to the gate to utilize a call box (or other device) to receive permission to enter the site.
- c) Signing and striping for a and b.
- d) A turnaround outside the gates.
- e) No Parking signs shall be posted in the turnaround areas.
- f) A separate pedestrian entry.
- g) Presence loop detectors (or another device) within 1 to 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

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TE5. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

Prior to Improvement Plan Approval or Construction Permit

TE6. Prior to final approval of the street improvement plans, a bus bay per City Standard Plan No. 121 shall be designed for eastbound Alessandro Boulevard, just east of Lasselle Street.

TE7. Prior to final approval of the street improvement plans, the preliminary alignment study shall be engineered to determine final roadway design dimensions.

TE8. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'44' and wider.

TE9. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.

TE10. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. 125A, B, C.

Prior to Building Permit

TE11. (BP) Prior to the issuance of Building Permits, traffic signal modification plans shall be prepared by a registered civil or electrical engineer and submitted to the City for the intersection of Alessandro Boulevard at Lasselle Street. The traffic signal shall be modified prior to issuance of a Certificate of Occupancy.

Prior to Certificate of Occupancy or Building Final

TE12. (CO) Prior to issuance of a Certificate of Occupancy, the traffic signal at Alessandro Boulevard and Lasselle Street shall be modified as necessary and fully operational to the satisfaction of the City Traffic Engineer.

TE13. (CO) Prior to issuance of a Certificate of Occupancy, the improvements identified in conditions TE1 and TE6 shall be constructed per the approved plans.

Prior to Acceptance of Streets into the City-maintained Road System

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TE14. Prior to acceptance of streets into the City-maintained road system, all approved signing and striping shall be installed per current City Standards and the approved plans.

Moreno Valley Utility

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project PA13-0006; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

Prior to Energizing MVU Electric Utility System and Certificate of Occupancy

MVU1.(R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

MVU2.(BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution:** Prior to constructing the MVU Electric Utility System, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

**CONDITIONS OF APPROVAL
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The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development may be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project may be subject to a Reimbursement Agreement. The project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

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POLICE DEPARTMENT

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

Standard Conditions

- PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)
- PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)
- PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community and Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)
- PD4. Addresses need to be in plain view, visible from the street and visible at night.
- PD5. Sufficient lighting is to be provided over all mailbox areas.

MITIGATED NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBER: PA13-0006 (Plot Plan), PA13-0007 (Zone Change), PA13-0008 (General Plan Amendment), and P13-029 (Variance)
PROJECT APPLICANT: Rancho Belago Developers, Inc. TELEPHONE NUMBER: (951) 686-6600
PROJECT LOCATION: Southeast corner of Alessandro Boulevard and Lasselle Street
PROJECT DESCRIPTION: Plot Plan application for a 141 unit affordable apartment project on a site of approximately 10 acres. Project to include eight apartment buildings, two clubhouses with tot lots and pools. Unit mix of 1 to 3 bedroom apartments ranging from 723 square feet to 1,301 square feet. Development of this project will require a Zone Change and General Plan Amendment from Neighborhood Commercial / R15 to R30 / Open Space to allow for higher density multiple family land uses and to protect the existing slopes and rock outcroppings. The site has been graded previously under permit. The project also proposes a variance to reduce the covered parking requirement from 2 spaces to 1 space per unit for the 3-bedroom units.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

- [x] The proposed project will not have a significant effect on the environment.
- [x] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Mitigated Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (7:30 a.m. to 5:30 p.m. Monday through Thursday) at the City of Moreno Valley, Community & Economic Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

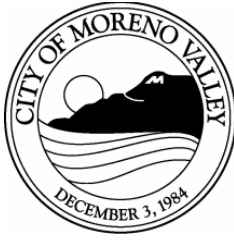
PREPARED BY: Jeff Bradshaw	DATE: May 2, 2013
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NOTICE

The public is invited to comment on the Mitigated Negative Declaration. The appropriateness and adoption of the Mitigated Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED:	BY:
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**INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY**

1. Project Title: Boulder Ridge Family Apartments

Plot Plan – PA13-0006
Zone Change – PA13-0007
General Plan Amendment – PA13-0008
Variance – P13-029
2. Lead Agency Name and Address: City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
3. Contact Person and Phone Number: Jeff Bradshaw, Associate Planner
(951) 413-3224
4. Project Location: Southeast corner of Alessandro Blvd. and Lasselle St.
(APN: 486-280-044 and ½ acre portion of -043)
5. Project Sponsor's Name and Address: Rancho Belago Developers, Inc.
5051 Canyon Crest Dr., Ste. #200
Riverside, CA 92507
6. General Plan Designation: Existing: Commercial (C) / Residential Office (R/O)
Proposed: R30 / Open Space
7. Zoning: Existing: Neighborhood Commercial (NC) / R15
Proposed: R30 / Open Space
8. Description of the Project:

The Boulder Ridge Family Apartment project proposes to develop a 141 unit affordable apartment project on an 8.5 acre parcel. The project will include eight apartment buildings, two clubhouses with tot lots and pools. The apartments include a unit mix of 1 to 3 bedroom apartments ranging from 723 square feet to 1,301 square feet. Development of this project will require a zone change and general plan amendment from Neighborhood Commercial R15 to R30 / Open Space to allow for higher density multiple family land uses and to protect the slopes and hilltop portions of the site. The site has been disturbed previously under permit. The project proposes to develop within the disturbed portion of the site and protect the slopes and boulder strewn hilltop. A variance is also proposed to allow for a reduced covered parking requirement for the 3-bedroom units from 2 covered spaces per unit to 1 per unit.

9. Surrounding Land Uses and Setting:

The area surrounding the proposed project includes vacant commercial land at the northwest, northeast and southwest corners of Alessandro Boulevard and Lasselle Street. The vacant property at the northeast corner of Alessandro and Lasselle has an active approval for development of a grocery store. Vacant land immediately to the north is zoned R5 for single-family development with vacant R15 zoned land to the south, east and southeast.

Existing tract homes are located to the southwest in the RS-10 and R5 zones and to the northwest in the R5 zone on the west side of Lasselle Street and to the northeast along Morrison Street between Bay Street and Alessandro Boulevard. The Riverside County Medical Center is located approximately one mile to the southeast at Nason Street and Cactus Avenue.

Overall, the proposed Plot Plan, Zone Change, and General Plan Amendment are compatible with the City's General Plan and existing land uses.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a “potential significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature

Date

Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
 - (a) Earlier Analysis Used. Identify and state where they are available for review.
 - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista? X

The Moreno Valley General Plan identifies scenic highways, panoramic viewsheds, and photographic viewing locations within the aesthetic resource element. The General Plan identifies no scenic roadways or panoramic viewsheds in the project vicinity. The project site is comprised of level to steeply sloping topography with substantial rock outcroppings across the surface of a hilltop. The site has been disturbed previously under permit. The project proposes to develop within the disturbed portion of the site and protect the slopes and boulder strewn hilltop. The proposed development includes 3-story, 40 foot tall apartment buildings. Immediate views of the hilltop from portions of Lasselle Street and Alessandro Boulevard will be obstructed by the buildings. However, the buildings will not exceed height of existing slopes. Off-site view of the hilltop, from a distance, will remain unobstructed. Therefore, as designed and conditioned, the proposed plot plan, Zone Change and General Plan Amendment will have no effect on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? X

The project property topography varies from level to steeply sloping with substantial rock outcroppings across the surface of the hilltop. Based upon review of the General Plan, the subject site does not include scenic resources. The site is regularly cleared for purposes of weed abatement. There are rock outcroppings, but no trees and no historic buildings on site. There are no scenic highways in the area. The site has been previously disturbed under authorized permit. The project proposes to develop the existing level areas and protect the existing slopes and rock outcroppings. As designed and conditioned, the proposed plot plan, Zone Change and General Plan Amendment will not substantially damage scenic resources.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

At completion, the proposed project would consist of 141 apartments in 8 buildings on approximately 10 acres. The proposed plot plan would be developed with multiple residential structures, private drive aisles, common open space and parkway landscape as required by the City's Municipal Code and Design Guidelines. The Design Guidelines and the Municipal Code provide a framework that ensures that any new development would be designed and constructed in a manner consistent with surrounding land uses. Therefore, the proposed project would be aesthetically similar to the surrounding residential uses with regard to architectural style, design, materials, colors, landscaping, and height. The proposed variance will allow for a reduction in the number of covered parking spaces. This will create opportunities for more on-site open space and improve the visual character of the site. The project will comply with the City's standard conditions of approval including compliance with landscaping and development standards. As the proposed project would develop the project site in a manner consistent with existing adjacent uses and the Municipal Code, the project would not significantly degrade the existing visual character or quality of the site and surroundings.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? X

The project would introduce some additional new light sources into the area, as the proposed apartment project would have some outdoor lighting. The type of lighting provided would be similar to that associated with existing multiple family projects in the area, and would not create a substantial increase in lighting or glare. Mt. Palomar Observatory, located in the northern portion of San Diego County, has noted that the continued urbanization of southwestern Riverside County reduces the usefulness of the observatory due to emission of lighting from streetlights, automobiles, residences and businesses. This type of lighting condition is known as "skyglow". Properties located within a 45 mile radius of the observatory are considered to have the potential to contribute to lighting impacts at the observatory. Although the City of Moreno Valley General Plan does not address the Mt. Palomar Observatory, the proposed project site is identified in the Riverside County General Plan as being located within a 45 mile distance of the facility, which is referred to as "Zone B" of the "Mt. Palomar Nighttime Lighting Policy Area (Riverside County, 2003a, Reche Canyon/Badlands Area Plan 33). The proposed apartments will be required to comply with Municipal Code provisions regarding screening of outdoor light fixtures and limitations of the intensity of the project lighting. As designed and conditioned, the project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area and will not conflict with the operation of the Mt. Palomar Observatory.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?

a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use? X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The Municipal Code allows for agricultural uses such as crops in all zoning districts. The site is designated as 'Other', not prime farmland, on the State Important Farmland Map. 'Other' is described as a non-agricultural area surrounded on all sides by urban development. The site has no agriculturally productive activities occurring within the project boundaries.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed plot plan and tentative tract map do not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
There is no immediate surrounding or proposed agricultural use according to the General Plan. The proposed plot plan and tentative tract map will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.				
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
(a and b) The Air Quality Management Plan (AQMP) sets forth a comprehensive program that will lead the air basin into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections.				
Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections for build-out under the existing land use designations and will not exceed General Plan build out projections for the project site. The proposed plot plan, Zone Change, and General Plan Amendment would not obstruct implementation of the South Coast Air Quality Management Plan or violate any air quality standard or contribute substantially to an existing or projected air quality violation.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
CEQA Section 21100 (e) addresses evaluation of cumulative effects allowing the use of approved land use documents in a cumulative impact analysis. CEQA Guidelines Section 15064 (i)(3) further stipulates that for an impact involving a resource that is addressed by an approved plan or mitigation program, the lead agency may determine that a project's incremental contribution is not cumulatively considerable if the project complies with the adopted plan or program. In addressing cumulative effects for air quality, the AQMP is the most appropriate document to use because the AQMP sets forth a comprehensive program that will lead the air basin, including the project area, into compliance with all federal and state air quality standards and utilizes control measures and related emission reduction estimates based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments.				
The proposed project is in conformance with the AQMP and the project is not significant on an individual basis according to the Daily Thresholds of Potential Significance for Air Quality, SCAQMD Air Quality Handbook. Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections for build-out under the existing land use designations and will not exceed General Plan build out projections for the project site. Therefore, it is appropriate to conclude that the project's incremental contribution to criteria pollutant emissions is not cumulatively considerable.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
The nearest sensitive receptors include Hendrick Ranch Elementary School located approximately ½ mile to the west and Vista Del Lago High School located approximately ¾ mile to the south. Existing single-family tract homes are located across the street to the southeast at Brodiaea Street and Lasselle Street, and approximately ¼ mile to the northwest and northeast. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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The site has been disturbed in the past under prior permit. The project proposed to develop with the existing level area and slopes. The preliminary grading plan identifies that the site will require grading within the level portions of the site with an estimate of 40,000 cubic yards of excavation and 15,000 cubic yards of embankment. The proposed project presents the potential for generation of objectionable odors in the form of diesel exhaust in the immediate vicinity of the site during construction of the project. The closest areas with substantial numbers of people are existing single-family residences located across the street to the southeast at Brodiaea Street and Lasselle Street, and approximately ¼ mile to the northwest and northeast. However, these emissions would rapidly dissipate and be diluted by the atmosphere downwind of the emission sources. Recognizing the direction of the prevailing winds (northwest to southeast), dispersion and quantity of the pollutants, the project will not subject a substantial number of people to objectionable odors. Air quality pollutants associated with multiple-family residential uses are primarily generated from mobile sources such as cars. No other uses are proposed that would generate substantial concentrations of harmful air pollutants, as well as objectionable odors not typical of a residential area. No significant impacts would occur.

IV. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?			X	
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The project site is comprised of approximately 10 acres located at the southeast corner of Alessandro Boulevard and Lasselle Street. The project site is a vacant square shaped parcel that is level to steeply sloping with a rocky hilltop. The site is at or above grade with adjacent Alessandro Boulevard and Lasselle Street. No suitable habitat or MSHCP-designated survey areas for riparian and wetland-associated plant and animal species are present on the project site. No vernal pools or vernal pool species are present on the project site. The project site is in an area that the Multiple Species Habitat Conservation Plan (MSHCP) has identified as having the potential for burrowing owl habitat. A Biological Reconnaissance Survey and Habitat Assessment for Burrowing Owl was prepared in April 2013 by Tetra Tech. Based on the results of the field survey of the site, there is no likelihood of sensitive resources being found on the site. No sensitive plant or animal species were observed on the site. No suitable habitat for occupation by burrowing owls was observed and no signs of burrowing owl or owls were observed on the site. The consultant does not recommend additional surveys for burrowing owl. However, the project has been conditioned to conduct a pre-construction survey for burrowing owl, 30 days in advance of grading or site disturbance. This project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service.

b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U. S. Wildlife Service?			X	
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A Biological Reconnaissance Survey and Habitat Assessment for Burrowing Owl was prepared in April 2013 by Tetra Tech. Based on the results of the field survey of the site, no vernal pools or vernal pool species are present on the project site. No riverine/riparian habitat is located on the site. The project will not have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations by the California Department of Fish and Wildlife or U. S. Wildlife Service.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
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There are no wetland resources on the site. Therefore, the development of this project will not have a substantial adverse effect on federally protected wetlands.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
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This site is on the edge of an urbanized area with existing development occurring in the near vicinity of the project site. The site is not in the immediate vicinity of a migratory wildlife corridor or a wildlife corridor designated in the Multiple Species Habitat Conservation Plan (MSHCP). None of the sensitive species, including burrowing owl, initially identified by the MSHCP as having the potential of occurring on the site were observed during the site surveys. The proposed project will not directly impact sensitive species.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources. The project is consistent with the goals and objectives of the General Plan under the proposed R30 land use designation. This project has been conditioned to replace all mature trees with a 4-inch caliper or greater per the City's Municipal Code.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	
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The project is not within one of the Multiple Species Habitat Conservation Plan (MSHCP) criteria areas, which are potential habitat preservation areas. The proposed project will not conflict with the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) or MSHCP or any other known local, regional or state habitat conservation plans. The project will be conditioned to pay required SKR mitigation fees. Also, the City participates in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. This project will also be subject to impact fees to support the implementation of the Multiple Species Habitat Conservation Plan.

V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		X		
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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
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a and b) The project proposes development of a 141 unit affordable apartment complex on the 10 acres of Assessor's Parcel Number 486-280-044. The development requires installation of a desilting basin to be located on a portion (approximately 1/2 acre) of the adjoining parcel (APN 486-280-043) to the south. Based upon review of a 1987 citywide survey (Archeological Research Unit, University of California, Riverside), it appeared that there were known cultural resources located within the project site.

An archaeological survey was prepared for the project site (APN 486-280-044) by Tetra Tech in September 2007. The survey included site surveys which were conducted to identify the presence or likely presence of cultural resources including prehistoric sites and sites significant to Native American cultural groups. No prehistoric, historic, or Native American cultural resource sites were identified during the site survey. A record search was conducted by the Eastern Information Center which indicated that no listed or eligible National Registrar or Historic Plan properties were located within a mile of the project site. No cultural landscapes, ethnic resources, or cultural resources listed as California Historic Landmarks were noted on the project site. Seven cultural resource studies have been conducted within a one mile radius of the project site. The records check indicated that there are no known cultural resources within the boundaries of the project site. Based on the results of the record search and site survey, Tetra Tech did not recommend the presence of a qualified archaeologist during grading or site disturbance activities. The results/recommendations of the 2007 survey were re-certified by Applied Earthworks, Inc. on April 9, 2013 following a site survey on April 4, 2013.

A second archaeological survey was prepared for a 1.0 acre portion of adjacent Assessor's Parcel Number 486-280-043 by CRM Tech in April and May 2013. The project proposes to construct a desilting basin in this area and through a lot line adjustment, join the desilting basin to the larger apartment site. A record search and site survey were completed for this area. No cultural resources were discovered during the site survey and based on the results of the record search and site survey, CRM Tech did not recommend the presence of a qualified archaeologist during grading or site disturbance activities.

The archaeological surveys did not identify cultural resources within the boundaries of the proposed development nor recommend monitoring or other mitigation. However, in order to avoid impacts to potential cultural resources within the project site boundaries, conditions of approval and mitigation measures will be required of the project to ensure the participation of a monitor(s) including a qualified archaeologist and tribal representatives during all grading and site disturbance activities. If recorded archaeological sites are found to be within the limits of the project site within undisturbed slopes or rock outcroppings, a long-term preservation plan for the protection of these cultural resources will be prepared and executed between the appropriate Native American Tribe and the Project Applicant. The following mitigation measures shall be required of the project:

MM CUL-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives and that a professional archaeological monitor has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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MM CUL-2 Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist or the tribal representative shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.

MM CUL-3 If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated according to the current professional repository standards and may include the Pechanga Bands curatorial facility.

MM CUL-4 Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:

“If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find.”

MM CUL-5 Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:

“If any suspected paleontological resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction.”

MM CUL-6 If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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MM CUL-7 There are recorded archaeological sites within the vicinity of the Project, but no recorded archaeological sites within the Project boundaries. Prior to construction of the project, the developer shall coordinate with the City on a fence plan to restrict movement from the project site onto off-site resources on the adjacent parcel (APN 486-280-043) to reduce potential impacts by non-construction activities on recorded off-site archaeological resources. If the project limits are determined to include recorded archaeological sites that are outside of areas proposed for development, then, given the sensitivity of these resources and the potential for their impact by non-construction activities, a long-term preservation plan for the protection of these cultural resources will be prepared and executed between the appropriate Native American Tribe and the Project Applicant. The sites that will be included in the preservation plan shall include but not be limited to CA-RIV-857, CA-RIV-3159, CA-RIV-3341 and CA-RIV-3342. The Preservation Plan must, at a minimum, include provisions for allowable activities, if any, around the cultural resources; what kinds of protective measures will be put in place (i.e., appropriate fencing, use of native plants and other methods that are acceptable to all parties); the roles of each party with respect to the maintenance and protection of the resources and any surrounding landscaping; methods of addressing nuisance concerns and potential vandalism; and any other provisions necessary for the protection of these cultural resources in perpetuity.

Source: Archeological Research Unit, University of California, Riverside, 1987; Archaeological Survey, Tetra Tech, Inc., September 2007; Re-certification Letter, Applied Earthworks, Inc., April 2013; Archaeological Survey, CRM Tech., May 2013.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
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There are no known unique paleontological resources on the project site. However, the project site includes steeply sloping hillsides and a rocky hilltop. The project proposes to limit development to the existing level areas and protect the slopes and rock outcroppings in place and avoid impacts to unique geologic features on site. The proposed Zone Change and General Plan Amendment will place the slopes and rocky hilltop within an Open Space designation. The project has been conditioned to protect the slopes and rock outcroppings through the recordation of an environmental constraints sheet. A condition of approval/mitigation measure will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources are uncovered on the project site.

d) Disturb any human remains, including those interred outside of formal cemeteries?			X	
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No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.

VI. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
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According to the City's General Plan, the project site is not on, or close to, any known earthquake fault. There is no new information that would indicate the existence of a fault or fault tract in proximity of the site. Accordingly, there is no risk of ground rupture due to faulting at the proposed project site.

(ii) Strong seismic ground shaking?			X	
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According to the City's General Plan, the project site is not on, or close to, any known earthquake fault. The nearest fault is the San Jacinto fault system, which is located about 12-miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current building codes. Ground-shaking intensity could be moderately-high during a 100-year interval earthquake. Foundation designs will be reviewed to ensure incorporation of appropriate engineering recommendations to mitigate any such seismicity. There is no new information that would indicate the existence of a fault on the site.

(iii) Seismic-related ground failure, including liquefaction?			X	
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According to the City's General Plan, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could be moderately-high during a 100-year interval earthquake. The potential for seismic related failure or liquefaction on the site is minimal based on the water table and soil conditions at the site.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(iv) Landslides?		X		
<p>This site includes a hilltop with steep slopes and rock outcroppings. The project proposes some manufactured slopes which are conditioned to comply with City Public Works standards for storm runoff and slope design. The manufactured slopes will be landscaped and irrigated for erosion control. Based upon the results of a slope stability analysis, the following conditions of approval and mitigation measures will be required:</p> <p>MM LD-1 Cut slopes in rock can be excavated at 1:1, but colluvium shall be sloped back at 2:1; MM LD-2 Cut slopes to be mapped upon exposure to confirm wedge analysis results; MM LD-3 Further evaluation of boulders identified as having the potential to be unstable shall be conducted prior to site grading; MM LD-4 Loose boulders identified on the map or during grading shall be removed or stabilized; and MM LD-5 Erosion control such as plants or jute netting shall be installed on cut slopes.</p> <p>As designed and conditioned and with the enforcement of mitigation measures, impacts from landslides are less than significant.</p>				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
<p>The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.</p>				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
<p>The geologic unit or soil is not known to be unstable based on current resources. Based upon the results of a slope stability analysis, the conditions of approval and mitigation measures referenced in the response to checklist question VI.a.iv above, will be required. As designed and conditioned and with the enforcement of mitigation measures, impacts from landslides are less than significant.</p>				
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
<p>According to the City's environmental information, the geologic unit or soil is not known to be unstable. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department prior to site grading. As designed and conditioned, the potential for the project to create substantial risks to life or property is less than significant.</p>				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
<p>The proposed apartment project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.</p>				
VII. GREENHOUSE GAS EMISSIONS. Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
<p>Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley has adopted a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. Based on the scope of the project and consistency of the proposed Zone Change and General Plan Amendment with the City's adopted General Circulation Element and build out scenarios, the City has chosen to rely on a qualitative analysis. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.</p>				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
<p>On October 9, 2012, the Moreno Valley City Council approved an Energy Efficiency and Climate Action Strategy and related Greenhouse Gas Analysis. The proposed project does not conflict with this strategy or any other applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p>				
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project?				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
The proposed project will not involve the routine transport, use or disposal of hazardous materials. Since the project will not involve the routine transport, use or disposal of hazardous materials, there will be no potential for a significant hazard to the public or the environment.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
The proposed project will not involve the routine transport, use or disposal of hazardous materials. The proposed project will not create a significant hazard to the public or the environment through the routine transport, or use or disposal of hazardous materials. Since the project will not involve the routine transport, use or disposal of hazardous materials, there will be no potential for a significant hazard to the public or the environment.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
Hendrick Ranch Elementary School is located approximately ½ mile to the west and Vista Del Lago High School located approximately ¾ mile to the south. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The site was checked against the list of hazardous material sites pursuant to Government Code Section 65962.5. The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
The nearest airport is the March Air Reserve Base located approximately 4 miles to the west. The distance to the runway is approximately 6 miles. The site is not within the crash zones or the noise contours identified in the most recent Air Installation Compatible Use Zone (AICUZ) study. (Municipal Code Section 9.07.060) The site is not within an airport land use plan.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. The proposed plot plan has been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of residents. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	
The proposed project site is not adjacent to wildlands, but is located in the Very High Fire Hazard Severity Zone. The project has been conditioned to comply with all special construction features as required in Chapter 7A of the California Building Code. As designed and conditioned, the project, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project requires a WQMP to address pollutants of concern. Site Design and Source Control best management practices (BMP) are conditioned to be used throughout the project. Treatment BMPs will be selected and implemented which are medium to highly effective in treating pollutants of concern. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP, per the Special Project Conditions listed above. The project has been conditioned to provide documentation that runoff will be treated in conformance with the "Riverside County Water Quality Management Plan for Urban Runoff" dated January 29, 2010 and approved by the Santa Ana Regional Water Quality Control Board (Guidance Document).

Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
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The Eastern Municipal Water District (EMWD) would provide the proposed project with potable water as opposed to utilizing individual water wells. Potable water is adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
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There is no stream or other streambed or river on the project site, so the project will not cause a change in the existing on-site drainage pattern that would result in substantial erosion or siltation on- or off-site. During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion control plans are required for projects prior to issuance of grading permits for preventing substantial erosion. The project as designed and conditioned will not change the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?			X	
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There is no blue-line stream or other streambed or river on the project site, however, there are surface drainage facilities that will be removed through development of the project site. The project as designed and conditioned will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project is consistent with the City's General Plan. All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. Additionally, the project has been designed in accordance with the City's standard conditions of approval, which includes measures pertaining to storm drainage facilities and runoff. It should be noted that the Riverside County Flood Control Agency was contacted and indicated in a letter dated March 11, 2013, that the proposed project involves District Master Plan facilities and is located within the limits of the District's Sunnymead / Moreno Area Drainage Plan and that drainage fees have been adopted, which will need to be paid prior to the issuance of permits.

As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the tract is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, incorporation of conditions of approval into the project's design, as well as compliance with all applicable storm water discharge permits, impacts would be less than significant.

f) Otherwise substantially degrade water quality?			X	
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The proposed project is consistent with the City's General Plan. All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. Additionally, the project has been designed in accordance with the City's standard conditions of approval, which includes measures pertaining to storm drainage facilities and runoff. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the tract is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. With the approval the storm drainage facilities by the City Engineer and Riverside County Flood Control District, incorporation of conditions of approval into the project's design, as well as compliance with all applicable storm water discharge permits, impacts would be less than significant.

g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
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h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
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(g and h) The proposed project site is located within a Federal Emergency Management Agency Zone "X" area. The project has been designed according to the 100-year storm event as designed by the project engineer. Consequently, the storm drainage system and pad location and placement have all been designed to adequately convey flows of such a magnitude. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir and will not place housing or structures within a 100-year flood hazard area. Additionally, due to the position of the proposed project, mudflows from local mountains would be unlikely due to surrounding development. Therefore, impacts would be less than significant. The project as designed and conditioned, will not place structures which would impede or redirect flood flows.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
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The proposed project site is located within a Federal Emergency Management Agency Zone "X" area. The project has been designed according to the 100-year storm event as designed by the project engineer. Consequently, the storm drainage system and pad location and placement have all been designed to adequately convey flows of such a magnitude. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir and will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

j) Inundation by seiche, tsunami, or mudflow?				X
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The site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. Additionally, due to the position of the proposed project, mudflows from local mountains would be unlikely due to surrounding development. Therefore, impacts would be less than significant.

X. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?			X	
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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The project proposes a General Plan Amendment and Zone Change from Neighborhood Commercial / R15 to R30 / Open Space for development of a 141 unit affordable apartment complex. The project site is bounded by vacant R15 and Neighborhood or Community Commercial zoned land. Existing tract homes are located to the northwest, southwest and northeast. The proposed land use change and apartment project is compatible with surrounding land uses and will not physically divide an established community.</p>				
<p>b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>			X	
<p>The project proposes a General Plan Amendment and Zone Change from Neighborhood Commercial / R15 to R30 / Open Space for development of a 141 unit affordable apartment complex. Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections under the current land use and will not exceed General Plan build out projections for the project site. The proposed variance to reduce the covered parking requirement will not result in a deficiency in required parking on-site. The project as designed will meet Municipal Code parking requirements for an affordable housing project. The proposed project as designed and conditioned will not conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project including the City's General Plan.</p>				
<p>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</p>			X	
<p>The project is not within one of the Multiple Species Habitat Conservation Plan (MSHCP) criteria areas, which are potential habitat preservation areas. The proposed project will not conflict with the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) or MSHCP or any other known local, regional or state habitat conservation plans. The project will be conditioned to paying required SKR mitigation fees. Also, the City participates in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan.</p>				
<p>XI. MINERAL RESOURCES. Would the project:</p>				
<p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p>				X
<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</p>				X
<p>(a and b) The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site or the surrounding area. Consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. No significant impacts would occur.</p>				
<p>XII. NOISE. Would the project result in:</p>				
<p>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>			X	
<p>Based upon the conclusions of Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections under the current land use and will not exceed General Plan build out projections for the project site. The proposed 141 unit apartment project as designed and conditioned is consistent with City Municipal Code development standards and Design Guidelines for multiple family housing. It is anticipated that project traffic will operate within acceptable Levels of Service at General Plan build-out, therefore, noise levels will be consistent with General Plan criteria for noise, and noise levels will not exceed the standards set forth in the General Plan.</p>				
<p>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</p>			X	
<p>The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, and from 7:00 AM to 8:00 PM on weekends and holidays. As a result, less than significant impacts would occur.</p>				
<p>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p>			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections for build-out under the existing land use designations and will not exceed General Plan build out projections for the project site. The proposed 141 unit apartment project as designed and conditioned is consistent with City Municipal Code development standards and Design Guidelines for multiple family housing. Permanent noises associated with the proposed multiple family residential use includes, but are not limited to, traffic, people talking, radios playing and maintenance of common landscape areas. However, these noise sources would be typical of the adjacent area and therefore, the project would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site. Project traffic is anticipated to operate within acceptable Levels of Service at General Plan build-out, therefore, noise levels would be consistent with General Plan criteria for noise, and noise levels will not exceed the standards set forth in the General Plan. Impacts would be less than significant as a result of the proposed project.

d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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During construction, there will be limited impact of noise from construction equipment. The nearest sensitive receptors include Hendrick Ranch Elementary School located approximately ½ mile to the west and Vista Del Lago High School located approximately ¾ mile to the south. Existing single-family tract homes are located across the street to the southeast at Brodiaea Street and Lasselle Street, and approximately ¼ mile to the northwest and northeast. The Public Works Department has a standard condition of approval regarding the public nuisance aspect of the construction activities. The construction operations including building related activities and deliveries shall be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, and from 7:00 AM to 8:00 PM on weekends and holidays, in accordance with City Municipal Code 8.14.040, unless otherwise extended or shortened by the City Engineer or Building Official.

e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
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The project is not located within the area of an adopted airport land use plan.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
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There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.

XIII. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
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The project proposes to change the existing zone and General Plan land use designations from Neighborhood Commercial/R15 to R30/Open Space in order to develop a 141 unit affordable apartment complex. Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections for build-out under the existing land use designations and will not exceed General Plan build out projections for the project site. Therefore, the addition of the project dwelling units is consistent with the General Plan Circulation element and General Plan policies related to multiple family development and would not result in substantial growth either directly or indirectly.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
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(b and c) This property is currently vacant, and no housing is currently located on the project site. No housing will be displaced by development of this project. The project will not displace any residents.

XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?				
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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project has incorporated the City's standard conditions of approval into its design. These standards include measures, which specifically address concerns regarding the Fire Prevention Bureau. Measures such as providing approved fire hydrants, fire flow requirements; mitigation impact fee programs and utilizing fire retardant materials have all been incorporated into the project's design. ISO ratings are given to firefighting districts in order to rank their operation level. This scale ranges from one (1) the highest possible score, to a ten (10), the worst possible score. The City of Moreno Valley currently has an ISO rating of three (3), which is considered high. With the implementation of the conditions of approval of the project pertaining to Fire Services, impacts would be less than significant

b) Police protection?			X	
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The proposed project conforms to the City's Municipal Code and to the General Plan. Police protection to the project area is provided through the Moreno Valley Police Department. The Police Department was involved in the project review process. Conditions of approval have been included by Police Department to ensure health and safety is protected during construction. Development of the project site would increase the demand on the Police Department. The project will pay development impact fees related to Police Facilities. The project is consistent with the General Plan. With payment of impact fees, the addition of 141 dwelling units at this location would not over-burden their service ability in continuing to provide high quality police service.

c) Schools?			X	
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The project would most likely increase the use of schools. The impact of this project on schools is anticipated to be minimal. This project will be subject to development impact fees, which shall address the impact of the proposed 141 unit affordable apartment project.

d) Parks?			X	
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The project would most likely increase the use of parks. The impact of this project on parks is anticipated to be minimal. This project will be subject to development impact fees, which shall address the impact of the proposed 141 unit affordable apartment project.

e) Other public facilities?			X	
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There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. This project will be subject to development impact fees, which shall address the impact of the proposed 141 unit affordable apartment project.

XV. RECREATION.

a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
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The project would most likely increase the use of parks. The impact of this project on parks is anticipated to be minimal. This project will be subject to development impact fees, which shall address the impact of the proposed 141 unit affordable apartment project.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
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The project will include a common pool, tot lots, open plaza area, and private recreational space. The proposed project does not create the need for the construction or expansion of recreational facilities.

XVI. TRANSPORTATION/TRAFFIC. Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
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As designed and conditioned, the proposed 141 unit affordable apartment project and related Zone Change and General Plan Amendment do not conflict with any City plans, ordinances or policies establishing measures of effectiveness for the performance of the circulation system.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
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Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Based upon the conclusions of a Focused Traffic Analysis prepared by Kunzman Associates, Inc., in April 2013 for the project, project traffic resulting from the proposed Plot Plan, Zone Change, and General Plan Amendment is less than traffic projections for build-out under existing land use designations and will not exceed General Plan build out projections for the project site. As designed and conditioned, the project is not expected to individually or cumulatively exceed a level of service standard.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
The project site is not located in, around or under any airport or airport fly-zone. The proposed project would have no direct or indirect effect on air traffic patterns.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			X	
The project has been conditioned by Public Works to complete full-width street improvements if necessary. The street improvements will include but not be limited to, pavement, curb, gutter, sidewalk, streetlights, storm drain, signing and striping, and dry and wet utilities. As designed, the project will not result in hazards, but will help decrease potential hazards at this location. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?			X	
As designed and conditioned, all streets, driveways and drive aisles will be built to the specifications of the City Engineer and Traffic Engineer, the Fire Prevention Bureau and the General Plan. This will ensure that no hazardous traffic situations would occur during construction or with completion of the project. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project as designed and conditioned will not conflict with adopted alternative transportation policies, therefore, no adverse impacts would occur.				
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
The water purveyor, Eastern Municipal Water District (EMWD), prepared an Urban Water Master Plan demonstrating that it has or will have sufficient water supplies available to serve urban development on the property.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
The wastewater treatment provider is EMWD. The current wastewater treatment facility just westerly of the southerly edge of the Moreno Valley Ranch Specific Plan has adequate capacity to serve projects within Moreno Valley that are consistent with the General Plan. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: Draft EIR for the 2006 General Plan Update.				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
Waste Management provides waste hauling service to the plan area. The project will be served by a landfill in the Badlands with sufficient permitted capacity to accommodate the project's solid waste disposal needs. Source: Draft EIR for the 2006 General Plan Update.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
-----------------------------------	--------------------------------	--	------------------------------	-----------

The City is complying with State and Federal regulations regarding solid waste. This project will also comply with the current policies regarding solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
---	--	--	---	--

The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. Based upon the archaeological survey prepared by Tetra Tech, Inc., there are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. The project as designed and conditioned would not cause substantial adverse health effects on human beings.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
--	--	--	---	--

This project will not create any impacts, that when viewed in connection with existing land uses, other recently approved projects, and existing land use designations, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
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







The project consists of a General Plan Amendment and Zone Change for development of a 141 unit affordable apartment complex. The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.

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Boulder Ridge Family Apartments

Aerial Photograph

Legend

-  Highways
-  Parcels
-  Roads
-  Ortho Photography
-  Waterbodies
-  City Boundaries
-  Calimesa
-  Moreno Valley
-  Perris
-  Riverside

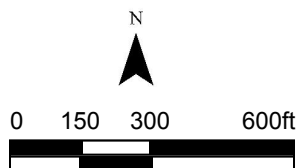


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City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

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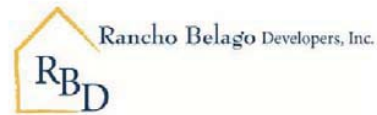


BOULDER RIDGE FAMILY APARTMENTS

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- A2.0 PROJECT LOCATION
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- A4.0 SITE PLAN
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- A6.0 ROOF PLAN
- A7.0-A7.15 ELEVATIONS
- A8.0 TYPICAL BUILDING SECTION
- A9.0 UNIT PLANS
- A10.0 MATERIALS BOARD
- C1.0 PRELIMINARY GRADING PLAN
- L1.0 PRELIMINARY LANDSCAPE

A PROJECT BY:



RANCHO BELAGO DEVELOPERS, INC.
 5051 CANYON CREST DRIVE,
 SUITE 200
 RIVERSIDE, CA 92507

DESIGN TEAM:



ARCHITECT:
 KTGy GROUP INC.
 1733 OCEAN AVE, SUITE 250
 SANTA MONICA, CA 90401
 CONTACT: MANNY GONZALEZ
 T: 310.394.2623
 MGONZALEZ@KTGY.COM
 WWW.KTGY.COM

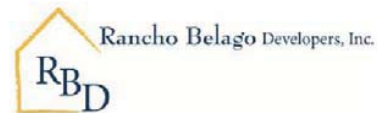


CIVIL ENGINEER:
 WINCHESTER ASSOCIATES, INC.
 23640 TOWER STREET, SUITE #3
 MORENO VALLEY, CA 92553
 CONTACT: DAVID SLAWSON
 T: 909.924.5425
 SLAWSON@WAI-ENG.COM

BOULDER RIDGE FAMILY APARTMENTS

SHEET INDEX & PROJECT INFO

A1.0



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BOULDER RIDGE FAMILY APARTMENTS

PROJECT LOCATION

A2.0



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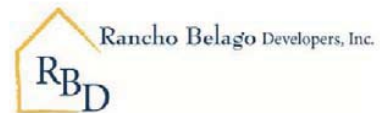


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BOULDER RIDGE FAMILY APARTMENTS

PERSPECTIVE VIEW - ALESSANDRO ENTRY

A3.0



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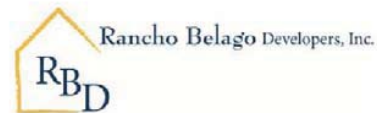




BOULDER RIDGE FAMILY APARTMENTS

PERSPECTIVE VIEW - LASSELLE ENTRY

A3.1



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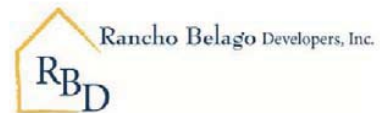
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PERSPECTIVE VIEW - CORNER VIEW

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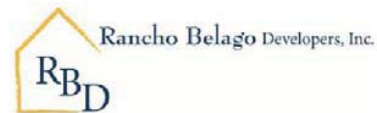


A3.2



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BOULDER RIDGE FAMILY APARTMENTS



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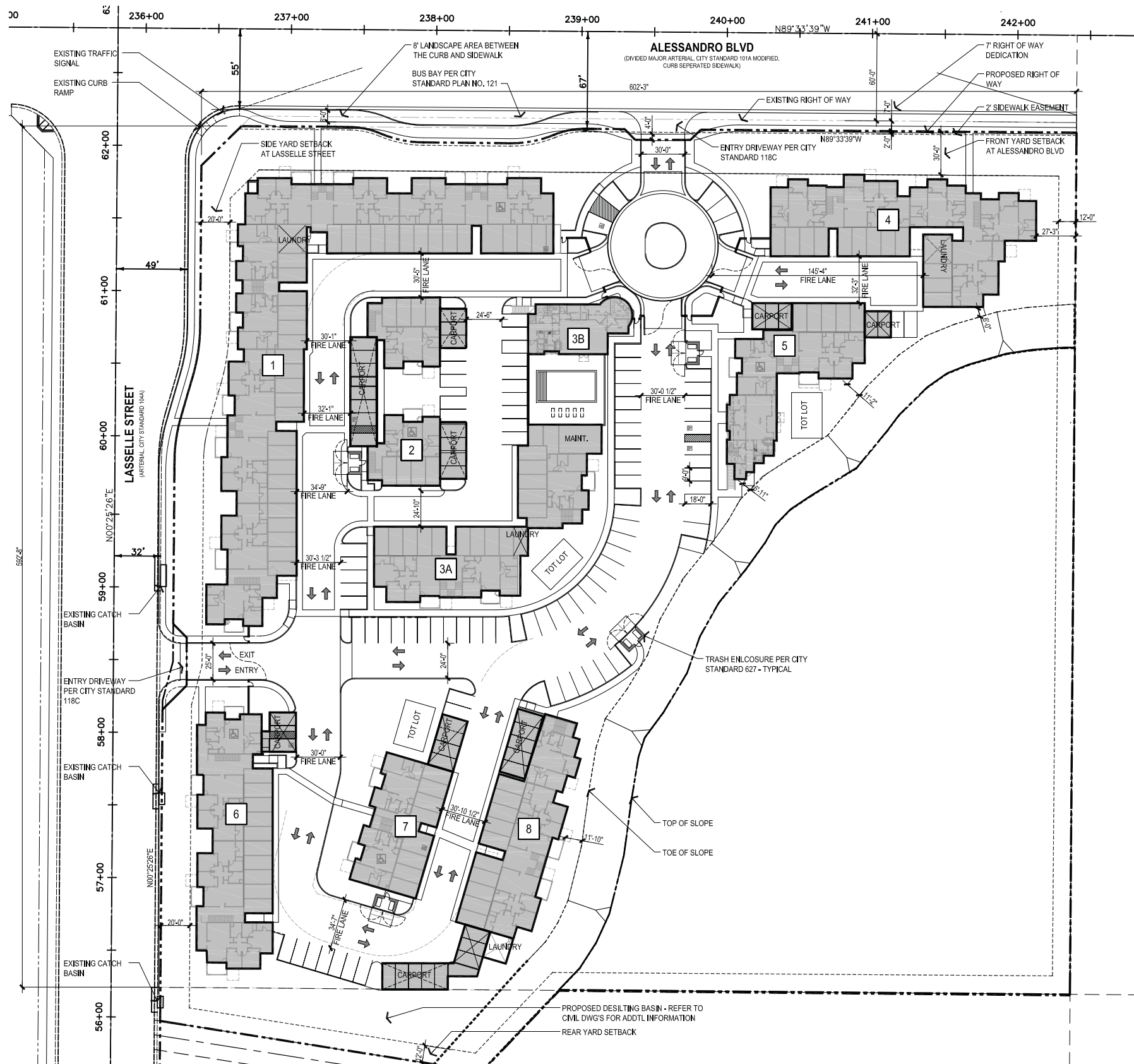
PERSPECTIVE VIEW - AERIAL VIEW

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A3.3



Project Description:

A 141 unit affordable apartment project on an 8.5 acre parcel including eight apartment buildings, two clubhouses with tot lots, and a pool. The unit mix includes 1, 2, and 3 bedroom apartments ranging from 680 square feet to 1,301 square feet. This project will require a zone change and general plan amendment to allow for a higher density multi-family land use.

Legal Description:

Real property in the City of Moreno Valley, County of Riverside, State of California, described as follows: LOT 4 IN BLOCK 120, MAP NO. 1 BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER THE SOUTH HALF OF ALESSANDRO BOULEVARD AND THE EAST HALF OF LASSELLE STREET, WITHIN SAID BLOCK, LYING WESTERLY OF THE EASTERLY LINE OF SAID LOT, PROLONGED NORTHERLY AND NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT, PROLONGED WESTERLY

Project Data

Project Info:
 Address: Southeast corner of Alessandro Blvd. & Lasselie St.
 APN: 486-280-044
 City Case #: PA13-0006, 0007, 0008

Statistical Summary: (Based on Adjusted Net Acreage)

Open Space:	20%
Landscaping:	26%
Lot Coverage:	26%
Dwelling Units:	141 UNITS
Density:	25.1 DU / AC

Site Area Information
 Gross Site Acreage: 10.20 ACRES
 Adjusted Net Acreage: 5.61 ACRES
 (excludes the 2.95 acre open space/rock outcropping)

Floor Area (MVMC Chapter 9.15.030): 194,843 SQ. FT.
 Allowed Floor Area: 244,371.6 SQ. FT.
 FAR: 0.80

Zoning Information
 Current: NC (Neighborhood Commercial) & R-15 (Residential-15)
 Proposed: R-30

Open Space Requirements:
 Required Open Space: 42,300 SF
 Provided Open Space: 52,214 SF

Unit Mix:
 1 Bedroom: 14 (10%)
 2 Bedroom: 79 (56%)
 3 Bedroom: 48 (34%)

Parking Requirements: (Based on 100% Affordable Housing)
 1B: 14 x 1 = 14
 2B: 82 x 1.5 = 118.5
 3B: 48 x 2 = 96
 Total Stalls Required: 228.5 (4.57 Accessible Stalls)
 Total Stalls Provided: 229 (6 Accessible Stalls)
 (At least one accessible stall is provided for each type of parking per CBC 1109A.3)

Unit SF Summary:

Unit Plan	Unit Type	SF
Plan 1A	1bd/1ba	680.4 sf
Plan 2A	2bd/1ba	877.1 sf
Plan 2B	2bd/2ba	1,015.5 sf
Plan 3A	3bd/2ba	1,301.3 sf

Recreation SF Summary:

Rec. Area	SF
Rec. Building 1	1,945 sf
Rec. Building 2	1,580 sf
Pool Area	2,504 sf

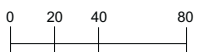
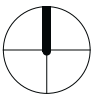
Covered Stall Requirements:
 1B: 14 x 1 = 14
 2B: 82 x 1 = 79
 3B: 48 x 1 = 48
 Total Covered Stalls Required: 141
 Total Covered Stalls Provided: 141
 (108 Garages, 33 Carports)

Building	Const. Type	1ST Floor	2ND Floor	3RD Floor	TOTAL
Building 1	VA	3 STORY 21,322 SQ. FT.	21,322 SQ. FT.	21,322 SQ. FT.	63,966 SQ. FT.
Building 2	VB	3 STORY 3,973 SQ. FT.	3,973 SQ. FT.	3,973 SQ. FT.	11,919 SQ. FT.
Building 3A	VB	3 STORY 7,814 SQ. FT.	6,890 SQ. FT.	6,913 SQ. FT.	21,617 SQ. FT.
Building 3B	VB	2 STORY 2012 SQ. FT.	963 SQ. FT.		2,975 SQ. FT.
Building 4	VB	3 STORY 8,879 SQ. FT.	8,879 SQ. FT.	8,879 SQ. FT.	26,637 SQ. FT.
Building 5	VB	3 STORY 5,252 SQ. FT.	4,674 SQ. FT.	3,695 SQ. FT.	13,621 SQ. FT.
Building 6	VB	3 STORY 7,795 SQ. FT.	7,795 SQ. FT.	7,795 SQ. FT.	23,385 SQ. FT.
Building 7	VB	3 STORY 4,016 SQ. FT.	4,016 SQ. FT.	4,016 SQ. FT.	12,048 SQ. FT.
Building 8	VB	3 STORY 6,055 SQ. FT.	6,055 SQ. FT.	6,055 SQ. FT.	18,165 SQ. FT.
TOTAL:					194,843 SQ. FT.

Building	1-Bed Units	2-Bed Units	3-Bed Units	TOTAL
Building 1	4	21	21	46 Units
Building 2	4	6	0	10 Units
Building 3A	0	12	3	15 Units
Building 3B	0	1	0	1 Units
Building 4	2	13	6	21 Units
Building 5	0	6	3	9 Units
Building 6	0	7	9	16 Units
Building 7	4	6	0	10 Units
Building 8	0	7	6	13 Units
TOTAL:	14	79	48	141 Units

GENERAL NOTES:

- ALL BUILDINGS SHALL BE EQUIPPED WITH AN APPROVED FIRE SPRINKLER SYSTEM.
- THE FIRE HYDRANT SYSTEM ON THE PUBLIC ROAD SHALL BE EXTENDED INTO THE AREA. FIRE HYDRANTS SHALL COMPLY WITH CFC 507.5.7 & MVMV 8.36.060 SECTION K.
- THIS PROJECT IS LOCATED IN THE HIGH FIRE SEVERITY ZONE AND SHALL COMPLY WITH CBC CHAPTER 7A AND CFC CHAPTER 49.
- FIRE LANES SHALL HAVE AN UNOBSTRUCTED WIDTH OF 30' FOR BUILDINGS MEASURING 35' OR HIGHER TO THE HIGHEST POINT AND 24' FOR ALL OTHERS.
- ALL FIRE LANES SHALL HAVE A UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 13'-6".
- ALL ROOF DRAINS ARE TO BE DIRECTED TO LANDSCAPE AREAS.



BOULDER RIDGE FAMILY APARTMENTS

SITE PLAN

A4.0



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05/15/2013

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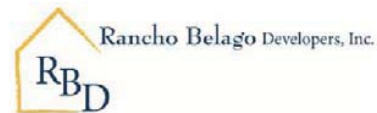




BOULDER RIDGE FAMILY APARTMENTS

SITE PLAN

A4.1



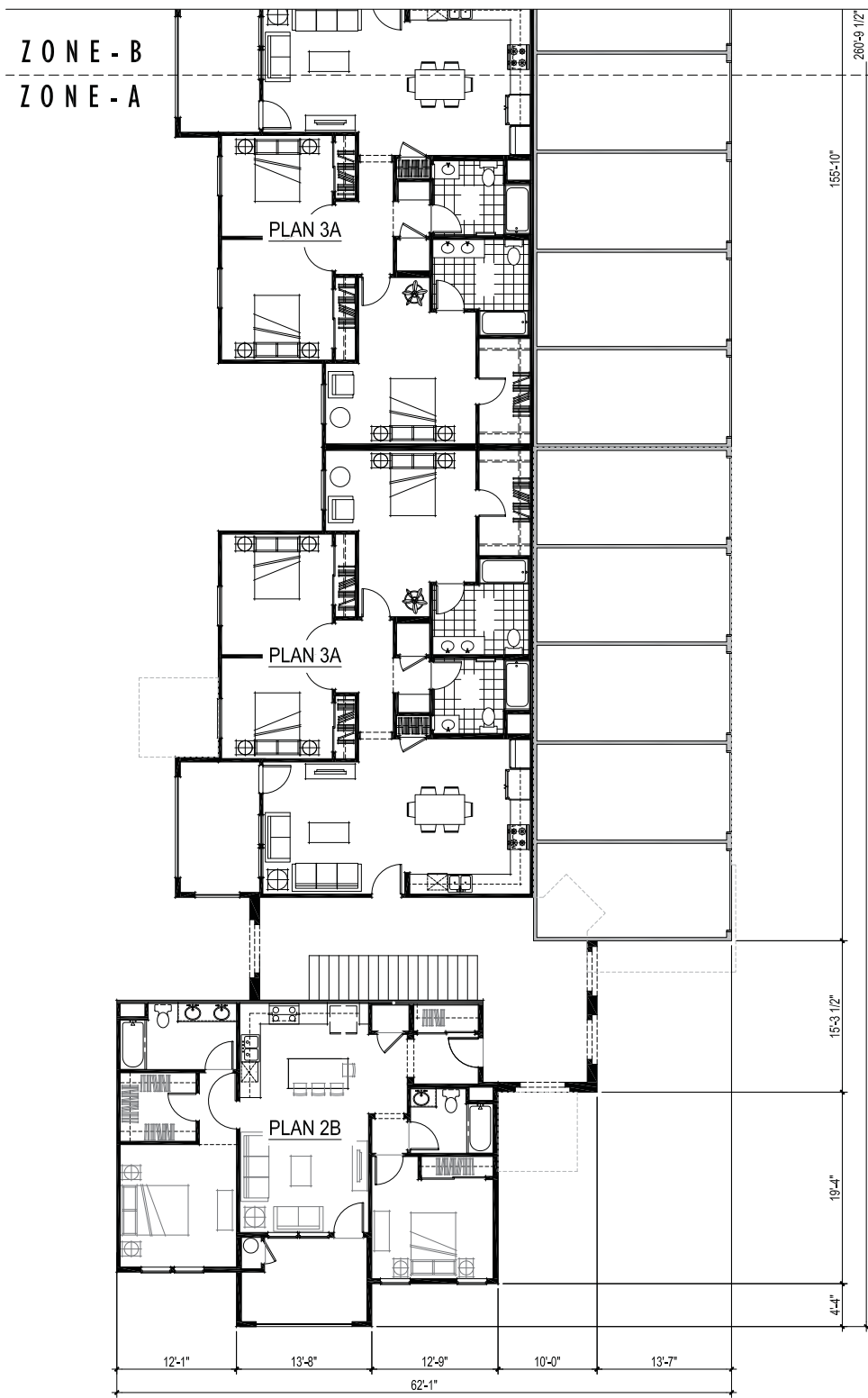
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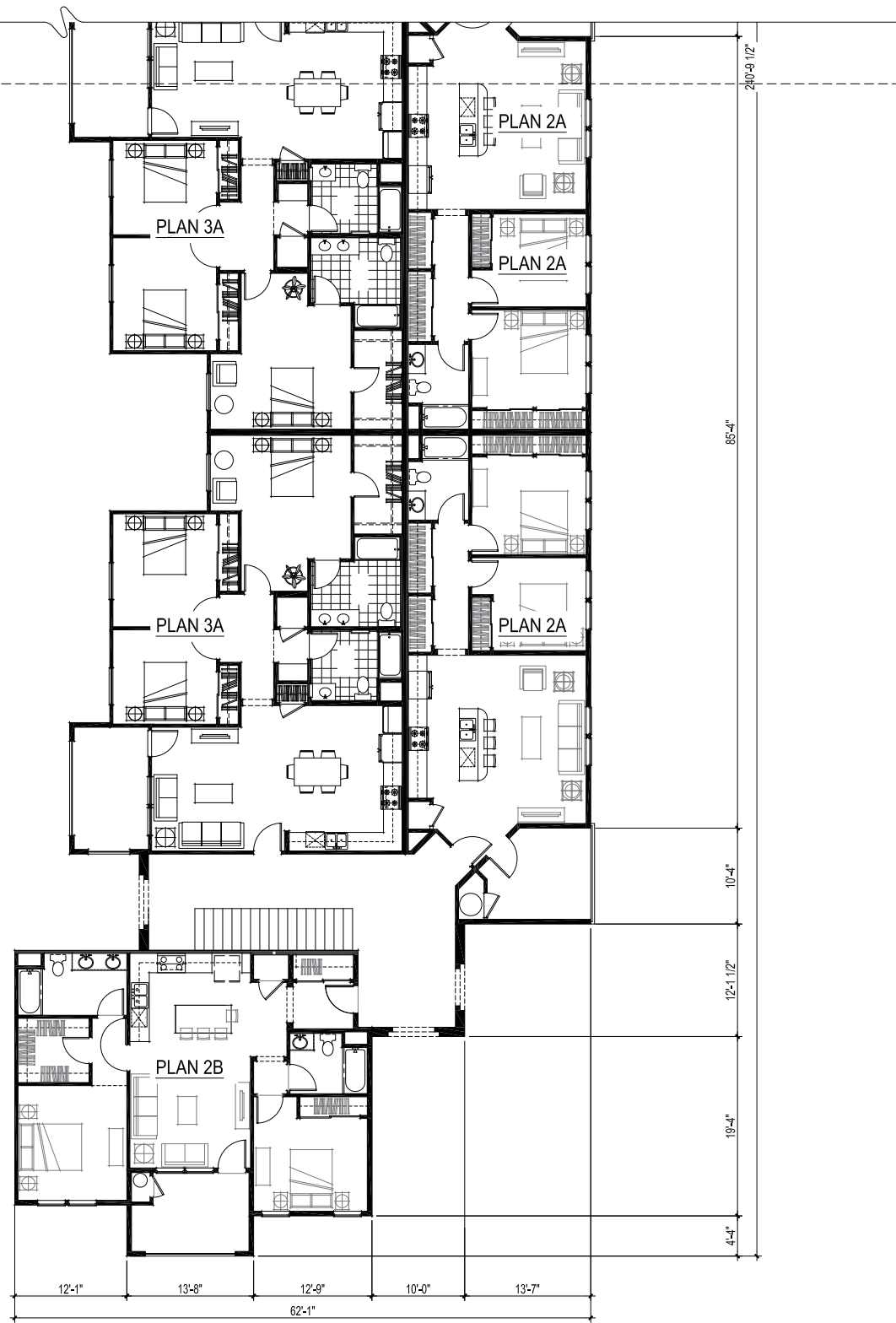
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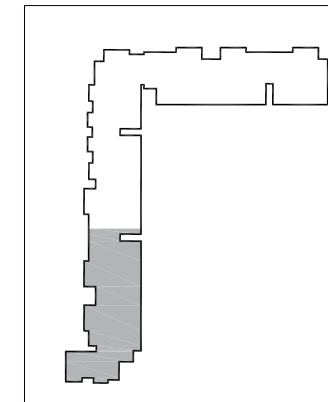
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GROUND FLOOR PLAN



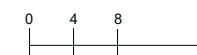
SECOND & THIRD FLOOR PLAN



ZONE KEY

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-I PARTIAL FLOOR PLANS, ZONE-A



A5.0

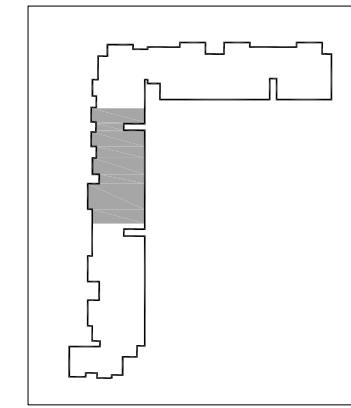
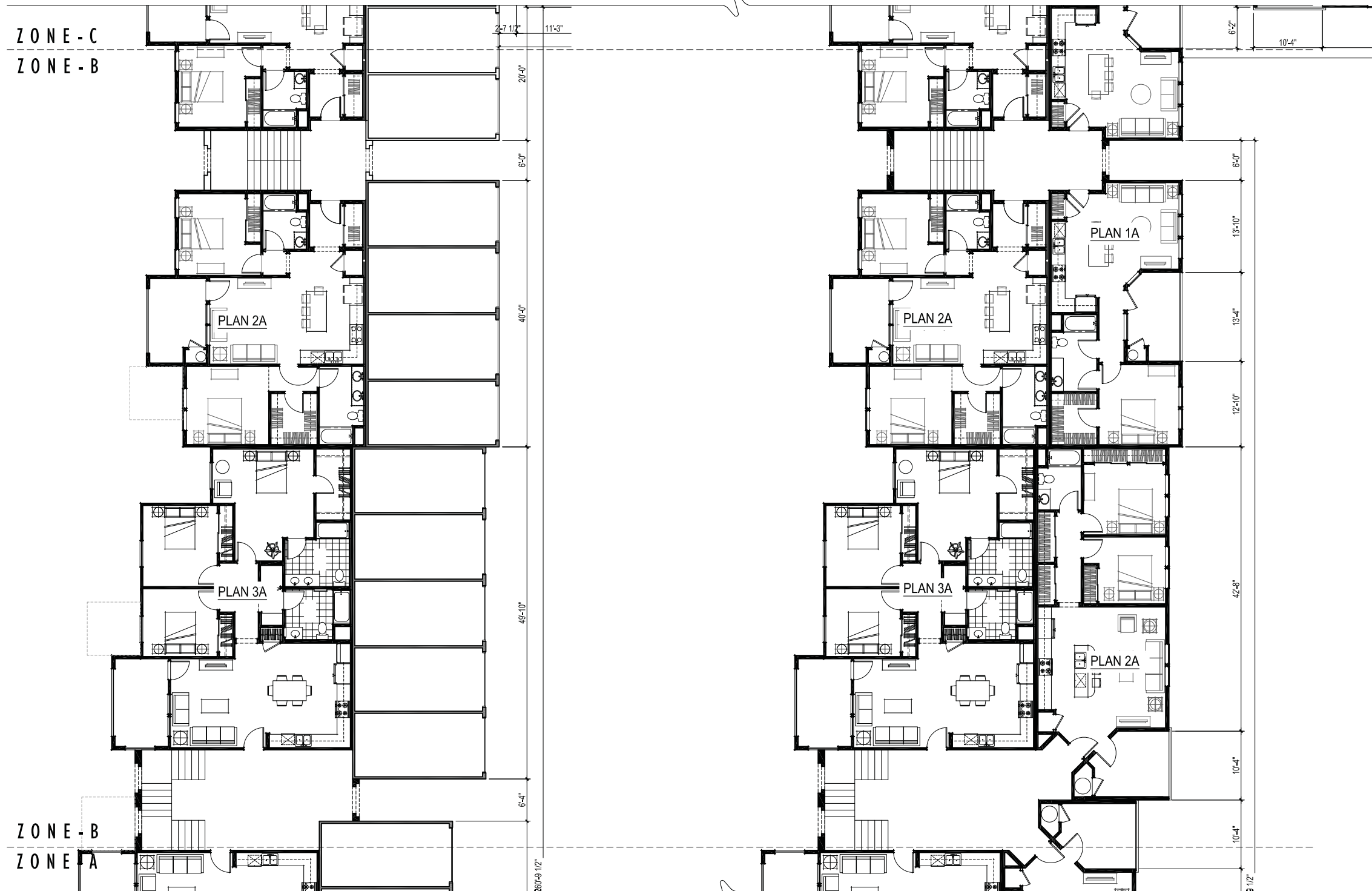


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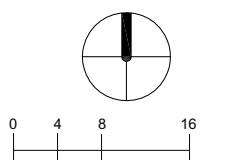
ZONE KEY

GROUND FLOOR PLAN

SECOND & THIRD FLOOR PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-I PARTIAL FLOOR PLANS, ZONE-B



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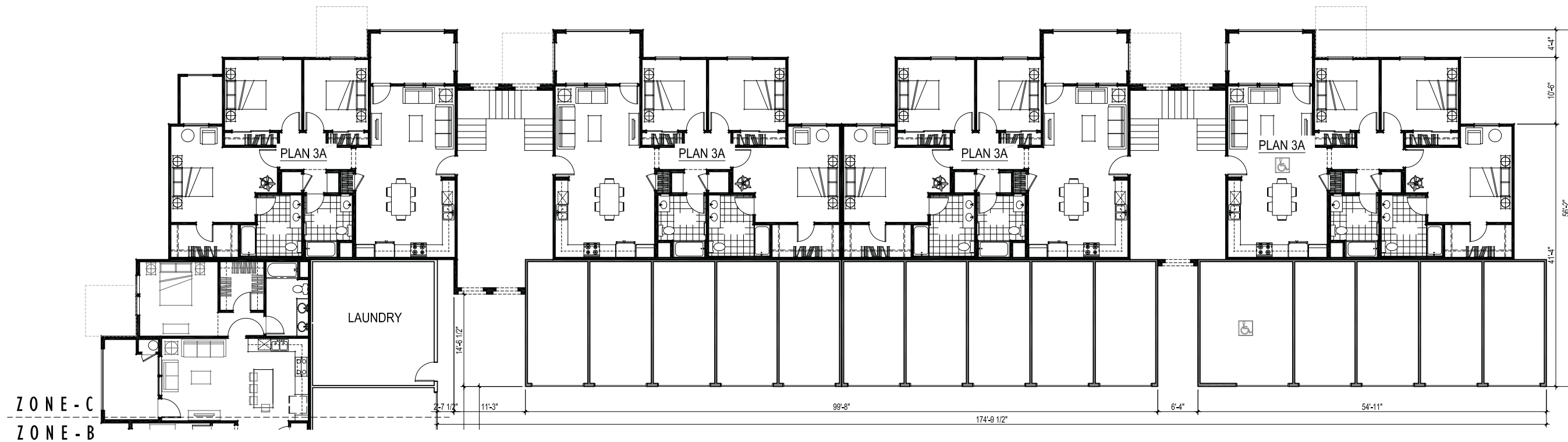


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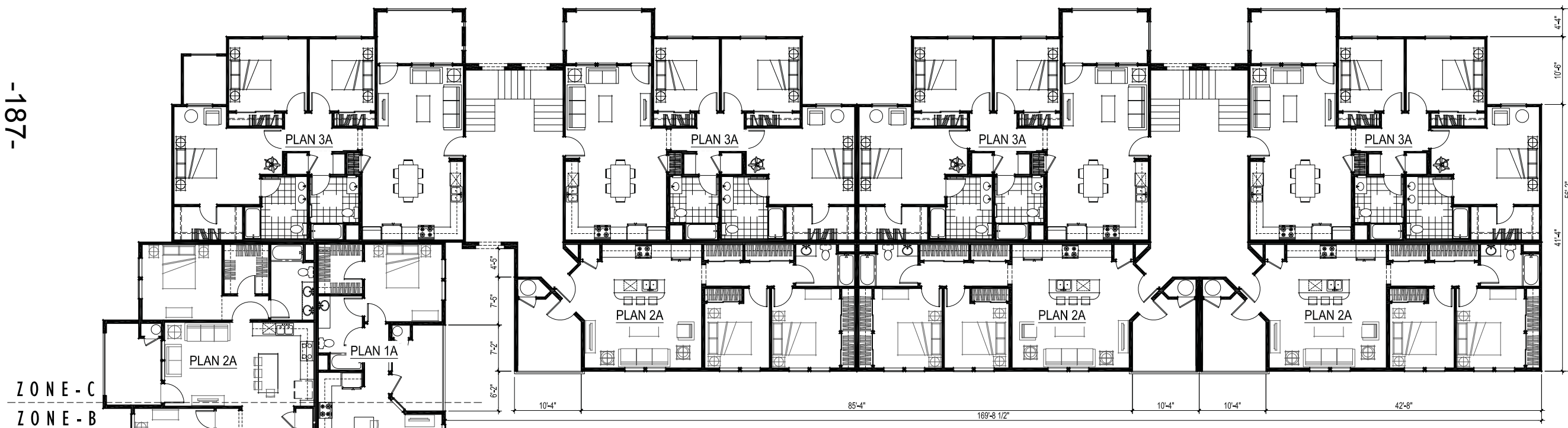
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GROUND FLOOR PLAN



SECOND & THIRD FLOOR PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-I PARTIAL FLOOR PLANS, ZONE-C

A5.2

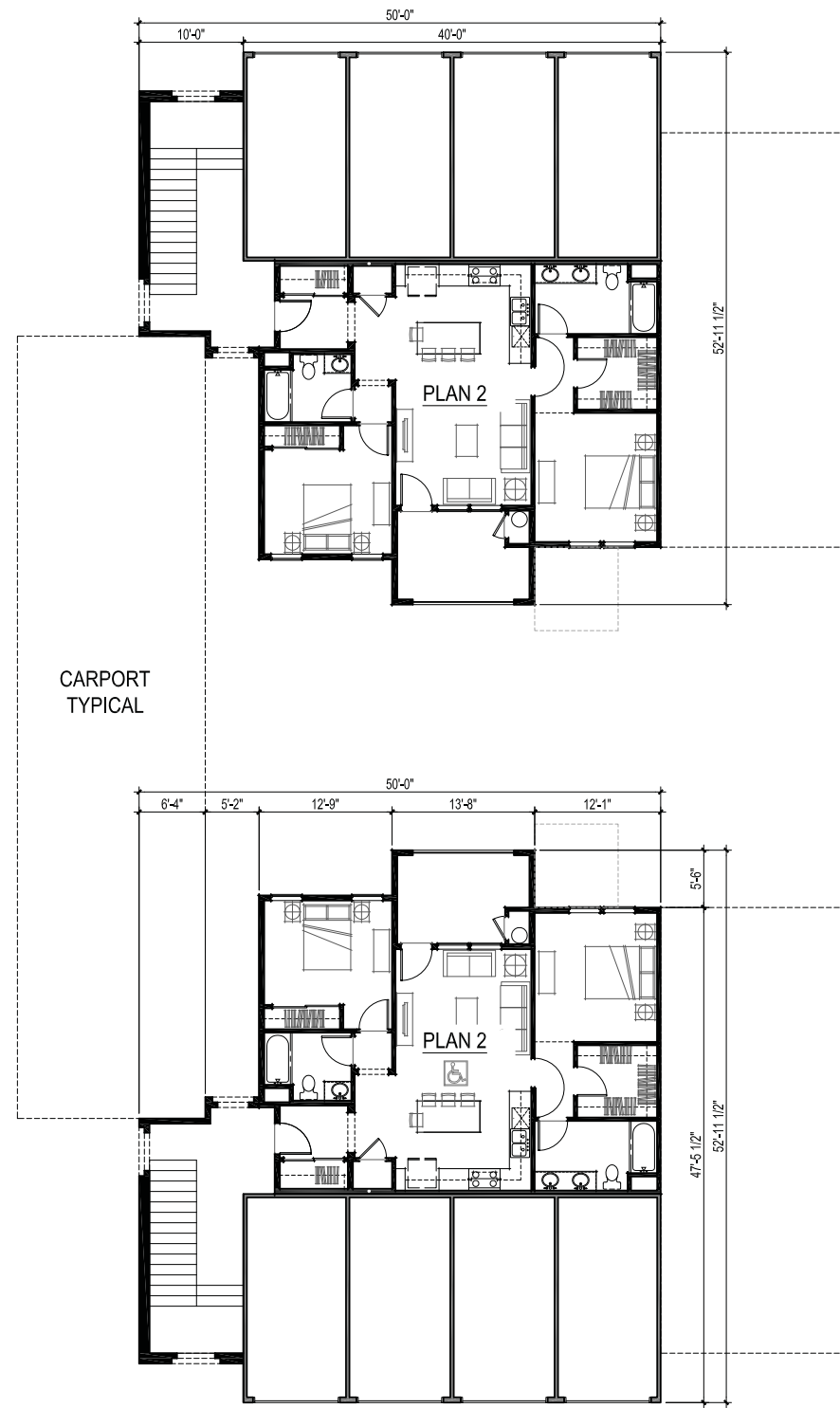


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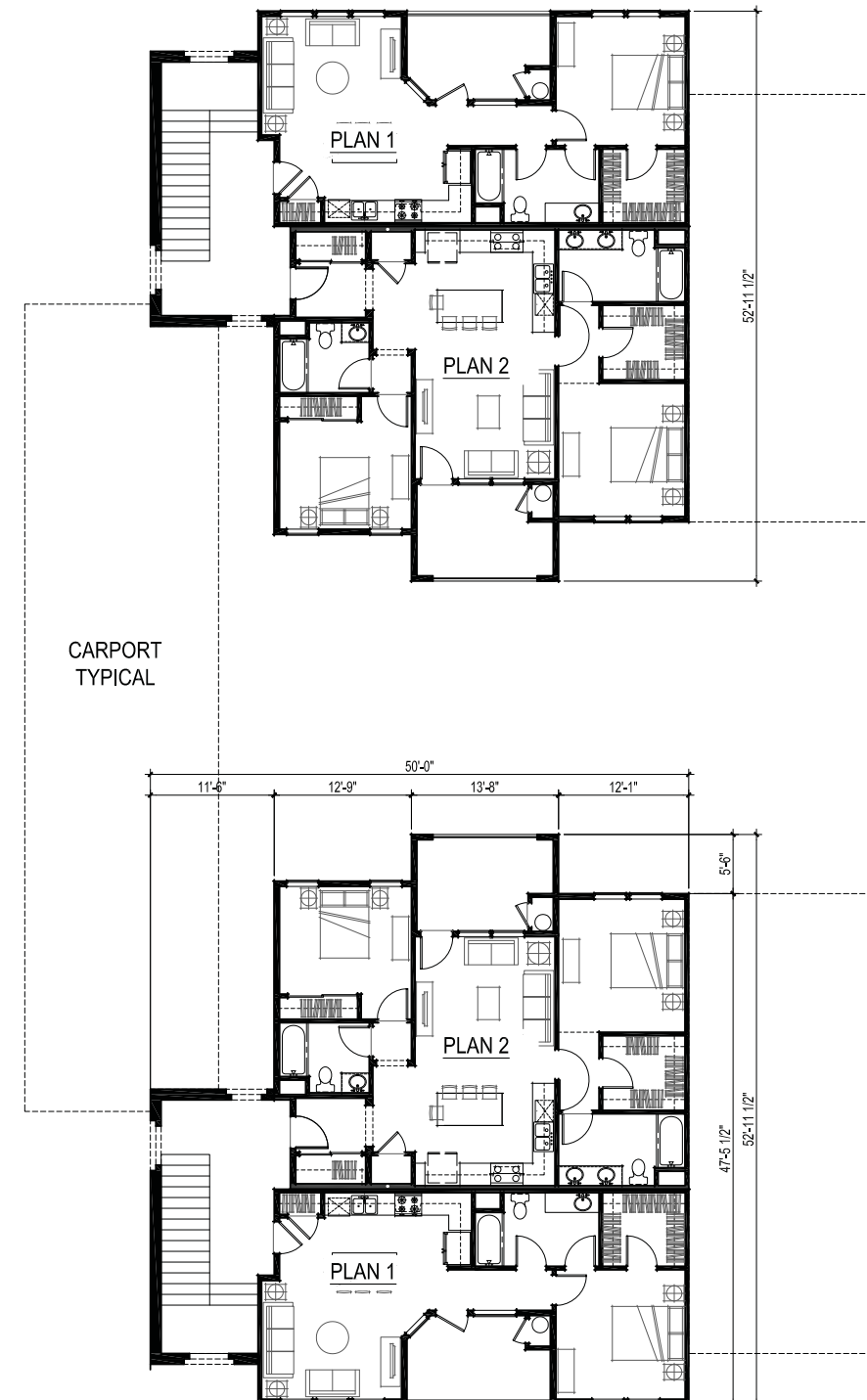
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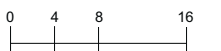
GROUND FLOOR PLAN



SECOND & THIRD FLOOR PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-2 FLOOR PLANS



A5.3



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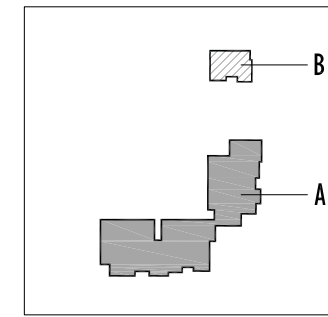
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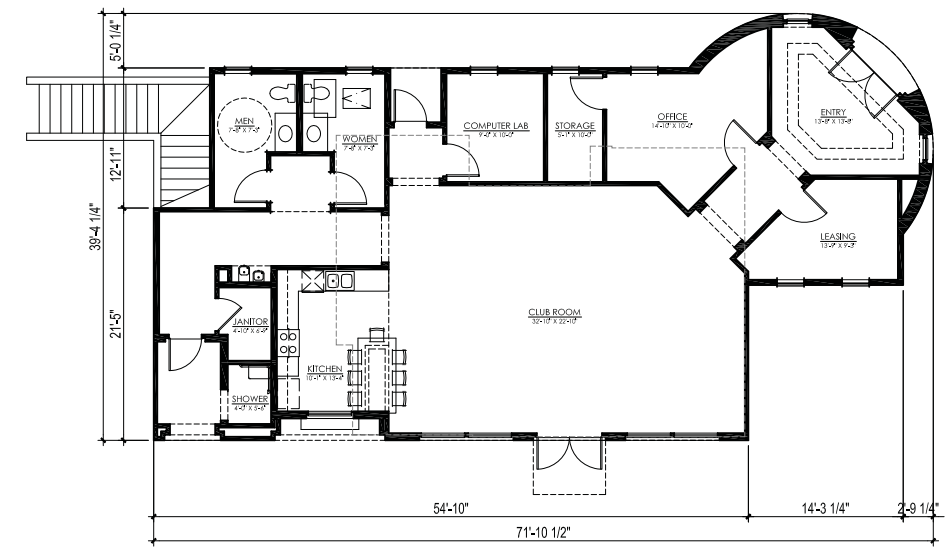


GROUND FLOOR PLAN

ZONE - A

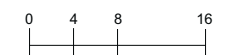
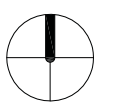


ZONE KEY



GROUND FLOOR PLAN

ZONE - B



BOULDER RIDGE FAMILY APARTMENTS

BUILDING-3A & 3B FLOOR PLANS

A5.4



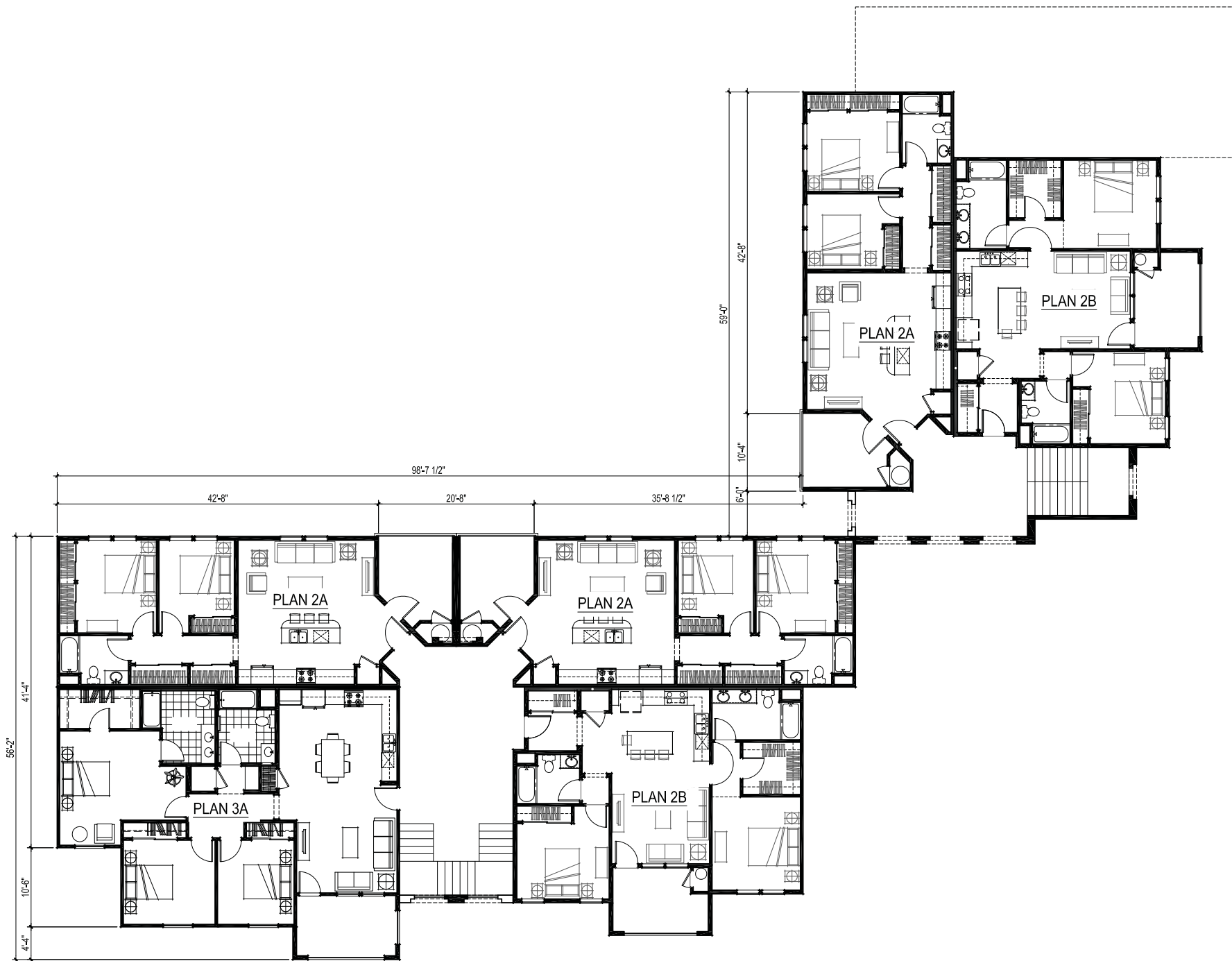
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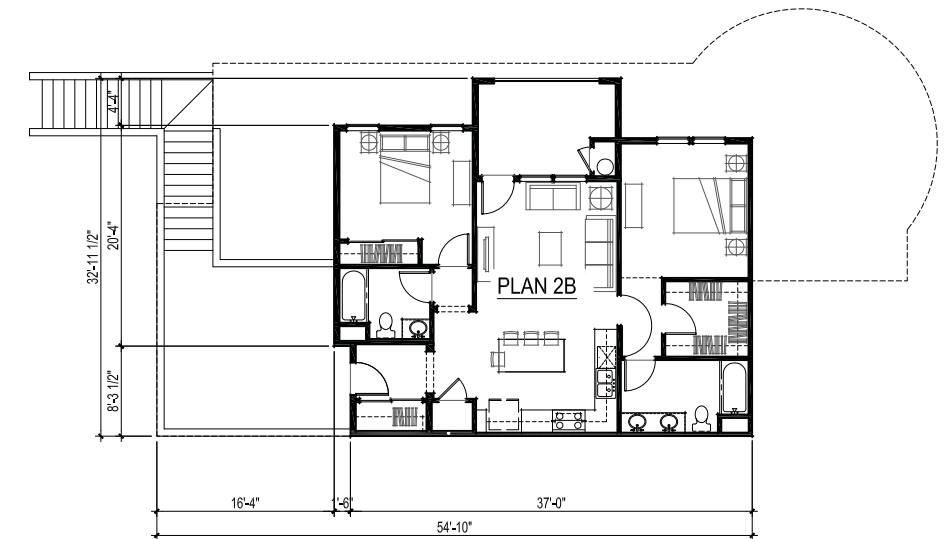
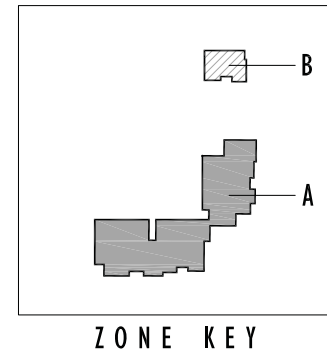
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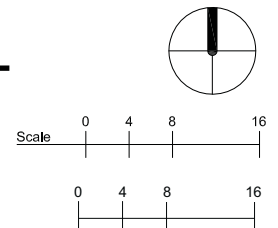
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SECOND & THIRD FLOOR PLAN
ZONE - A



SECOND FLOOR PLAN
ZONE - B



BOULDER RIDGE FAMILY APARTMENTS

BUILDING-3A & 3B FLOOR PLANS

A5.5

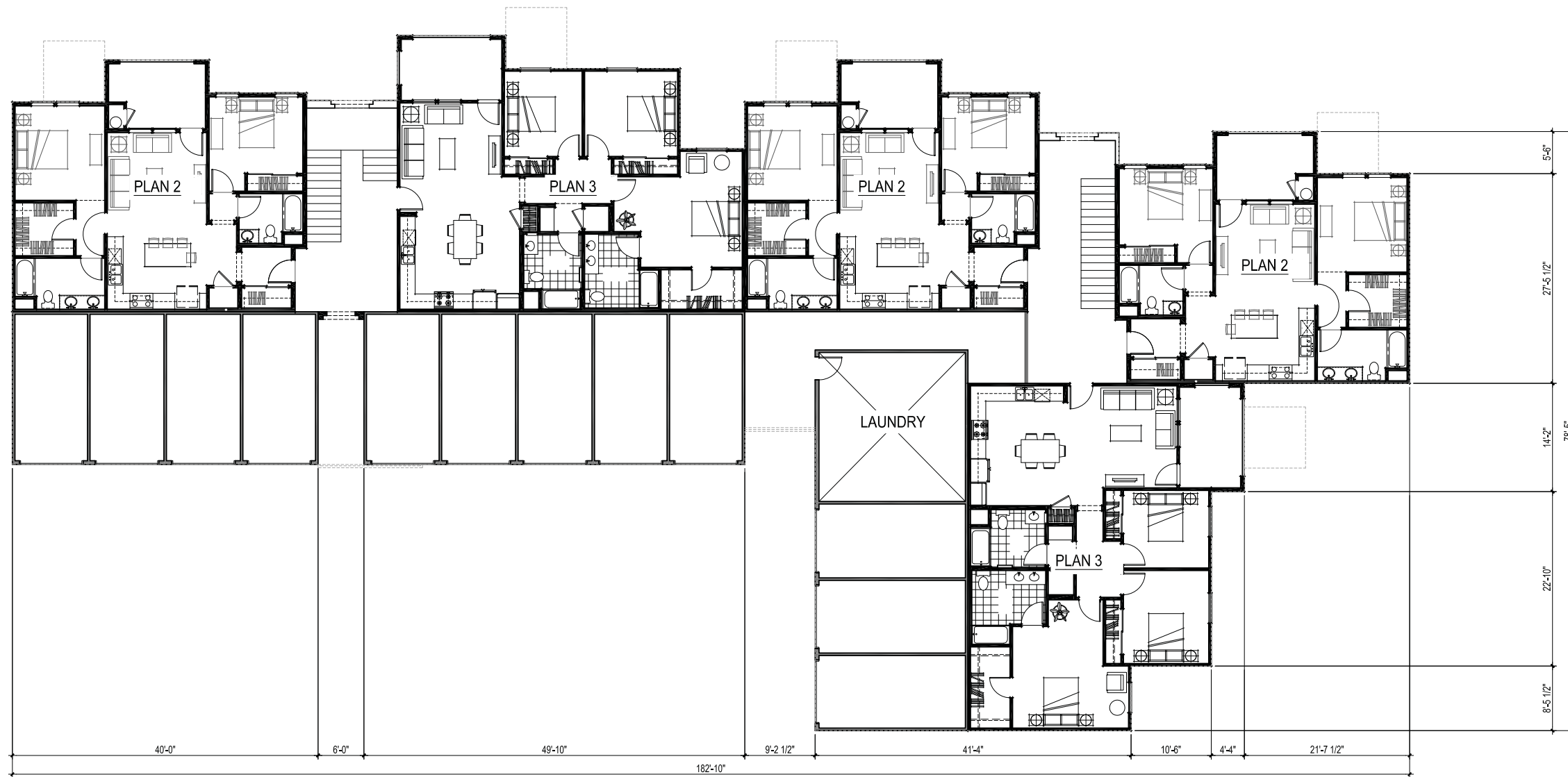


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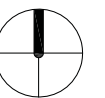




GROUND FLOOR PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-4 FLOOR PLANS



A5.6



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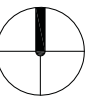
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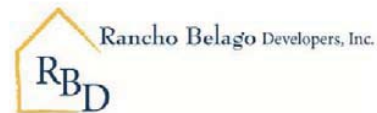
SECOND & THIRD FLOOR PLAN



A5.7

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-4 FLOOR PLANS

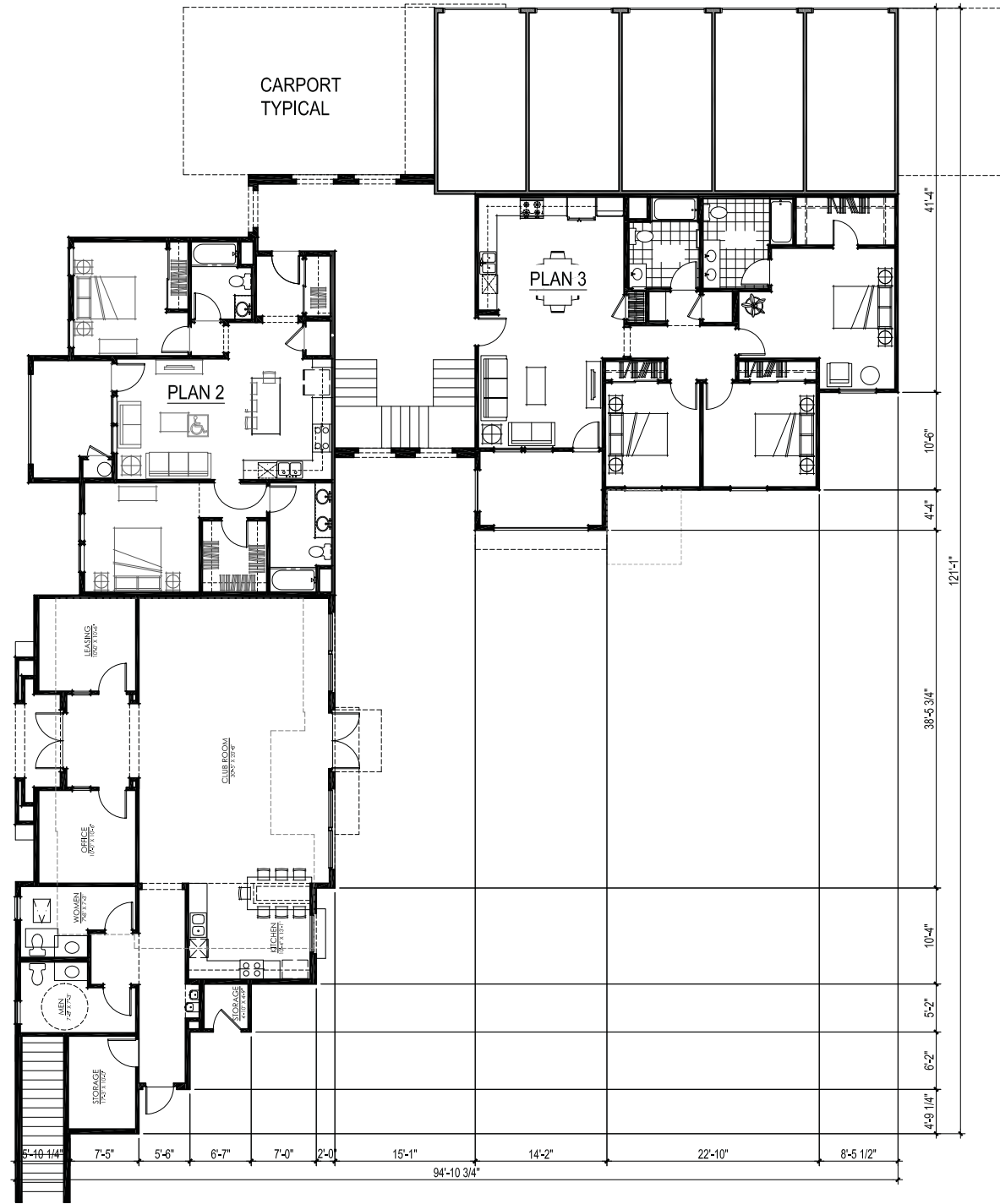


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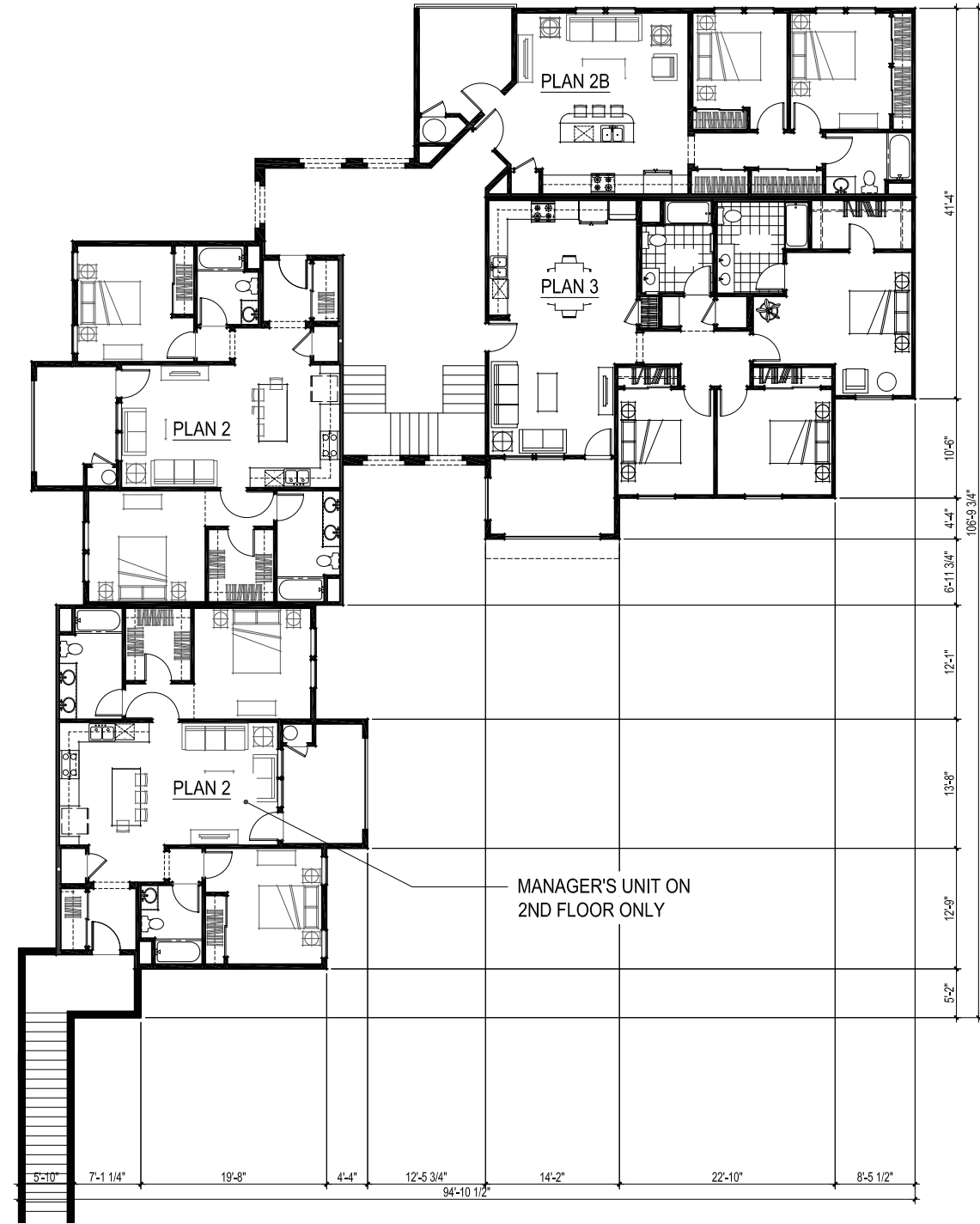
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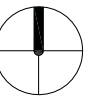




GROUND FLOOR PLAN



SECOND & THIRD FLOOR PLAN

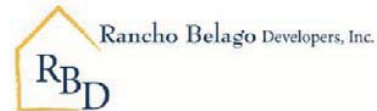


BOULDER RIDGE FAMILY APARTMENTS

BUILDING-5 FLOOR PLANS



A5.8

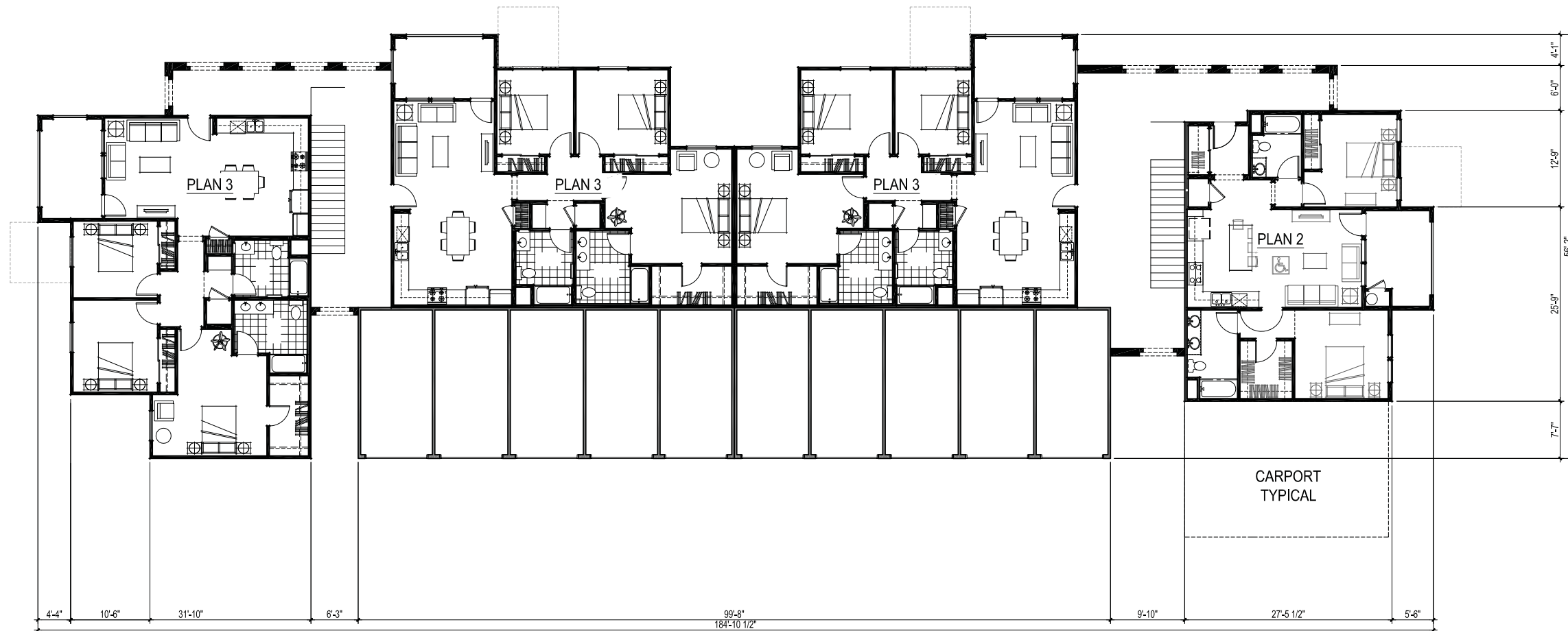


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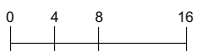
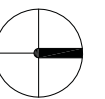




GROUND FLOOR PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-6 FLOOR PLANS



A5.9

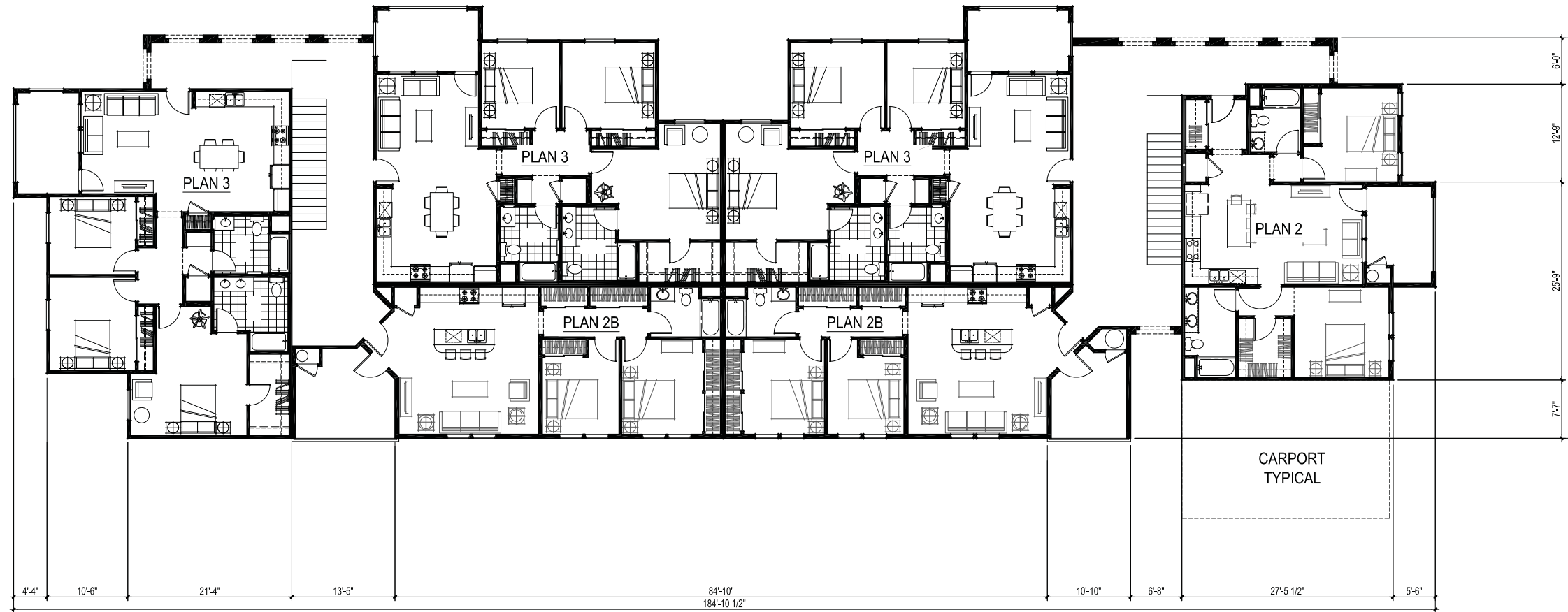


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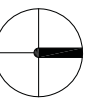
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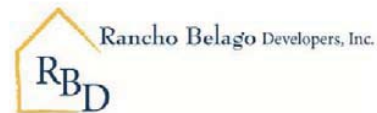
SECOND & THIRD FLOOR PLAN



A5.10

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-6 FLOOR PLANS

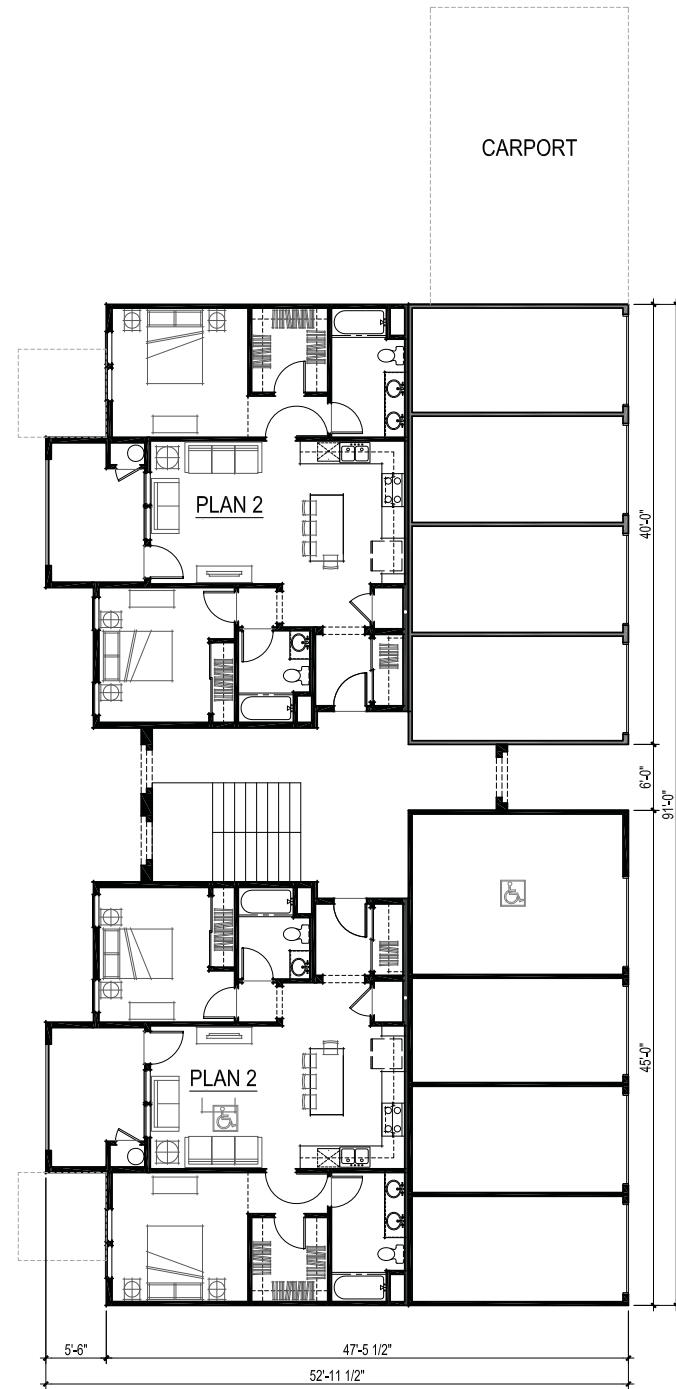


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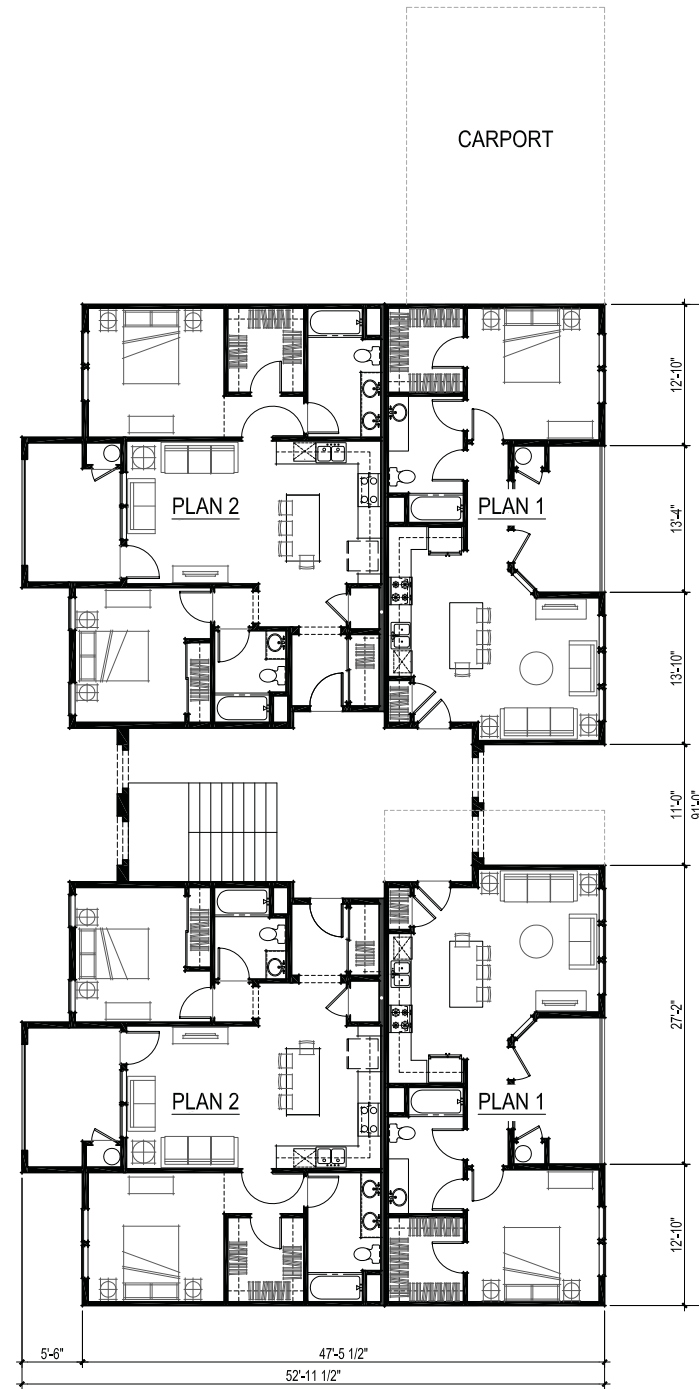
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GROUND FLOOR PLAN



SECOND & THIRD FLOOR PLAN

BOULDER RIDGE FAMILY APARTMENTS



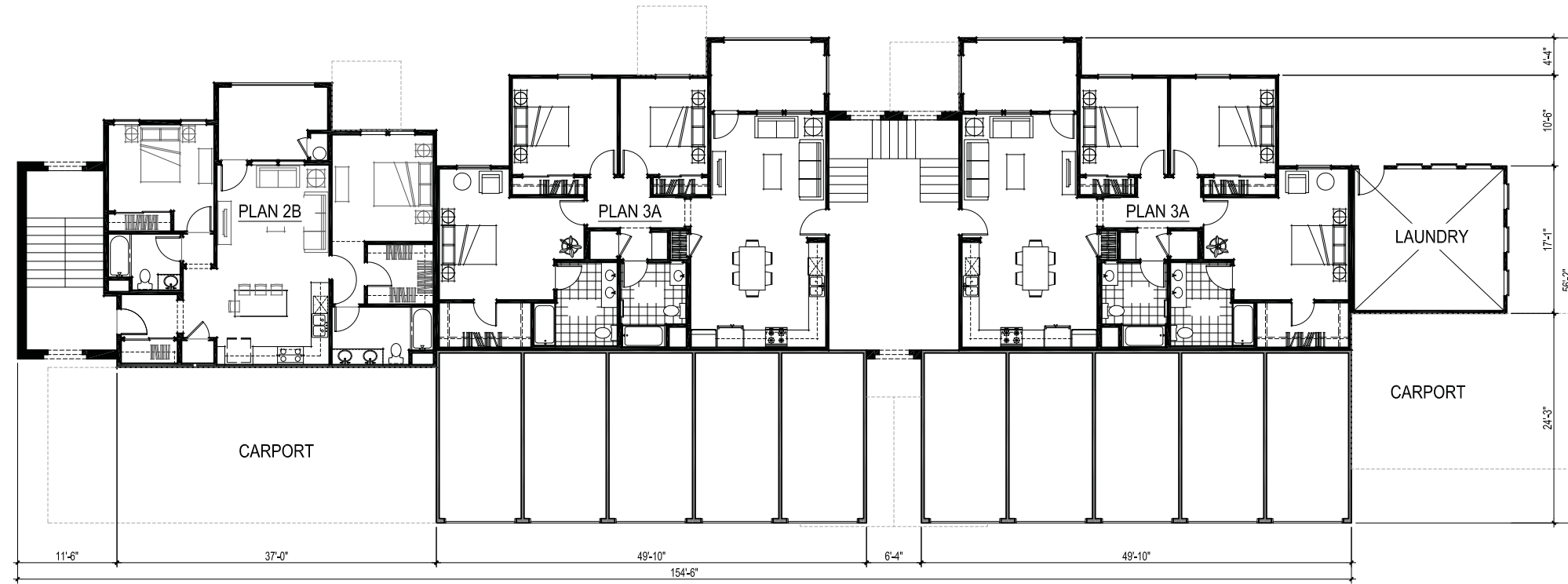
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BUILDING-7 FLOOR PLANS

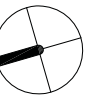
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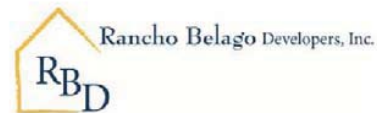
GROUND FLOOR PLAN



A5.12

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-8 FLOOR PLANS

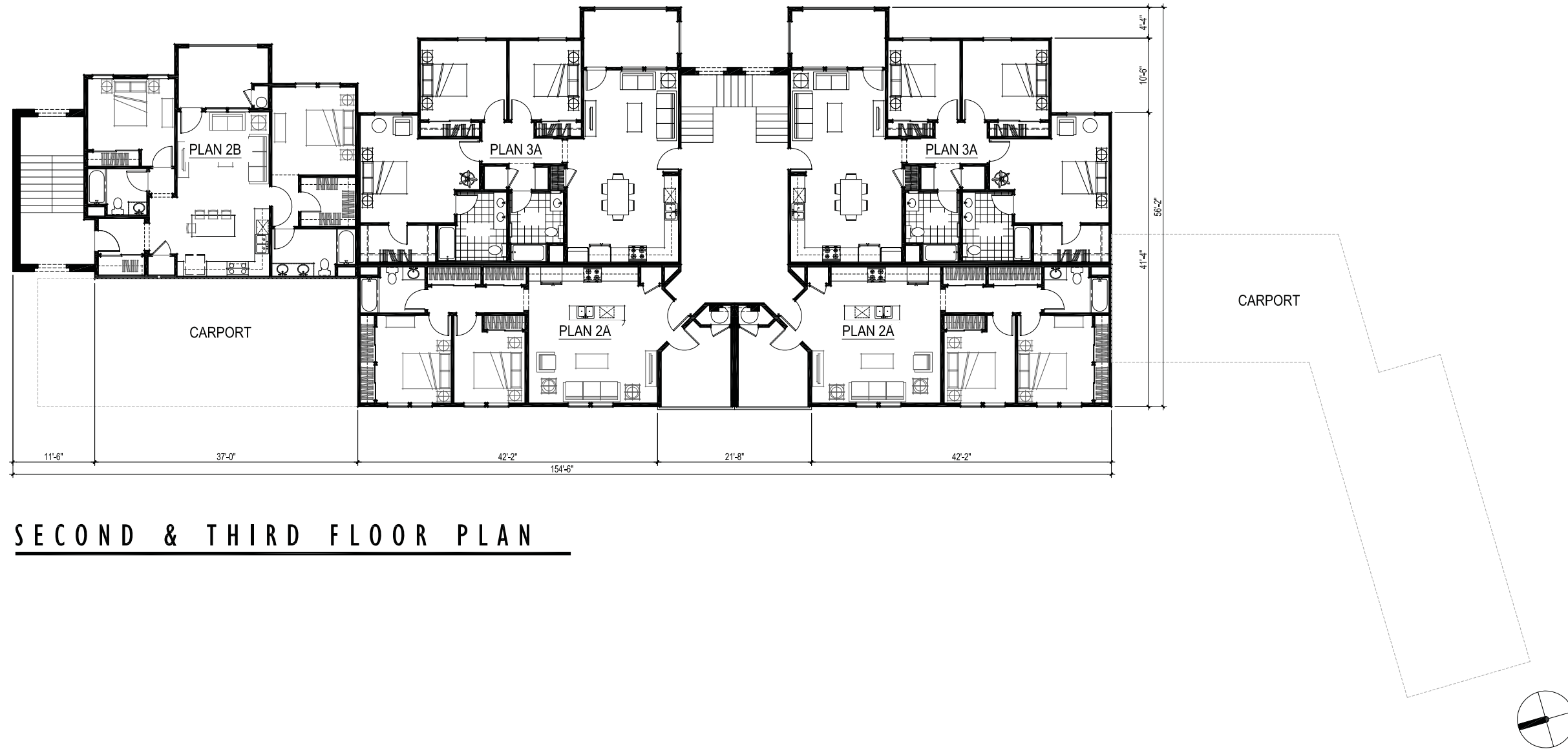


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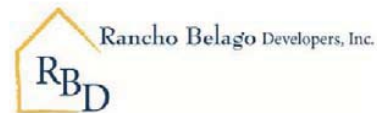


SECOND & THIRD FLOOR PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-8 FLOOR PLANS

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A5.13



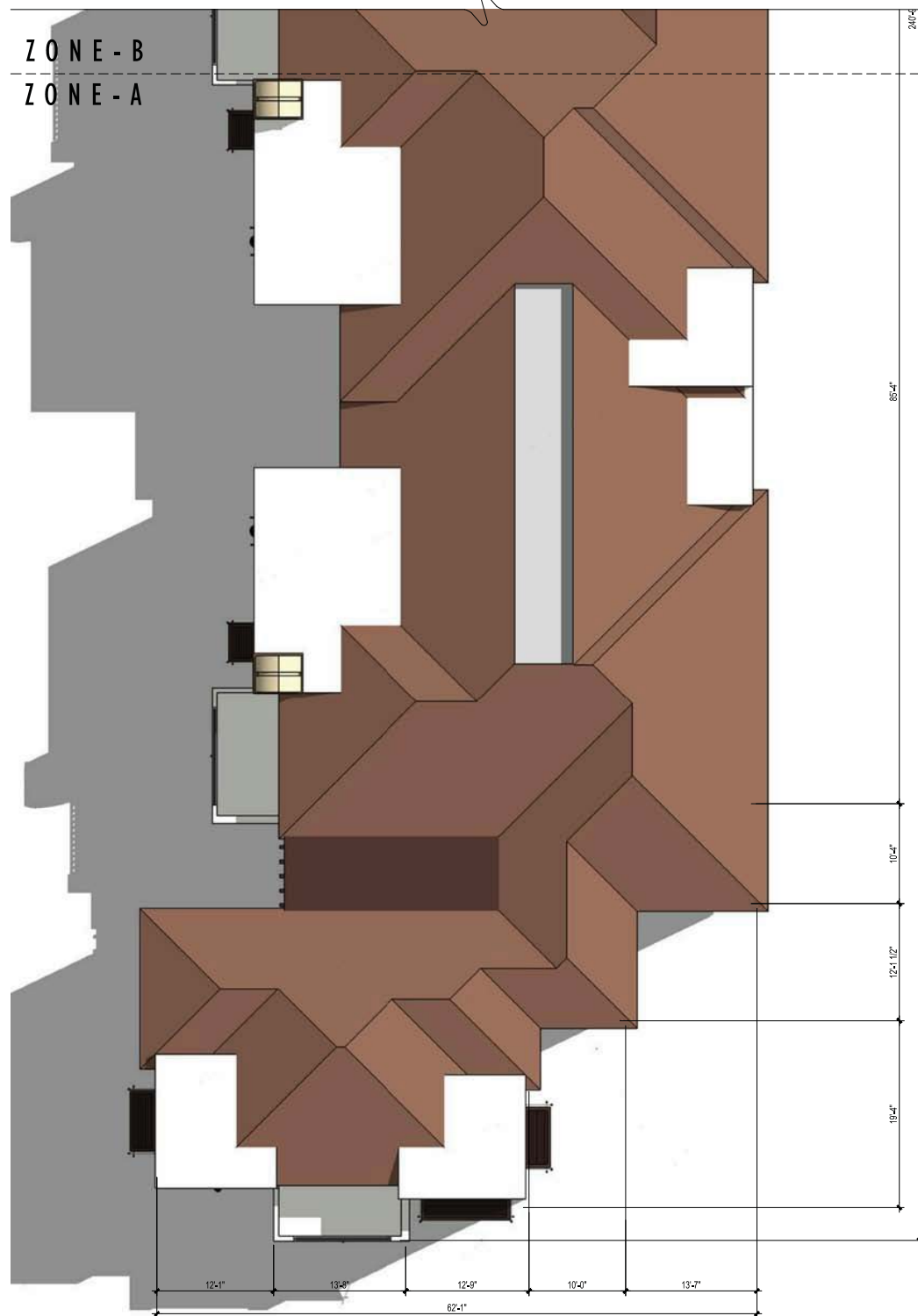
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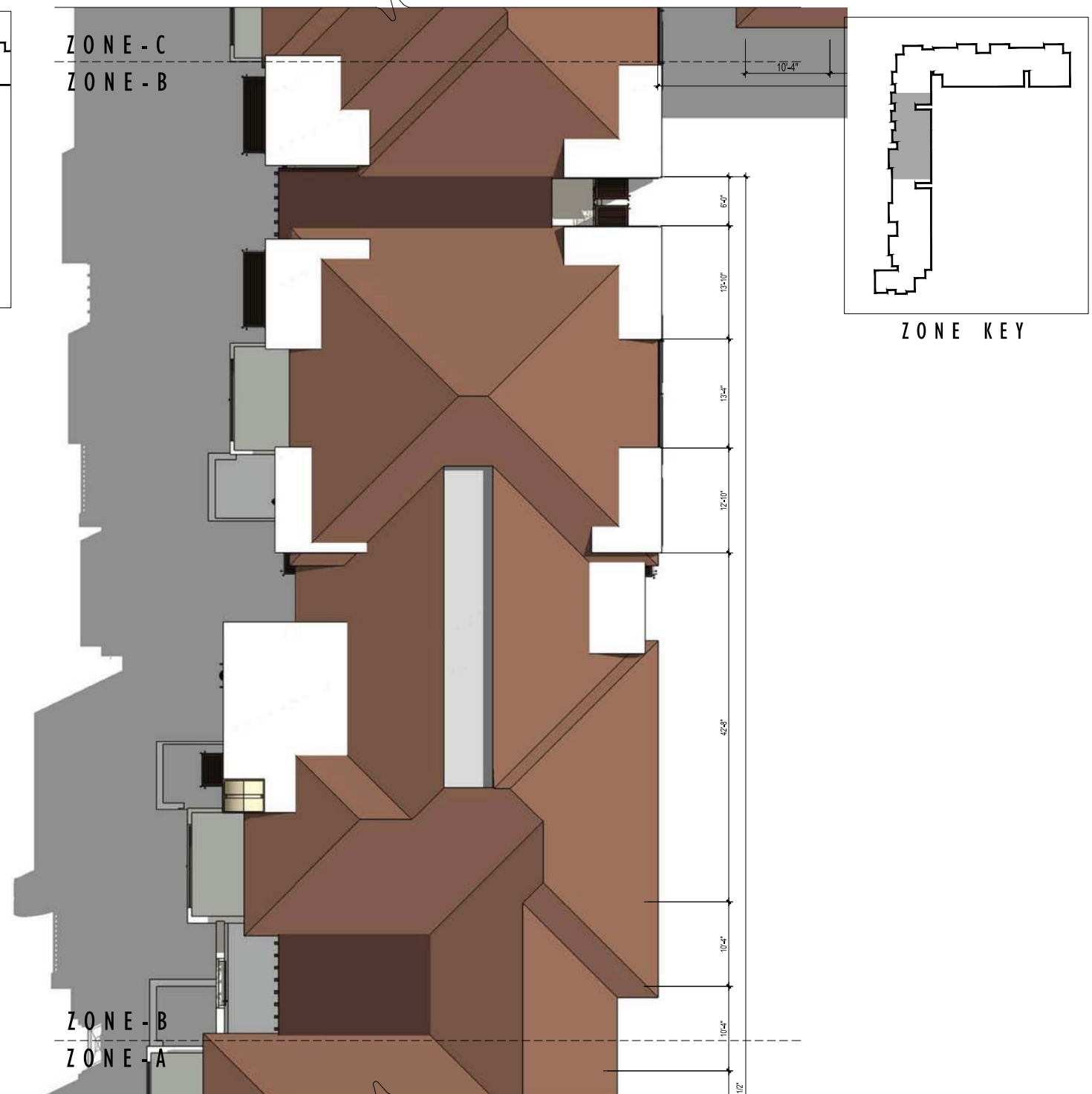
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ROOF PLAN



BUILDING-I PARTIAL ROOF PLANS, ZONE-A&B

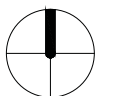
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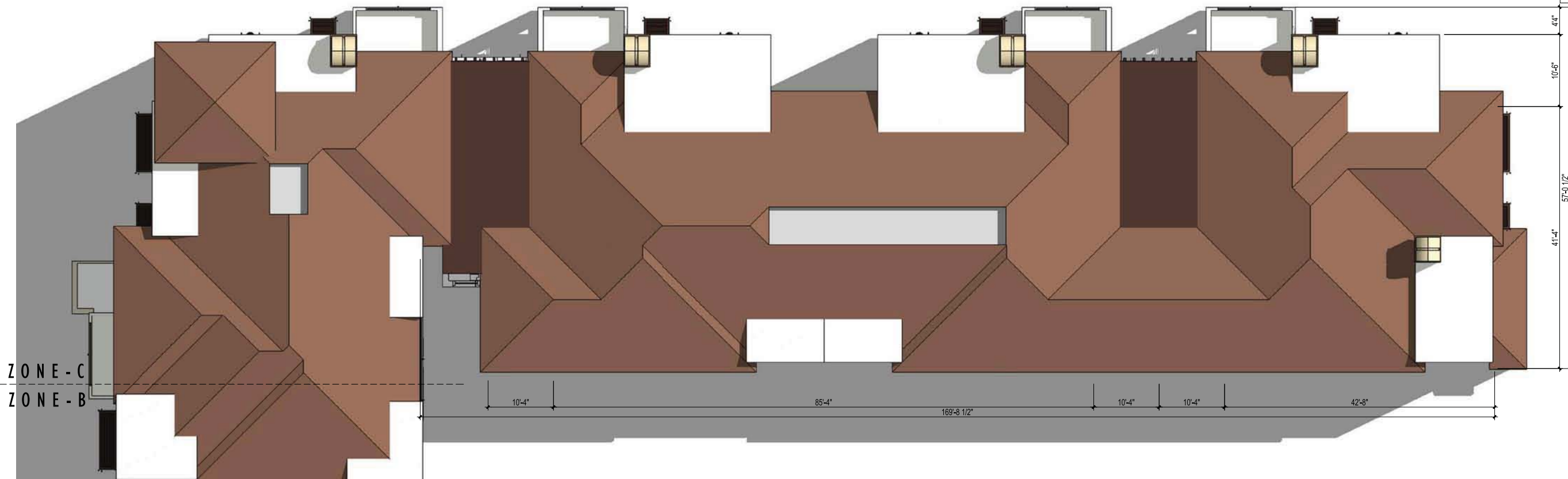
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A6.0

-200-



ZONE KEY

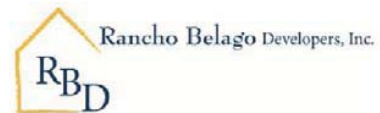
ROOF PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-I PARTIAL ROOF PLAN, ZONE-C



A6.1

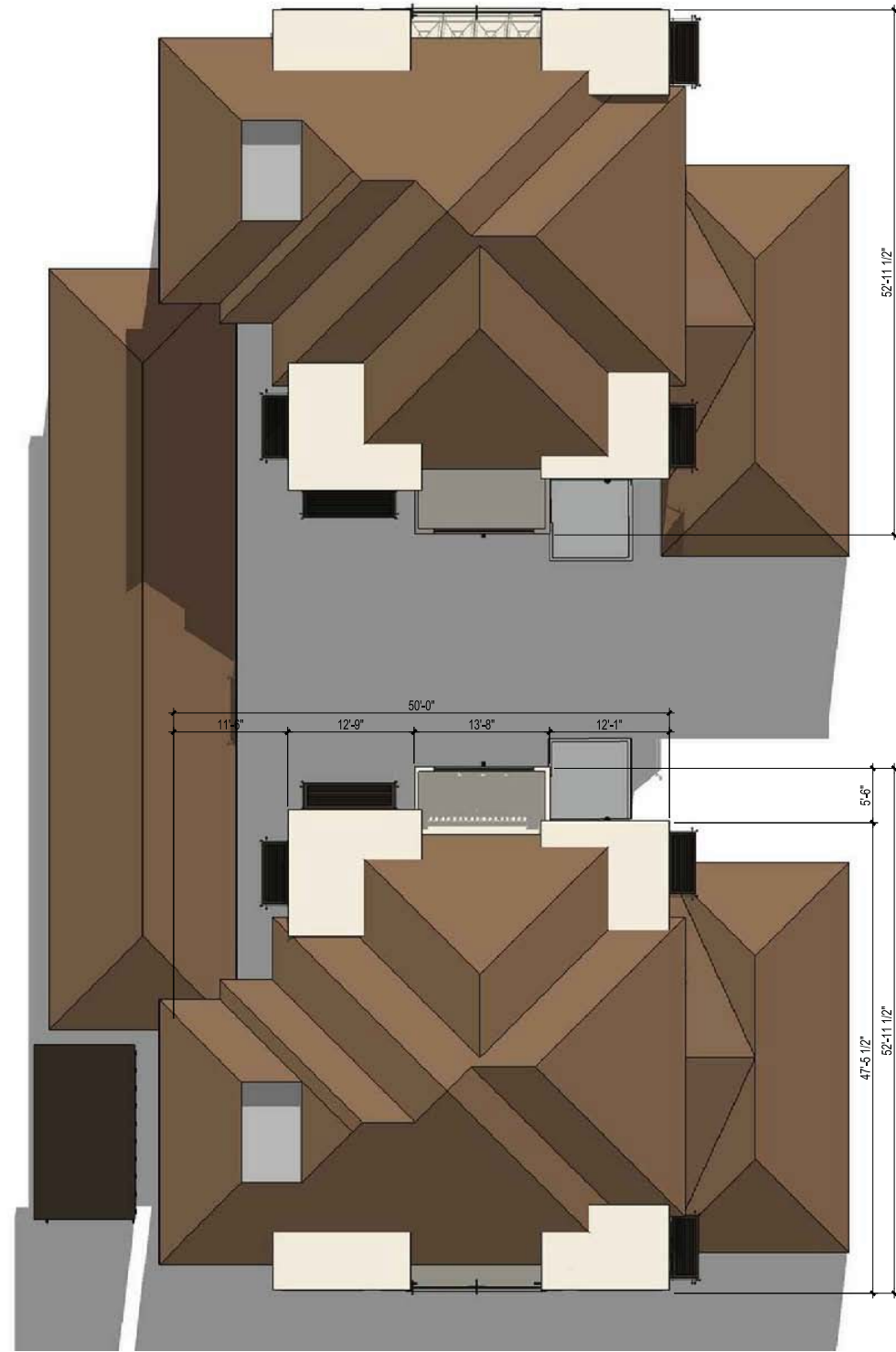


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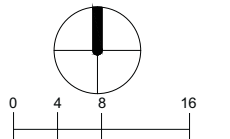
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ROOF PLAN



BOULDER RIDGE FAMILY APARTMENTS

BUILDING-2 ROOF PLAN

A6.2



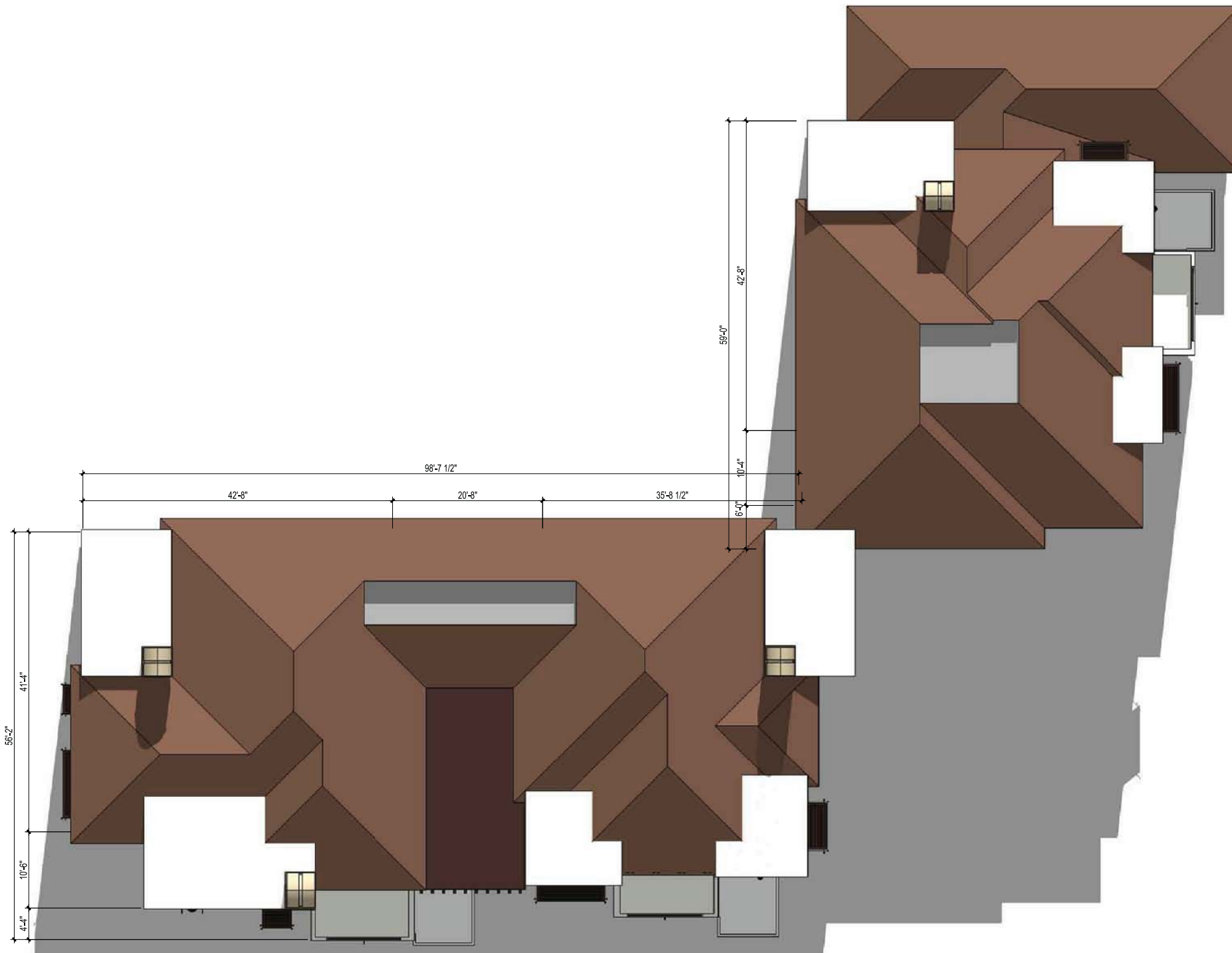
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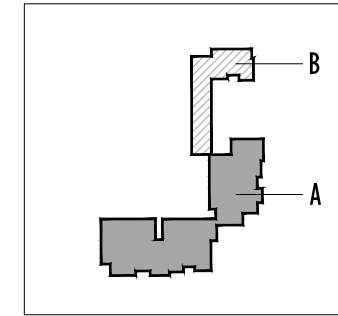


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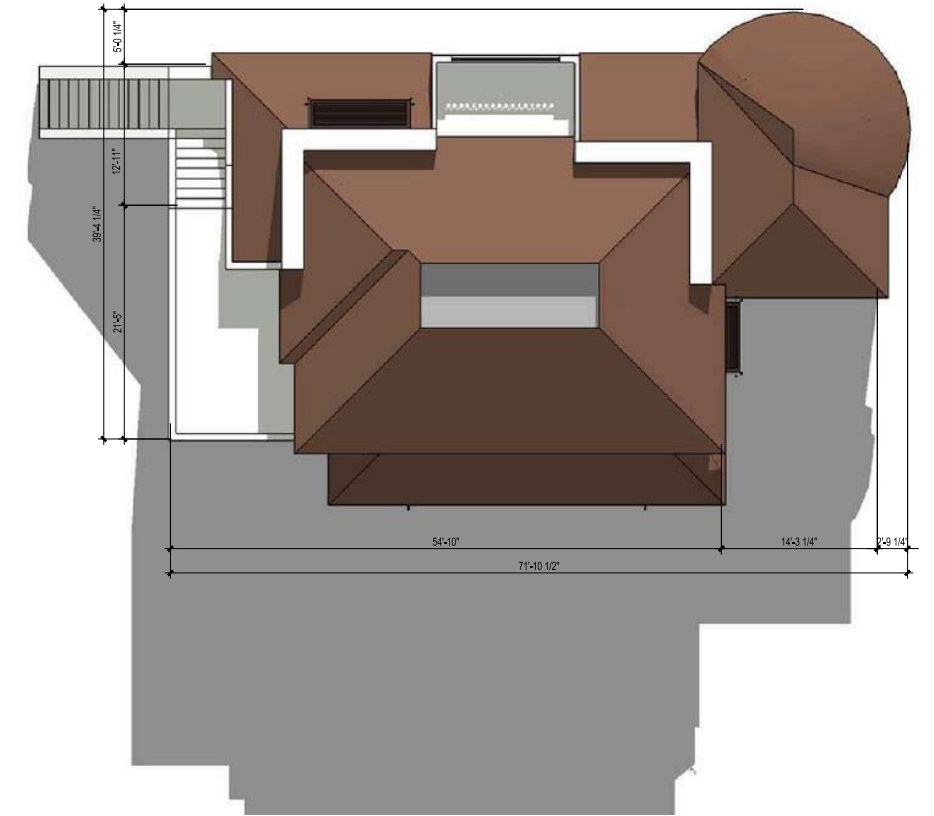


ROOF PLAN

ZONE - A



ZONE KEY

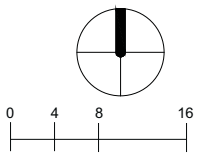


ROOF PLAN

ZONE - B

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-3A & 3B ROOF PLAN



A6.3



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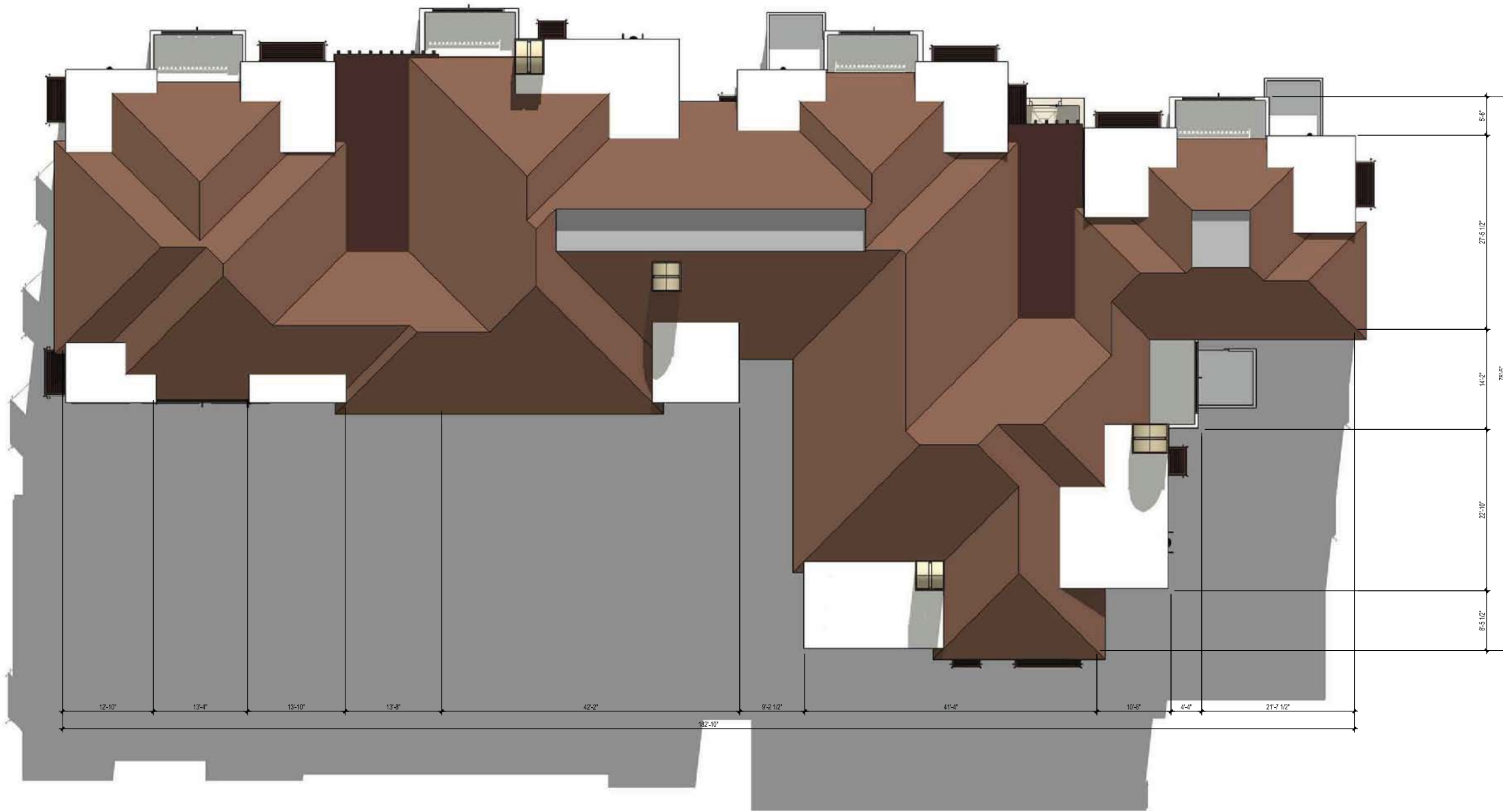
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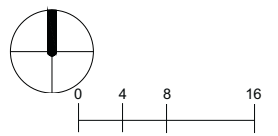
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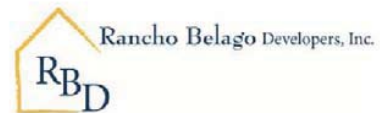
ROOF PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-4 ROOF PLAN



A6.4

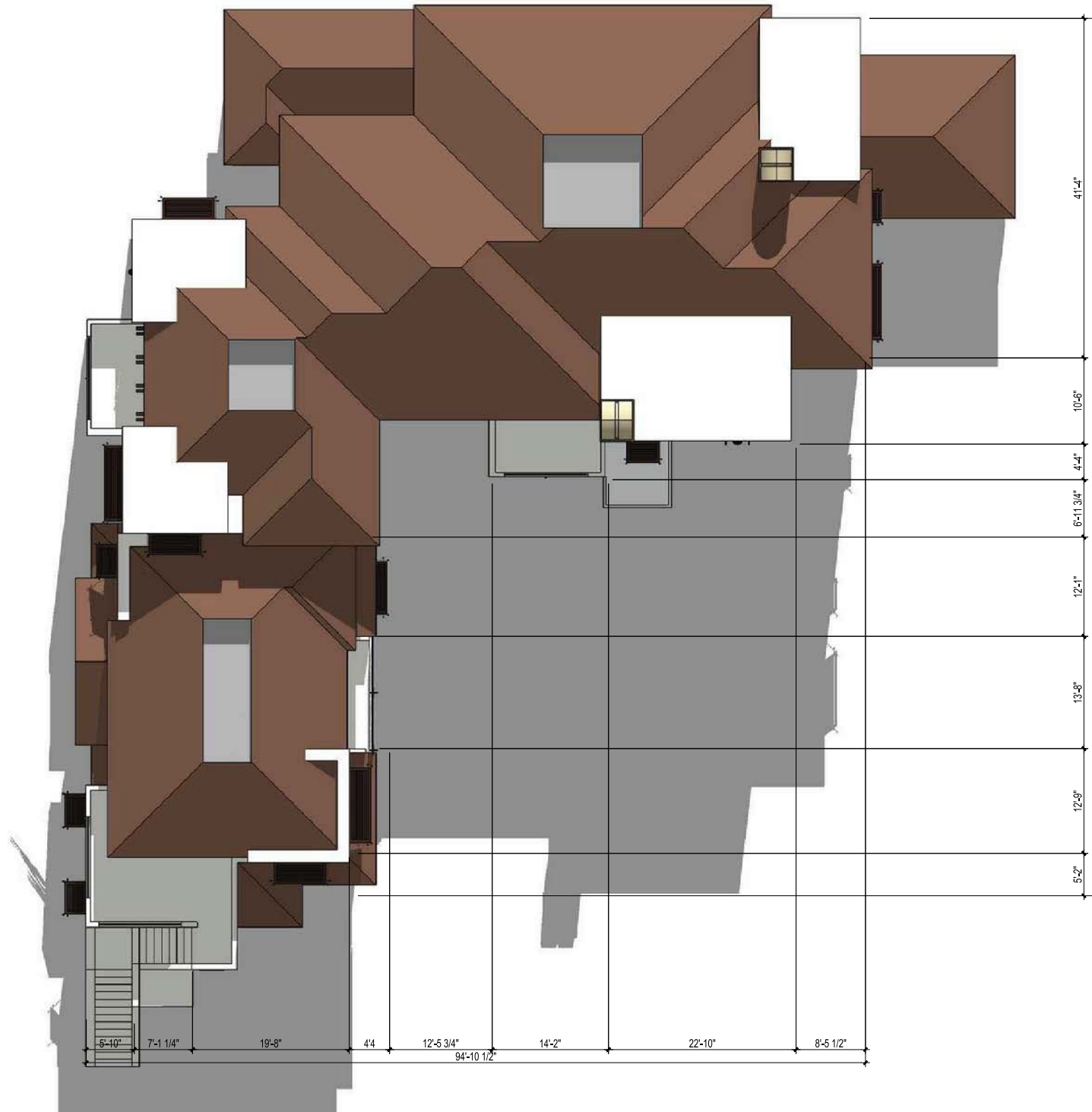


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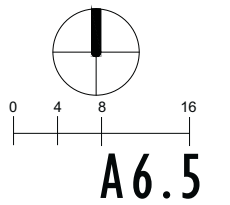




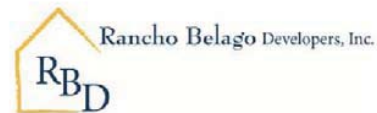
ROOF PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-5 ROOF PLAN



A6.5

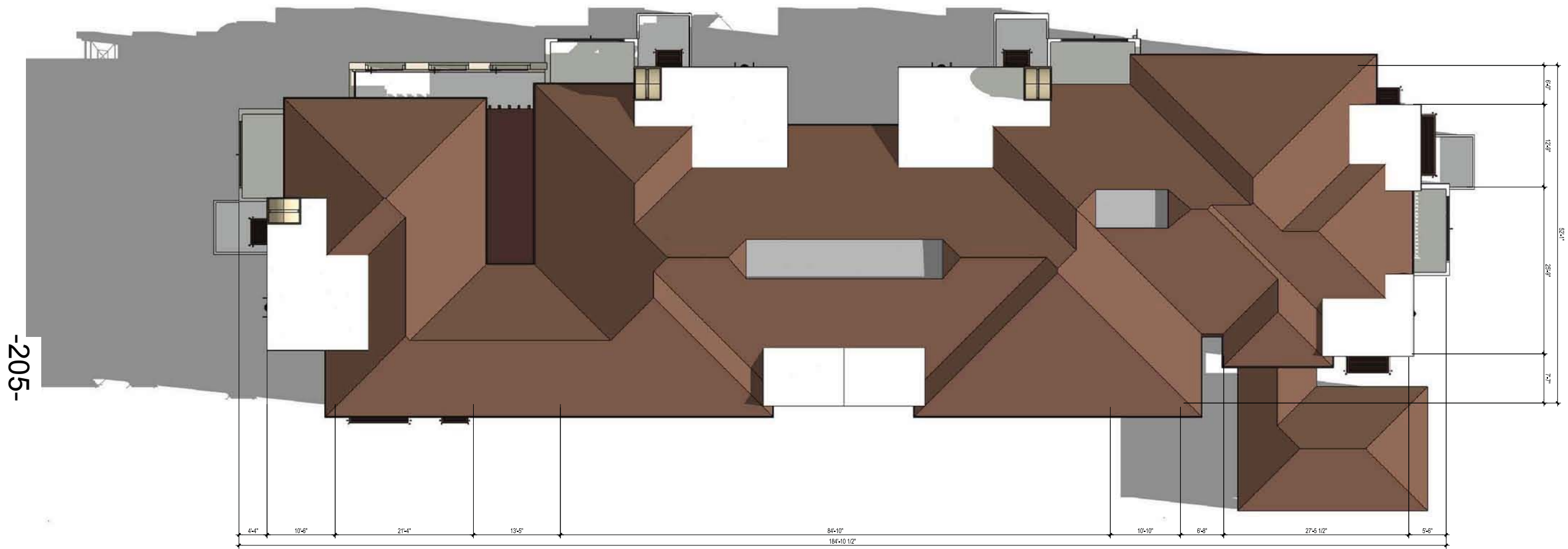


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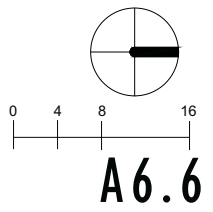




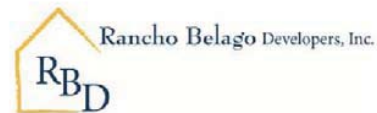
ROOF PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-6 ROOF PLAN



A6.6

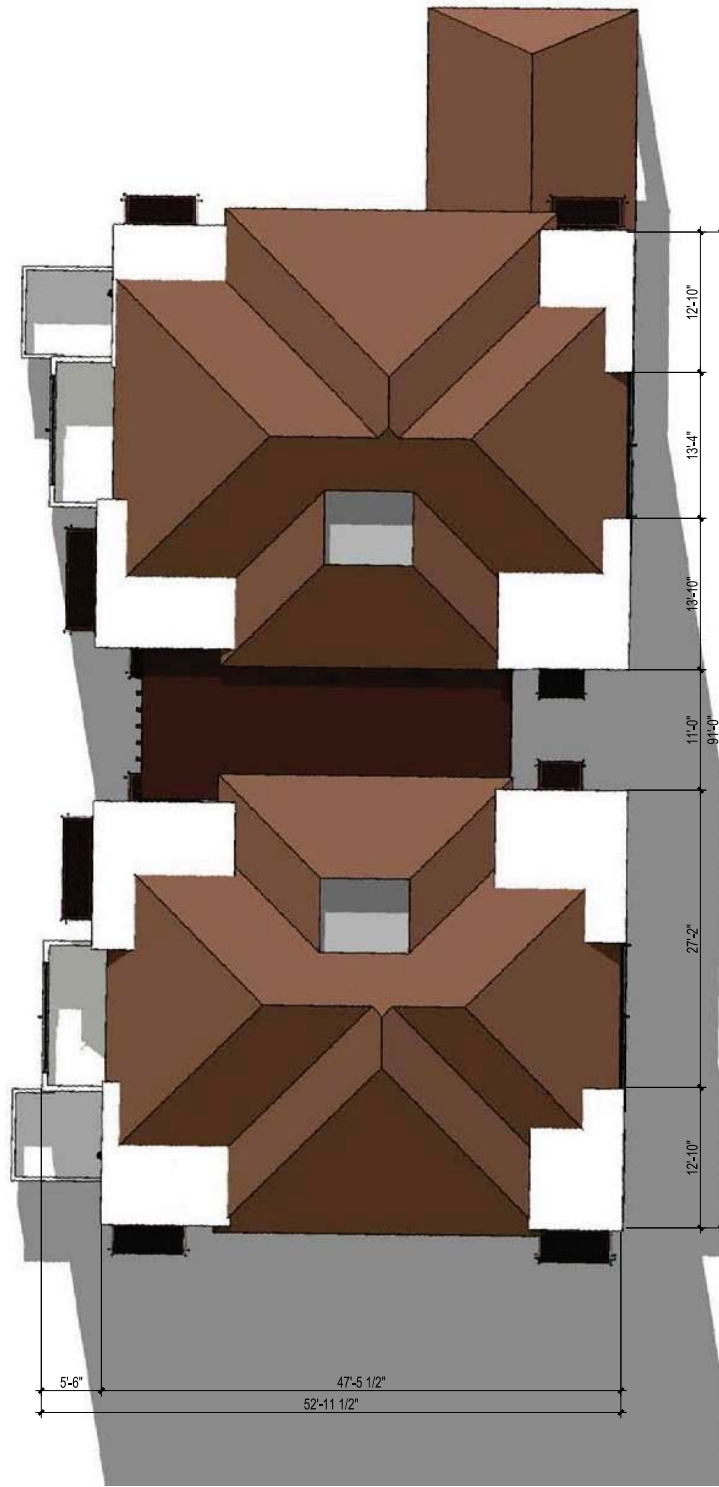


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 C A S E # PA13-0006

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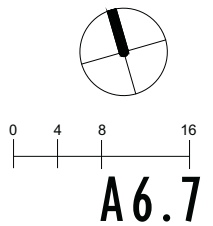




ROOF PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-7 ROOF PLAN



A6.7



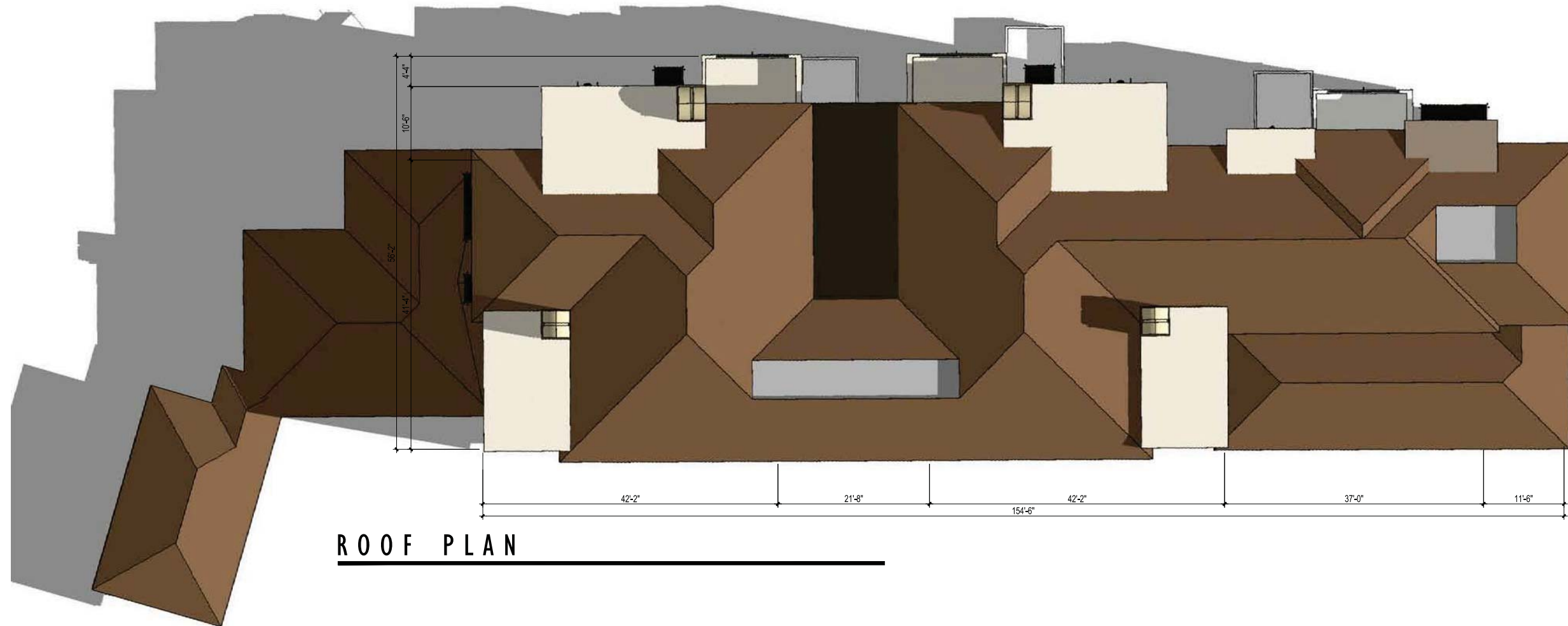
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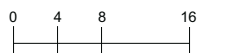
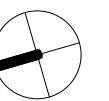
-207-



ROOF PLAN

BOULDER RIDGE FAMILY APARTMENTS

BUILDING-8 ROOF PLAN



A6.8



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NORTH ELEVATION



SOUTH ELEVATION

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BOULDER RIDGE FAMILY APARTMENTS

BUILDING I ELEVATIONS



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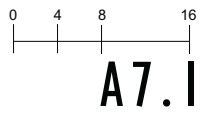
PARTIAL EAST ELEVATION



PARTIAL EAST ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING I ELEVATIONS



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PARTIAL WEST ELEVATION



PARTIAL WEST ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING I ELEVATIONS



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WEST ELEVATION



NORTH ELEVATION
(SOUTH ELEV. SIMILAR)

-211-



EAST ELEVATION



SOUTH ELEVATION
(VIEW FROM COURTYARD)

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 2 ELEVATIONS

0 4 8 16
A7.3



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EAST ELEVATION

-212-

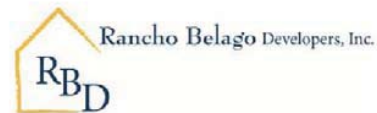


SOUTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 3A & 3B ELEVATIONS

0 4 8 16
A7.4



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WEST ELEVATION



NORTH ELEVATION

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BOULDER RIDGE FAMILY APARTMENTS

BUILDING 3A & 3B ELEVATIONS

0 4 8 16
A7.5



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EAST ELEVATION



SOUTH ELEVATION

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BOULDER RIDGE FAMILY APARTMENTS

BUILDING 4 ELEVATIONS



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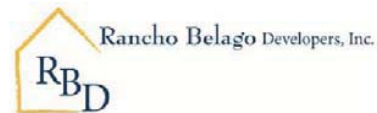
WEST ELEVATION



NORTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 4 ELEVATIONS



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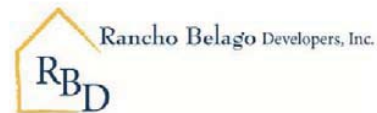


SOUTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 5 ELEVATIONS

0 4 8 16
A7.8



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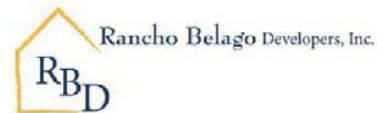
WEST ELEVATION



NORTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 5 ELEVATIONS



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EAST ELEVATION



SOUTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 6 ELEVATIONS

0 4 8 16
A7.10



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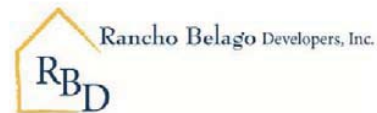
WEST ELEVATION



NORTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 6 ELEVATIONS



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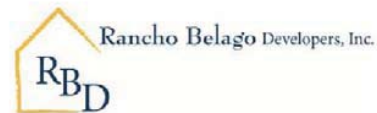
EAST ELEVATION



SOUTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 7 ELEVATIONS



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WEST ELEVATION



NORTH ELEVATION

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 7 ELEVATIONS

0 4 8 16
A7.13



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EAST ELEVATION



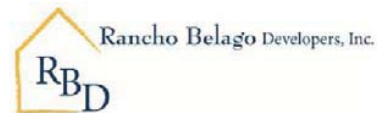
SOUTH ELEVATION

-222-

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 8 ELEVATIONS

0 4 8 16
A7.14



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WEST ELEVATION



NORTH ELEVATION

-223-

BOULDER RIDGE FAMILY APARTMENTS

BUILDING 8 ELEVATIONS

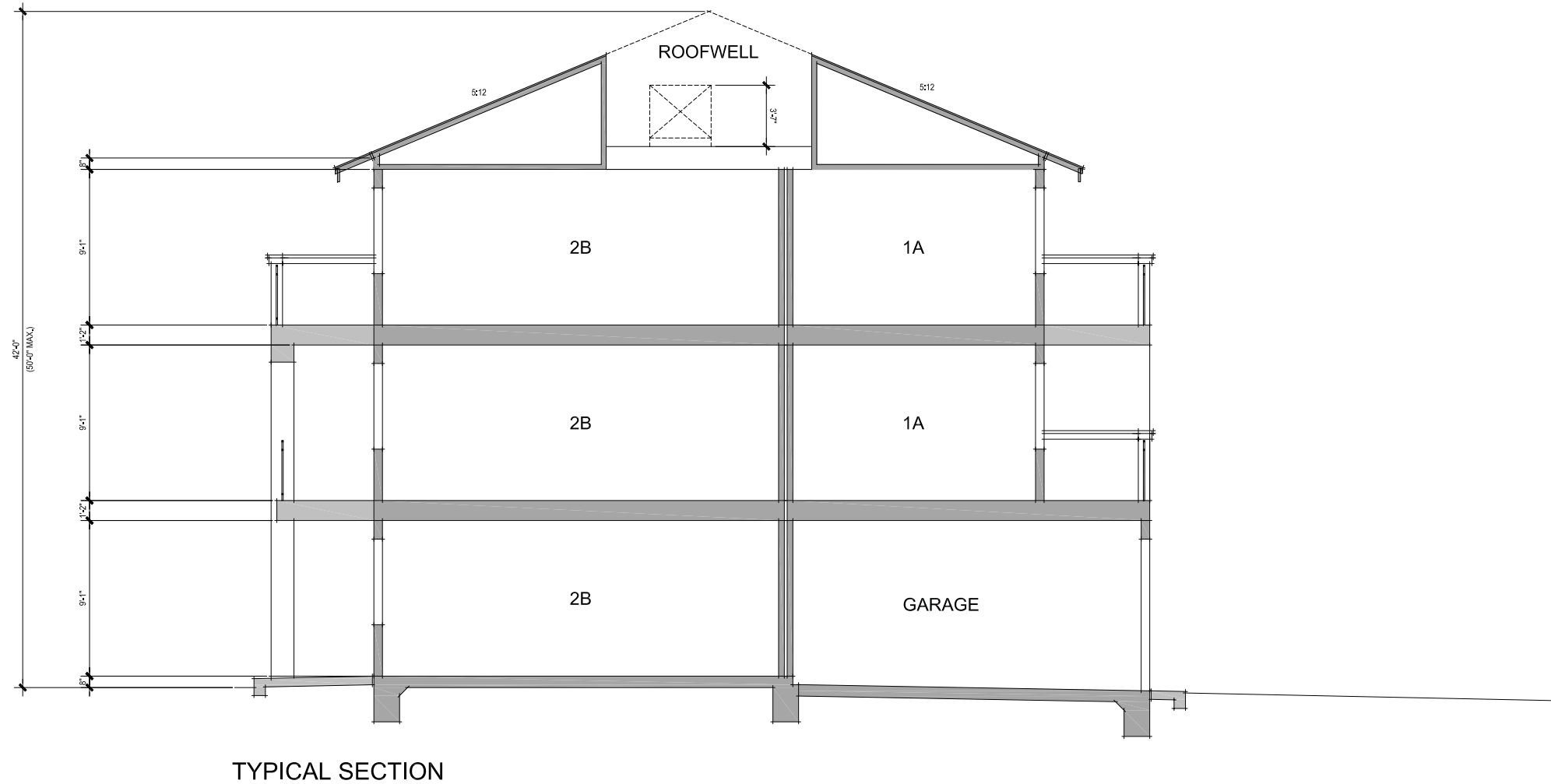


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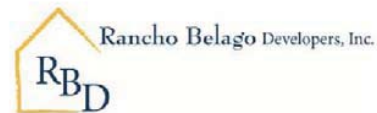
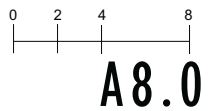




TYPICAL SECTION

BOULDER RIDGE FAMILY APARTMENTS

TYPICAL BUILDING SECTION

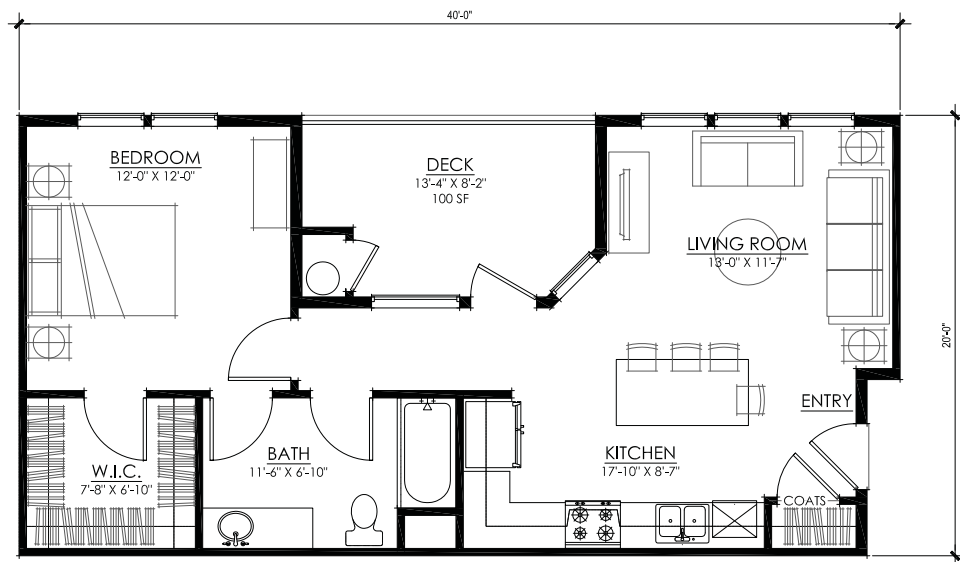


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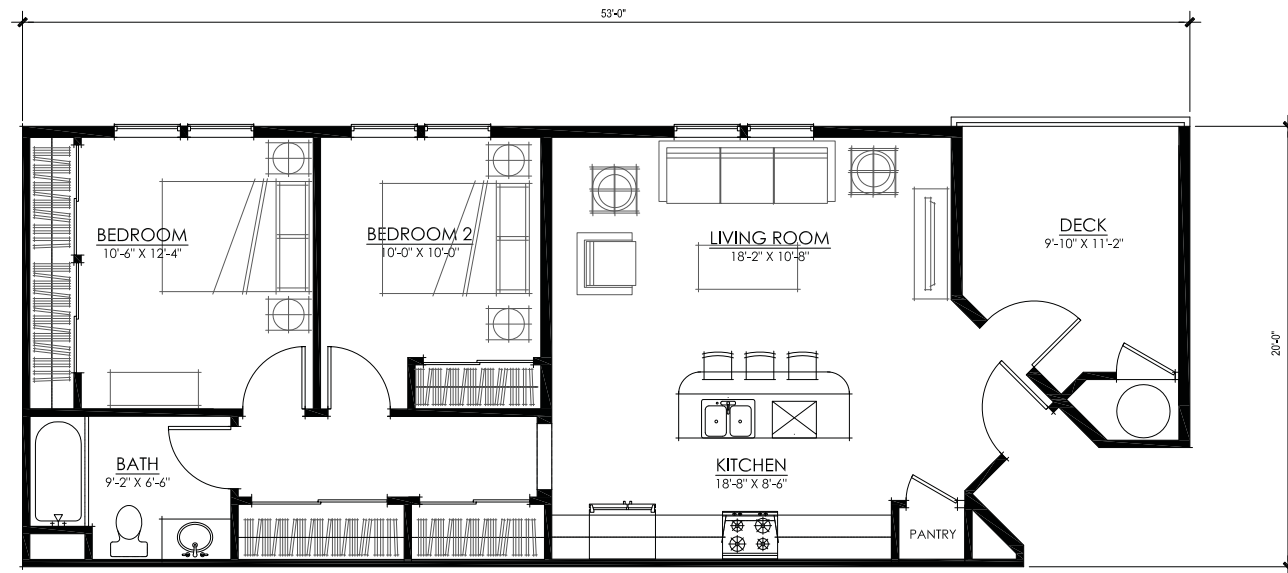
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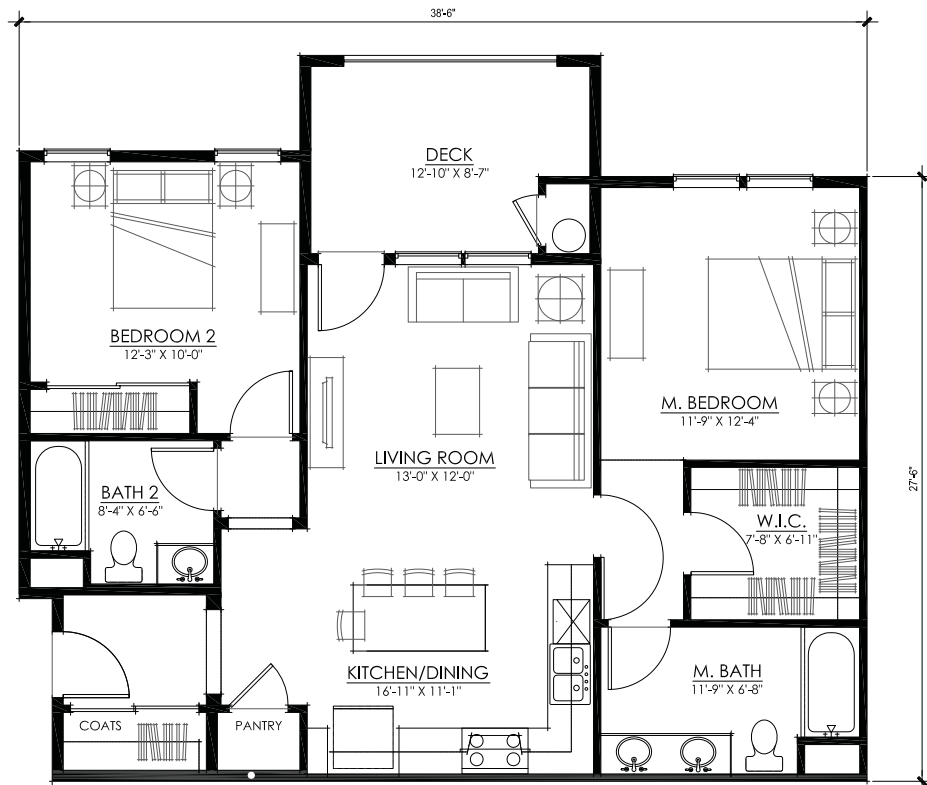




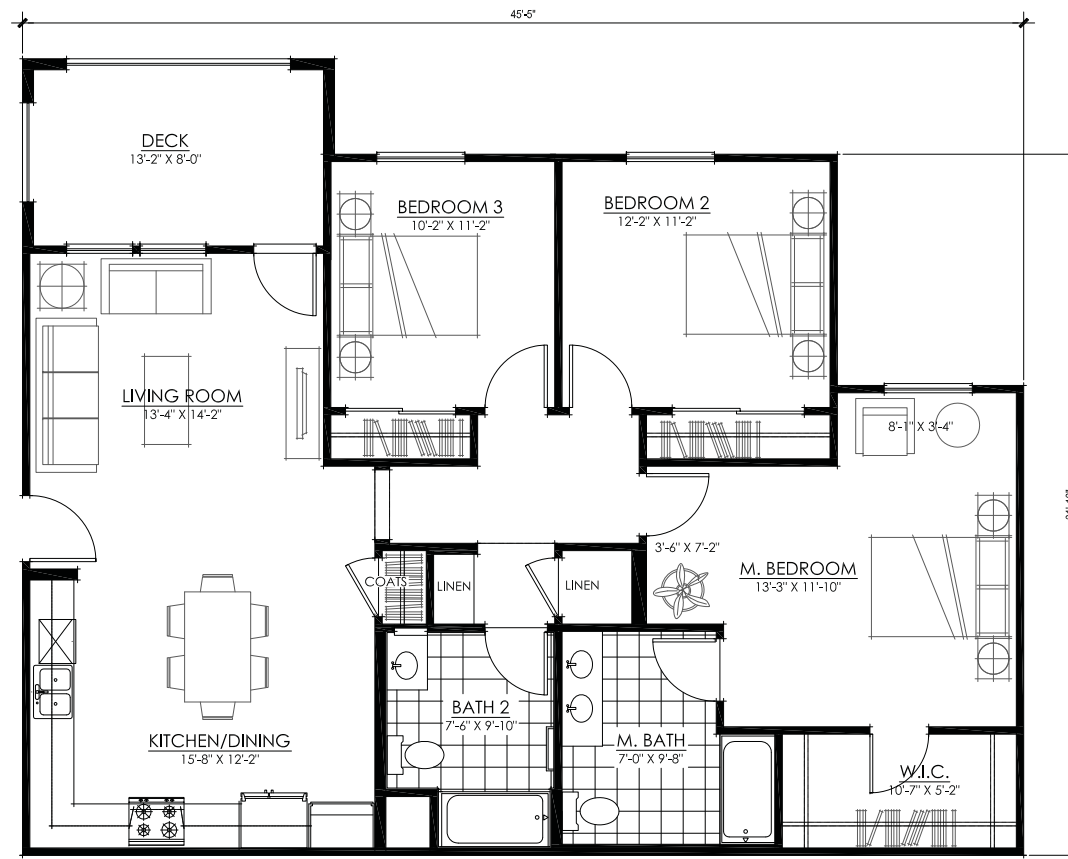
PLAN 1A - 1BDR/1BATH
 GROSS: 680.4 SQ. FT.
 NET: 619.7 SQ. FT.



PLAN 2A - 2BDR/2BATH
 GROSS: 877.1 SQ. FT.
 NET: 822.2 SQ. FT.



PLAN 2B - 2BDR/2BATH
 GROSS: 1015.5 SQ. FT.
 NET: 947.4 SQ. FT.

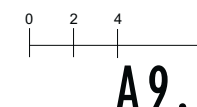


PLAN 3A - 3BDR/2BATH
 GROSS: 1301.3 SQ. FT.
 NET: 1240.9 SQ. FT.

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BOULDER RIDGE FAMILY APARTMENTS

UNIT PLANS



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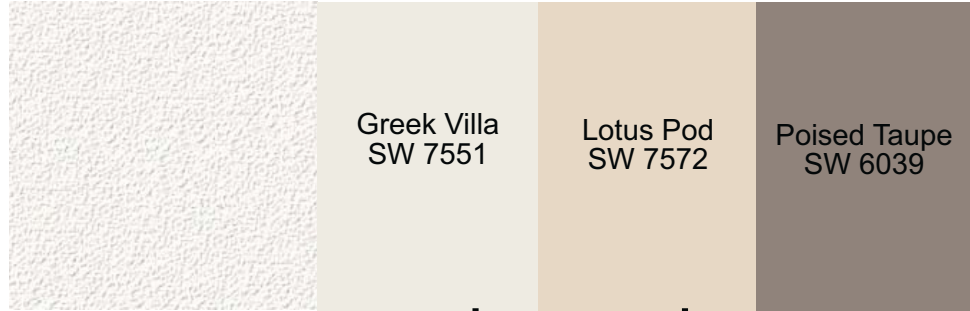
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Window Manufacture: Milgard
Color: Bronze



Stucco Manufacture: Omega Sand 30/30
Paint Manufacture: Sherwin Williams



Metal Manufacture: AEP span
Sheet Metal Cap
Cool Sierra Tan



Paint Manufacture: Sherwin Williams
Fascia, Fiber Cement Trim & Garage doors
(see elevations for color application)



Faux Wood Manufacture: Fatezzi
FCC210 Clear Cypress Corbel
(Use SW 6104 Kaffee for color)



Roofing Manufacture: Eagle Roofing
Del Oror Blend SHC8708



Paint Manufacture: Sherwin Williams
Metal Railing & Metal Awnings
SW 7020 Black Fox



Stone Manufacture: Daltile
Moon Glow MS80



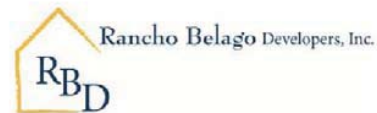
-226-



BOULDER RIDGE FAMILY APARTMENTS

COLORS / MATERIAL BOARD

A10.0

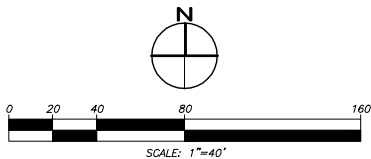


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LEGAL DESCRIPTION

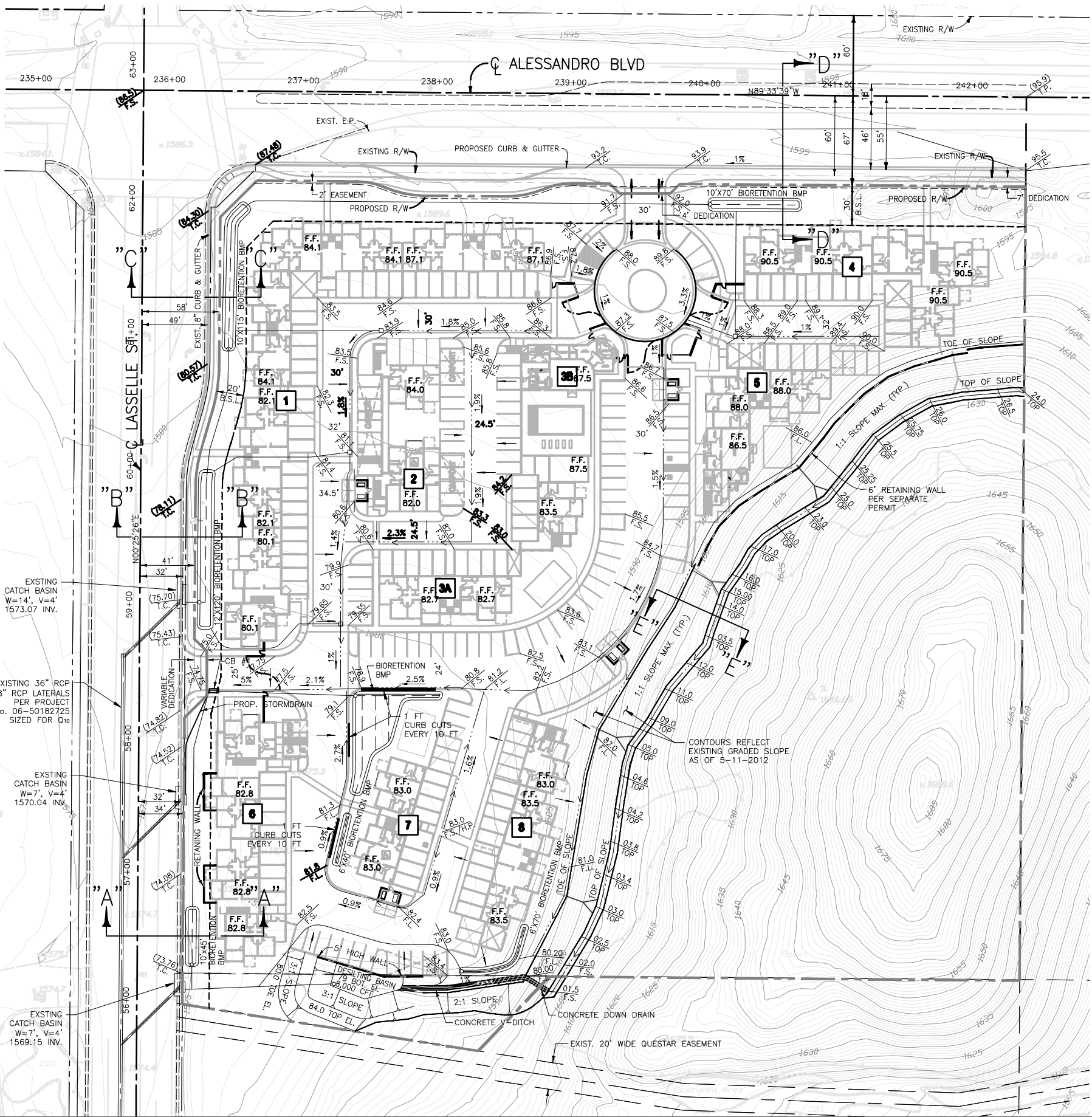
REAL PROPERTY IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 LOT 4 IN BLOCK 120, MAP NO. 1 BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAID SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THE SOUTH HALF OF ALESSANDRO BOULEVARD AND THE EAST HALF OF LASSELLE STREET, WITHIN SAID BLOCK, LYING WESTERLY OF THE EASTERLY LINE OF SAID LOT, PROLONGED NORTHERLY AND NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT, PROLONGED WESTERLY.

- NOTES:**
1. ALL ROOF DRAINS SHALL BE DIRECTED TO LANDSCAPE AREAS.
 2. ALL RETAINING WALLS PER SEPARATE PERMIT.
 3. ALL OVERFLOW OUTLETS TO BE SIZED FOR Q₁₀ STORM EVENT.

LEGEND

---	PROPERTY BOUNDARY
---	CENTERLINE
---	PROPOSED R/W
---	EXISTING R/W
---	PROPOSED CURB & GUTTER
---	EXIST. EDGE OF PAVEMENT
---	EXIST. WATERLINE
---	CONTOUR ELEVATION
○	EXIST. POWER POLES
○	EXIST. MANHOLES
---	DRAINAGE FLOW
---	STORM DRAIN INLET
○	OVERFLOW OUTLET
---	PERFORATED 6" PVC UNDERDRAIN

NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY IS NOTIFIED OF INTENTION TO GRADE OR EXCAVATE.
 Underground Service Alert
 Call: TOLL FREE
 1-800-227-2600
 TWO WORKING DAYS BEFORE YOU DIG



No.	REVISIONS	BY	DATE
1			
2			
3			

GENERAL NOTES

OWNER
 LAKERIDGE MARKETPLACE, LLC
 C/O JERRY STEPHENS
 11370 MORENO BEACH DR.
 MORENO VALLEY, CA 92555

DEVELOPER
 RANCHO BELAGO DEVELOPERS, INC.
 C/O JIM JERNIGAN
 5051 CANYON CREST DR., SUITE 200
 RIVERSIDE, CA 92507

ENGINEER
 WINCHESTER ASSOCIATES, INC.
 DAVID J. SLAWSON
 23640 TOWER STREET SUITE 3
 MORENO VALLEY, CA. 92553
 (951) 924-5425 FAX 924-2980

EARTHWORK (RAW)
 EXCAVATION 40,000 C.Y.
 EMBANKMENT 15,000 C.Y.

TOPOGRAPHY
 TOPOGRAPHY WAS OBTAINED FROM AN AERIAL SURVEY PERFORMED BY INLAND AERIAL SURVEYS, INC. ON 5-11-12.

ASSESSOR'S PARCEL NO.
 486-280-044 & 043

LAND USE AND ZONING
 CURRENT GENERAL PLAN R-15 AND NC
 CURRENT ZONING R-15
 PROPOSED ZONING R-20
 EXISTING LAND USE VACANT
 PROPOSED LAND USE MULTI-FAMILY RESIDENTIAL

AREA AND DENSITY
 GROSS ACREAGE 10.20 ACRES
 NET ACREAGE 8.5 ACRES
 TOTAL NO. OF UNITS CREATED 144
 DENSITY: 144 UNITS/8.5 ACRES= 16.9 UNITS PER ACRE

FLOOD HAZARD
 THE SUBJECT SITE IS IN ZONE X, PER FEMA FLOOD INSURANCE PANEL NO. 065074 0025A, AND IS NOT IN THE 100 YEAR FLOOD PLAIN.

SCHOOL
 MORENO VALLEY UNIFIED SCHOOL DISTRICT

THOMAS BROTHERS GUIDE
 PAGE 717 J-6, 2006 EDITION

PUBLIC UTILITIES

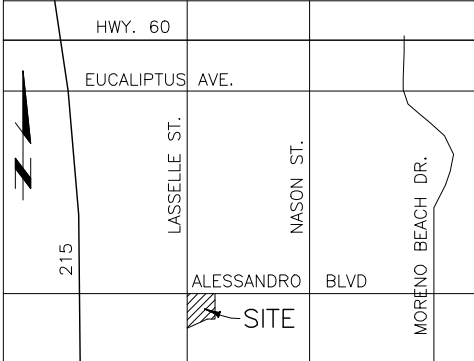
SEWER & WATER - EASTERN MUNICIPAL WATER DISTRICT
 2270 TRUMBLE RD.
 PERRIS, CA 92572
 951-928-3777

ELECTRICITY - CITY OF MORENO VALLEY
 14177 FREDERICK ST.
 MORENO VALLEY, CA 92552
 1-951-413-3000

GAS - SOUTHERN CALIF. GAS COMPANY
 P.O. BOX C, MONTEREY PARK, CA, 91756
 1-800-427-2200

TELEPHONE - VERIZON
 P.O. BOX 9688
 MISSION HILLS, CA 91346
 1-800-483-3000

CABLE - TIME WARNER
 3430 E. MIRALOMA AVE.
 ANAHEIM, CA 92806
 1-888-892-2253



VICINITY MAP
 N.T.S.

BENCH MARK

BM NO. M-40-4 NAVD88 ELEV: 1590.936 FEET ADJ. YEAR: RCFD FIELD NOTES DATED 4-25-11 FD. 3" BRASS DISK STAMPED "M-40-4 RESET 1976" IN CONC. AT S.E. CORNER OF ALESSANDRO BLVD. AND NASON ST. IN MORENO VALLEY, CA. POINT IS LOCATED APPROX. 56' EAST OF C.L. OF NASON ST. AND APPROX. 48' SOUTH OF C.L. OF ALESSANDRO BLVD.

BASIS OF BEARING

CENTERLINE OF LASSELLE ST. SHOWN AS NORTH 00°25'26" EAST ON R.S. 96/40-42, RIVERSIDE COUNTY RECORDS.
--

REVIEW BY CITY STAFF

OFFICE	INITIAL	DATE
ENGINEERING DIVISION MANAGER		
LAND DEVELOPMENT		
PLANNING		
TRANSPORTATION		
PARKS AND COMMUNITY SERVICES		
SPECIAL DISTRICTS		
STORM WATER MANAGEMENT PRGM		

REVISION

MARK	DATE	INITIAL	DESCRIPTION	REC.	APPR	DATE
		E.O.R.				

CITY OF MORENO VALLEY APPROVALS

PREM KUMAR ASSISTANT CITY ENGINEER R.C.E. #C52463	DATE
AHMAD ANSARI PUBLIC WORKS DIRECTOR/CITY ENGINEER R.C.E. #C51318	DATE

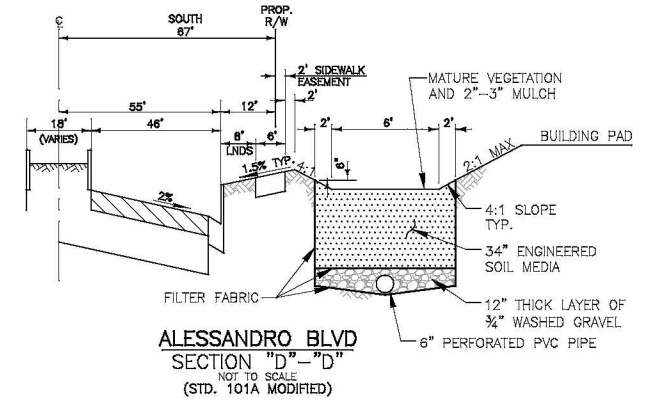
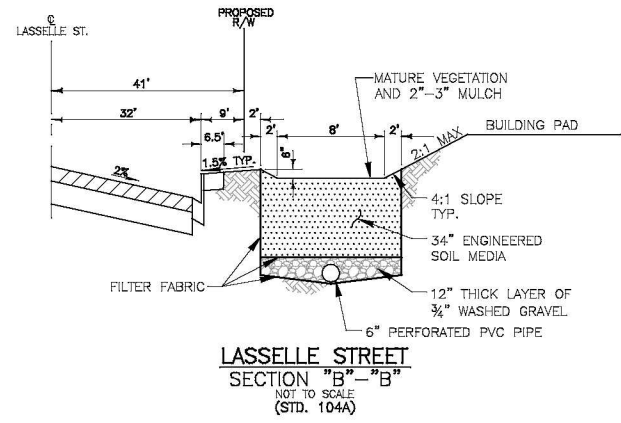
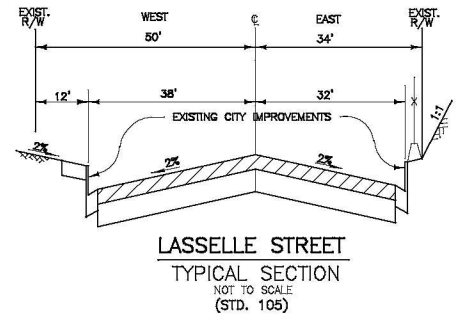
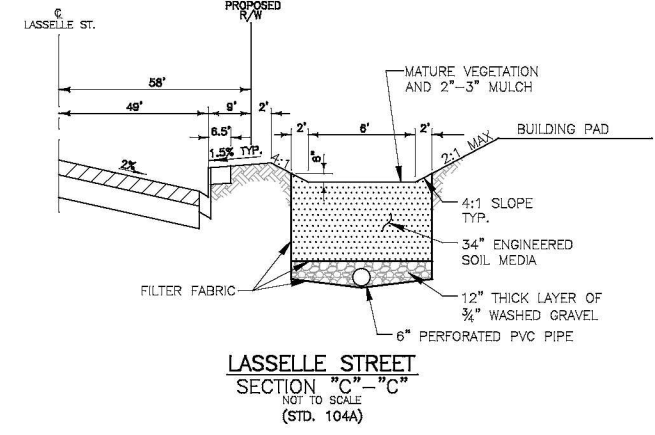
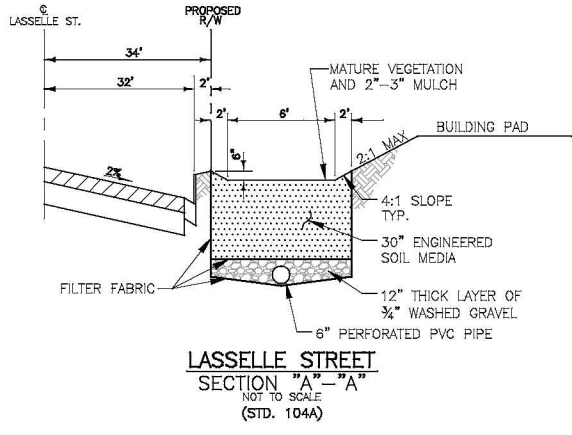
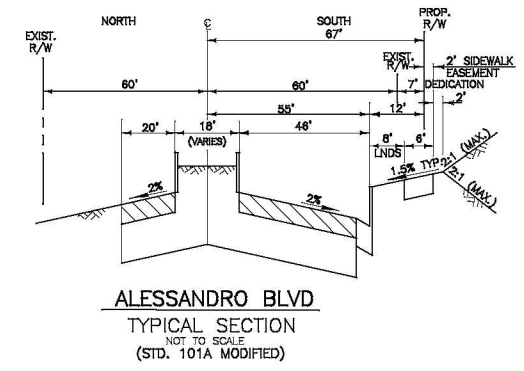
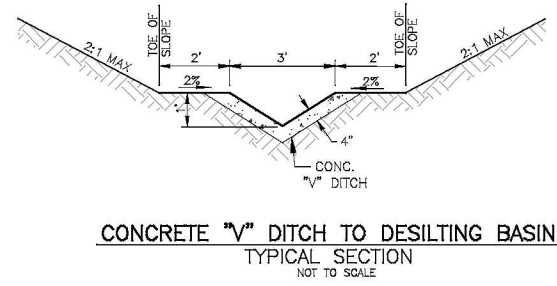
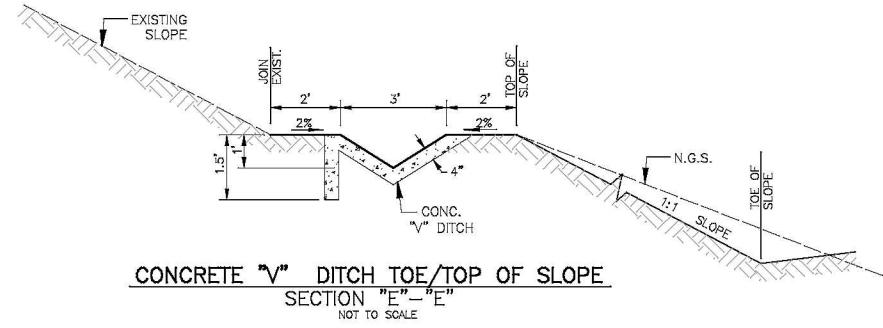
Winchester Associates, Inc.
 ENGINEERING • LAND SURVEYING
 23640 TOWER ST., SUITE 3
 MORENO VALLEY, CA. 92553 (951) 924-5425
 UNDER THE SUPERVISION OF:
 HARVEY MARCELL
 R.C.E. #23099 (EXP. 12/31/2013)

CITY OF MORENO VALLEY
 CONCEPTUAL GRADING PLAN
 APN 486-280-044 & 043
 DATE OF PLAN PREPARATION: 5-13-15
ATTACHMENT 7

ACCT. NO.

SHEET 1 of 2
 CITY I. D. NO.
 PA13-0006

No.	REVISIONS	BY	DATE
1			
2			
3			



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BENCH MARK
 BM NO. M-40-4
 NAVD83 ELEV: 1590.836 FEET
 ADJ. YEAR: RCFD FIELD NOTES DATED 4-25-11
 FD. 3" BRASS DISK STAMPED "M-40-4"
 RESET 1976" IN CONC. AT S.E. CORNER OF ALESSANDRO BLVD. AND NASON ST. IN MORENO VALLEY, CA. POINT IS LOCATED APPROX. 56' EAST OF C.L. OF NASON ST. AND APPROX. 48' SOUTH OF C.L. OF ALESSANDRO BLVD.

BASIS OF BEARING	REVIEW BY CITY STAFF
CENTERLINE OF LASSELLE ST. SHOWN AS NORTH 00°25'26" EAST ON R.S. 96/40-42, RIVERSIDE COUNTY RECORDS.	OFFICE
	ENGINEERING DIVISION MANAGER
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	PARKS AND COMMUNITY SERVICES
	SPECIAL DISTRICTS
	STORM WATER MANAGEMENT PRGM

MARK	DATE	INITIAL	DESCRIPTION	REC.	APPR	DATE
		E.O.R.	REVISION			

CITY OF MORENO VALLEY APPROVALS	
PREM KUMAR ASSISTANT CITY ENGINEER R.C.E. #052463	DATE
AHMAD ANSARI PUBLIC WORKS DIRECTOR/CITY ENGINEER R.C.E. #051318	DATE



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 UNDER THE SUPERVISION OF:
 HARVEY MARCELL
 R.C.E. #23089 (EXP. 12/31/2013)

CITY OF MORENO VALLEY
 CONCEPTUAL GRADING PLAN
 APN 486-280-044 & 043
 DATE OF PLAN PREPARATION: 5-13-15

ACCT. NO.
 SHEET 2 of 2
 CITY I. D. NO.
 PA13-0006