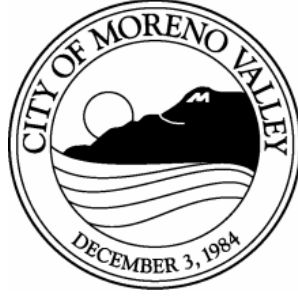

PLANNING COMMISSIONERS

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Chairperson

RAY L. BAKER
Vice Chairperson

JEFFREY SIMS
Commissioner



ALVIN DEJOHNETTE
Commissioner

JOANN STEPHAN
Commissioner

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Commissioner

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Commissioner

PLANNING COMMISSION Regular Meeting

Agenda

Thursday, April 23, 2020 at 7:00 PM

TELECONFERENCED MEETING

[Pursuant to Governor Executive Order N-29-20]

There Will Not Be a Physical Location for Attending the Meeting

The Public May Observe the Meeting and Offer Public Comment As Follows:

STEP 1

Install the Free Zoom App or Visit the Free Zoom Website at [<https://zoom.us/>](https://zoom.us/)

STEP 2

Get Meeting ID Number and Password by emailing zoom@moval.org or calling (951) 413-3206

STEP 3

Select Audio Source

***Computer Speakers/Microphone
or
Telephone***

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

STEP 4

Public Comments May be Made Via Zoom

During the Meeting, the Mayor Will Explain the Process for Submitting Public Comments

ALTERNATIVE

If you do not wish to make public comments, you can view the meeting on Channel MVTV-3, the City's website at www.moval.org or YouTube

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Approval of Agenda

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

CONSENT CALENDAR

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

NON-PUBLIC HEARING ITEMS

APPROVAL OF VEHICLE MILES TRAVELED AND RELATED THRESHOLDS FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2020-18 and thereby recommend that the City Council:

1. **CERTIFY** that the proposal is not a project under the State California Environmental Quality Act Guidelines section 15378(b)(5) because it involves an administrative activity involving a process and would not result in any direct or indirect environmental impacts; and
2. **APPROVE** Resolution 2020-18, approving Vehicle Miles Traveled (VMT) as the standard for California Environmental Quality Act compliance, and the threshold for VMT impacts, included as Attachment A.

PUBLIC HEARING ITEMS

1. **Item to be continued to future meeting**

Case: Conditional Use Permit (PEN19-0020)

Applicant: Downtown Connect

Property Owner MJV Real Estate, LLC

Representative Anthony Hicks

Location: 12540 Heacock Street
(APN's 481-120-033 and 481-120-035)

Case Planner: Sean P. Kelleher

Council District: 1

Proposal A Conditional Use Permit for a 3,815 square foot retail cannabis dispensary, "Downtown Connect" located within an existing tenant space at 12540 Heacock Street along with an associated off-site parking facility.

2. Continued from a previous meeting

Case: PEN18-0228 Master Plot Plan
PEN18-0229 Diagnostic and Treatment Expansion
PEN18-0230 Energy Center
PEN18-0217 Environmental Impact Report

Applicant: Kaiser Permanente

Property Owner Kaiser Foundation Hospitals

Representative Skyler Denniston

Location: 27200-27300 Iris Avenue

Case Planner: Julia Descoteaux

Council District: 4

Proposal A Master Plot/Site Plan providing for the overall development and expansion of the existing Kaiser Permanente hospital facility consisting of 1,125,000 square feet of medical service facilities and ancillary uses to be constructed over three phases. Phase I included with this application is the expansion of the Diagnostic and Treatment center at the existing hospital and the construction of the new energy center to contain all major mechanical equipment to run the hospital facility.

3. Case: PEN19-0122 – Conditional Use Permit

Applicant: Charles Brown Architect

Property Owner Family Service Association

Representative Family Service Association

Location: 24693 Ironwood Avenue, Moreno Valley, CA

Case Planner: Jeff Bradshaw

Council District: 1

Proposal Conditional Use Permit for a 7,063 daycare center in an existing building in the Residential 5 (R5) District.

4. Case: Master Plot Plan (PEN19-0067) and Conditional Use Permit (PEN19-0066)

Applicant: Rajan Patel / Taro LLC

Property Owner Taro LLC

Representative Richard Corsini, Corsini Stark Architects, LLP

Location: 24155 Sunnymead Boulevard
 (APN 481-120-007)

Case Planner: Sean P. Kelleher

Council District: 1

Proposal A Master Plot Plan PEN19-0067 for a 9,900 square foot multi-tenant commercial/medical office development and a conditional use permit for a retail cannabis dispensary, “Mindfulness”, Conditional Use Permit PEN19-0066 in a 4,275 square building located in the Village Specific Plan, SP 204, Village Commercial/Residential (VCR) district.

5. Case: Conditional Use Permit (PEN19-0074)
- Applicant: Moreno Valley Investments LLC
- Property Owner MV Sunnymead Investments LLC
- Representative Chris Glew
- Location: 24175 Sunnymead Boulevard
 (APN 481-120-008)
- Case Planner: Sean P. Kelleher
- Council District: 1
- Proposal Conditional Use Permit for a 3,360 square foot retail cannabis dispensary, “Moreno Valley Investments” located within an existing building at 24175 Sunnymead Boulevard.

OTHER COMMISSION BUSINESS

None

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting, May 7, 2020 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

Meeting Date: April 23, 2020

APPROVAL OF VEHICLE MILES TRAVELED AND RELATED THRESHOLDS FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2020-18 and thereby recommend that the City Council:

1. **CERTIFY** that the proposal is not a project under the State California Environmental Quality Act Guidelines section 15378(b)(5) because it involves an administrative activity involving a process and would not result in any direct or indirect environmental impacts; and
2. **APPROVE** Resolution 2020-18, approving Vehicle Miles Traveled (VMT) as the standard for California Environmental Quality Act compliance, and the threshold for VMT impacts, included as Attachment A.

SUMMARY

The State of California is requiring the City of Moreno Valley and all other jurisdictions within the State to be consistent with Senate Bill 743 (SB 743), which changes how transportation impacts are measured under the California Environmental Quality Act (CEQA). Currently, jurisdictions use Level of Service (LOS) to measure transportation impacts from new development. SB 743 changes the measurement context to Vehicle Miles Traveled (VMT). The California State Natural Resources Agency finalized updates to the CEQA Guidelines in January, 2019 that included SB 743 modifications. Compliance with SB 743 provisions was deemed to be voluntary; however, such compliance is mandatory beginning on July 1, 2020.

BACKGROUND

SB 743 changes how transportation impacts are measured under the California Environmental Quality Act (CEQA) from using Level of Service (LOS) and delay to using Vehicle Miles Traveled (VMT). Historically, delay and congestion were the metrics used when evaluating transportation impacts. SB743 changed the focus of transportation impact analysis in CEQA from measuring impacts to drivers to measuring the impacts of driving. This change in focus aligns analyses of transportation impacts and mitigated outcomes with California's goals of reducing greenhouse gas emissions, encouraging infill development, and improving public health.

The Western Riverside Council of Governments (WRCOG) conducted a study in 2019 with the goal of providing its member agencies with facts and recommendations about how to implement the legislation. The recommendations provided herein either are direct recommendations from the WRCOG analysis or have been adjusted to better suit

Moreno Valley's needs.

Implementation will require lead agencies to determine an appropriate VMT methodology and adopt a threshold of significance. Since VMT is a new methodology to analyze transportation impacts, there is a need to develop appropriate guidance for projects subject to environmental review. The guidance is to ensure that all projects subject to review by each agency use the same data, approaches, and analytical tools.

DISCUSSION

SB 743 represents a significant departure from Moreno Valley's current practice of assessing traffic impacts according to intersection capacities and Levels of Service (LOS). The City needs to consider the following areas prior to taking any action to adopt a VMT threshold for CEQA compliance.

Methodology - methodology to forecast projected-generated VMT and a project's effect on VMT under baseline and cumulative conditions.

Threshold of significance - threshold options that meet the intent of SB743. Threshold of significance addresses Vehicle Miles Traveled (VMT) which the city will use in determining a project's significant effect on the environment relating to transportation impacts. The VMT threshold will be used for projects that require environmental analysis by CEQA.

Methodology

Baseline VMT Methodology and Data: WRCOG calculated Base Year (2012) total VMT per service population (i.e., population plus employment), home-based VMT per capita, and home-based work VMT per worker, using outputs from the Southern California Association of Governments' (SCAG) Regional Transportation Plan travel forecasting model and the Riverside County Transportation Analysis Model (RIVTAM). In addition, WRCOG used data from the California Household Travel Survey to compare model derived estimates of home-based VMT with those based on survey observations. VMT results were compared to determine the appropriate metric and data source in WRCOG's subregion. Based on the travel forecasting model review, staff recommends use of the Riverside County Travel Demand Model (RIVTAM / RIVCOM) and the VMT per service population data. Jurisdictions and local technical experts have been utilizing RIVTAM since 2009, so there is a familiarity with the model.

WRCOG also recommends using a customized forecasting and screening tool that would use RIVTAM model inputs and outputs based on an efficiency form of VMT. This tool would be utilized to provide an initial screening of potential VMT impacts for projects and to provide evidence to support presumptions of less than significant impact findings.

Threshold of Significance

WRCOG assessed potential VMT thresholds within the context of the objectives of SB 743, legal opinions related to the legislation, proposed CEQA Guidelines updates, and the Technical Advisory produced by the Governor's Office of Planning and Research (OPR). The WRCOG project team, led by Fehr & Peers, identified four threshold options for consideration by lead agencies.

1. Thresholds consistent with OPR's Technical Advisory, recommending that proposed developments generate VMT per person that is 15% below existing VMT per capita;
2. Thresholds consistent with Lead Agency air quality, greenhouse gas emissions reduction, and energy conservation goals;
3. Thresholds consistent with the Regional Transportation Plan / Sustainable Communities Strategy future year VMT projects by jurisdiction or subregion; and
4. Thresholds based on baseline VMT performance by jurisdiction or subregion.

The City proposes the following threshold of significance for use as part of the City's future environmental review process under CEQA:

CEQA VMT Impact Threshold

1. A project would result in a significant project-generated VMT impact if the baseline project-generated or cumulative project-generated VMT per service population exceeds 15% below the WRCOG baseline VMT per service population.
2. The project's effect on VMT would be considered significant if the baseline or cumulative link-level boundary Citywide VMT per service population increases under the plus project condition compared to the no project condition.

Note that the cumulative no project shall reflect the adopted Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS); as such, if a project is consistent with the regional RTP/SCS, then the cumulative impacts shall be considered less than significant subject to consideration of other substantial evidence.

Mitigation

Any initial study prepared for a proposed project would consider and address the above threshold of significance, in addition to the other questions presented in the Initial Study checklist. If the project exceeds the threshold, it would normally be determined that the proposed project would have a significant impact on the environment, thereby requiring VMT reduction measures. WRCOG reviewed Transportation Demand Management (TDM) strategies and their effectiveness for reducing VMT. Given Moreno Valley's suburban land use context, the following key strategies provide the best opportunities to reduce VMT:

- Project-level mitigation include measures such as site design, location efficiency, and building operations.
- Increase diversity of land uses - This strategy focuses on inclusion of mixed uses

within projects or in consideration of the surrounding area to minimize vehicle travel in terms of both the number of trips and the length of those trips.

- Provide pedestrian network improvements - This strategy focuses on creating a pedestrian network with the project and connecting to nearby destinations.
- Provide traffic calming measures and low-stress bicycle network improvements - Traffic calming creates networks with low vehicle speeds and volumes that are more conducive to walking and bicycling. Building a low-stress bicycle network produces a similar outcome.
- Implement car-sharing program - This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by making it convenient to access a shared vehicle for those trips where vehicle use is essential.
- Increase transit service frequency and speed - This strategy focuses on improving transit service convenience and travel time competitiveness with driving. New forms of low-cost demand-responsive transit service could be provided.
- Encourage telecommuting and alternative work schedules. This strategy relies on effective internet access and speeds to individual project sites/buildings to provide the opportunity for telecommuting.
- Provide ride-sharing programs - This strategy focuses on encouraging carpooling and vanpooling by project site/building tenants and has similar limitations as the strategy above.

Traffic Impact Analysis Guidelines

As a result of the new legislation, Moreno Valley's Traffic Impact Analysis (TIA) Guidelines will be revised to ensure consistency with SB 743. The revisions will incorporate VMT guidance consistent with the discussion included in this staff report and updates to the LOS guidelines currently being utilized. The TIA Guidelines will discuss the methodology and thresholds for Vehicle Miles Traveled and will incorporate level of service for General Plan consistency as applicable.

ENVIRONMENTAL

The proposal is not a project under the State California Environmental Quality Act Guidelines section 15378(b)(5) because it involves an administrative activity involving a process and would not result in any direct or indirect environmental impacts.

NOTIFICATION

The Planning Commission consideration will be noticed consistent with the Brown Act requirements more than 72 hours in advance of the Planning Commission meeting. The Planning Commission consideration will allow for public review of the policy and thresholds.

Prepared by:
Chris Ormsby
Senior Planner

Approved by:
Manuel A. Mancha
Community Development Director

ATTACHMENTS

1. PEN20-0029 VMT 2020 Resolution_final draft

RESOLUTION NO. 2020-18

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF MORENO VALLEY, CALIFORNIA,
APPROVING VEHICLE MILES TRAVELED AND RELATED
THRESHOLDS FOR PURPOSES OF ANALYZING
TRANSPORTATION IMPACTS UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, the California Environmental Quality Act Guidelines (“CEQA Guidelines”) encourages public agencies to develop and publish generally applicable “thresholds of significance” to be used in determining the significance of a project’s environmental effects; and

WHEREAS, CEQA Guidelines section 15064.7(a) defines a threshold of significance as “an identifiable quantitative, qualitative or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant”; and

WHEREAS, CEQA Guidelines section 15064.7(b) requires that thresholds of significance must be adopted by ordinance, resolution, rule, or regulations, developed through a public review process, and be supported by substantial evidence; and

WHEREAS, pursuant to CEQA Guidelines section 15064.7(c), when adopting thresholds of significance, a public agency may consider thresholds of significance adopted or recommended by other public agencies, provided that the decision of the agency is supported by substantial evidence; and

WHEREAS, Senate Bill 743, enacted in 2013 and codified in Public Resources Code section 21099, required changes to the CEQA Guidelines regarding the criteria for determining the significance of transportation impacts of projects; and

WHEREAS, in 2018, the Governor’s Office of Planning and Research (“OPR”) proposed, and the California Natural Resources Agency certified and adopted, new CEQA Guidelines section 15064.3 that identifies vehicle miles traveled (“VMT”), meaning the amount and distance of automobile travel attributable to a project, as the most appropriate metric to evaluate a project’s transportation impacts; and

WHEREAS, as a result, automobile delay, as measured by “level of service” and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA; and

WHEREAS, CEQA Guidelines section 15064.3 goes into effect on July 1, 2020 requiring that public agencies State wide comply with the specific considerations for evaluating a project’s transportation impacts provided in this section; and

WHEREAS, on April 23, 2020, the Planning Commission of the City of Moreno Valley determined that the proposal is not a project under the State California Environmental Quality Act Guidelines section 15378(b)(5) because it involves an administrative activity involving a process and would not result in any direct or indirect environmental impacts; and

WHEREAS, on April 23, 2020, the Planning Commission held a public meeting to consider the staff recommendation; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to the Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public meeting, the Planning Commission hereby specifically finds that the proposal will implement all of the requirements of the CEQA Guidelines pertaining to implementation of vehicle miles traveled, including Section 15064.7 (b), which requires a public review process, and Section 15064.3 which requires that a public agency approve thresholds by no later than July 1, 2020, and will not be in conflict with any of the other provisions of the CEQA Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution 2020-18, and **RECOMMENDS** that the City Council:

1. **CERTIFY** that the proposal is not a project under the State California Environmental Quality Act Guidelines section 15378(b)(5) because it involves an administrative activity involving a process and would not result in any direct or indirect environmental impacts; and
2. **APPROVE** Resolution 2020-18, approving Vehicle Miles Traveled (VMT) as the standard for California Environmental Quality Act compliance, and the threshold for VMT impacts included as Attachment A.

Approved and adopted this 23rd day of April 2020.

Patricia Korzec, Chair
City of Moreno Valley Planning Commission

ATTEST:

APPROVED AS TO FORM:

Patty Nevins
Planning Official
Secretary to the Planning Commission

City Attorney

Attachment: PEN20-0029 VMT 2020 Resolution_final draft [Revision 3] (4011 : APPROVAL OF VEHICLE MILES TRAVELED AND RELATED

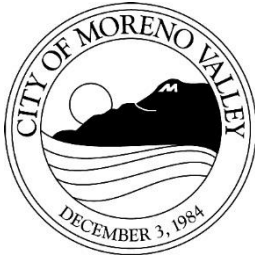
Resolution 2020-18

Attachment A

CEQA VMT Impact Threshold

- A. A project would result in a significant project-generated VMT impact if the baseline project-generated or cumulative project-generated VMT per service population exceeds 15% below the WRCOG baseline VMT per service population.
- B. The project's effect on VMT would be considered significant if the baseline or cumulative link-level boundary Citywide VMT per service population increases under the plus project condition compared to the no project condition.

(Note that the cumulative no project shall reflect the adopted RTP/SCS; as such, if a project is consistent with the regional RTP/SCS, then the cumulative impacts shall be considered less than significant subject to consideration of other substantial evidence.)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 23, 2020

CONTINUANCE OF CONDITIONAL USE PERMIT PEN19-0020 FOR "DOWNTOWN CONNECT"

Case:	Conditional Use Permit (PEN19-0020)
Applicant:	Downtown Connect
Property Owner	MJV Real Estate, LLC
Representative	Anthony Hicks
Location:	12540 Heacock Street (APN's 481-120-033 and 481-120-035)
Case Planner:	Sean P. Kelleher
Council District:	1
Proposal	A Conditional Use Permit for a 3,815 square foot retail cannabis dispensary, "Downtown Connect" located within an existing tenant space at 12540 Heacock Street along with an associated off-site parking facility.

SUMMARY

This item was originally presented at the March 12, 2019 meeting and was continued to this meeting at the request of the applicant. The applicant has requested a continuance for Conditional Use Permit PEN19-0020, Downtown Connect, to the May 14, 2020 Planning Commission Meeting. A copy of the request is provided as an attachment.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **CONTINUE** Conditional Use Permit PEN19-0020 to the May 14, 2020 Planning Commission Meeting.

Prepared by:
Sean P Kelleher

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

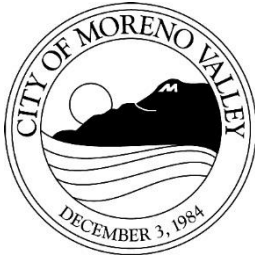
1. April 16, 2020 Email

From: [hicks1206](#)
To: [Sean P. Kelleher](#)
Subject: Continuance of Planning Case PEN19-0020 "Downtown Connect."
Date: Thursday, April 16, 2020 11:44:01 AM

Warning: External Email – Watch for Email Red Flags!

Good afternoon we are informing you of the continuance of planning case PEN19-0020 to May 14 2020.

Attachment: April 16, 2020 Email (4019 : PEN19-0020 - Downtown Connect)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 23, 2020

KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER CAMPUS PROJECT TO EXPAND THE EXISTING MEDICAL CENTER COMPLEX ON AN APPROXIMATE 30 ACRE PROJECT SITE LOCATED AT 27200 -273000 IRIS AVENUE

Case: PEN18-0228 Master Plot Plan
 PEN18-0229 Diagnostic and Treatment Expansion
 PEN18-0230 Energy Center
 PEN18-0217 Environmental Impact Report

Applicant: Kaiser Permanente

Property Owner: Kaiser Foundation Hospitals

Representative: Skyler Denniston

Location: 27200-27300 Iris Avenue

Case Planner: Julia Descoteaux

Council District: 4

Proposal: A Master Plot/Site Plan providing for the overall development and expansion of the existing Kaiser Permanente hospital facility consisting of 1,125,000 square feet of medical service facilities and ancillary uses to be constructed over three phases. Phase I included with this application is the expansion of the Diagnostic and Treatment center at the existing hospital and the construction of the new energy center to contain all major mechanical equipment to run the hospital facility.

SUMMARY

The Applicant, Kaiser Foundation Hospitals, is requesting approval of a Master Plot Plan to modernize and expand the existing Kaiser Permanente Moreno Valley Medical Center campus. The proposed project will be developed in three phases that will include an expansion to the existing 100-bed hospital and the medical center complex. The expansion will include the addition of approximately 1,125,000 square feet of medical services with a 460-bed hospital (approximately), two additional medical office buildings, an energy center/central utility plant to support the entire medical center operation, parking lots/structures per phase with associated landscaping and internal design elements to complete the campus. The site, approximately 30 acres, has a General Plan Designation of Commercial (C) and Residential Office (R/O), within zoning districts Community Commercial (CC) and Office Commercial (OC) with a Medical Use Overlay (MUO). The project, as conditioned, is consistent with goals, policies and objectives of the City's General Plan and Municipal Code.

PROJECT DESCRIPTION

Project

Existing Site

The project site is located on the north side of Iris Avenue west of Oliver Street. It is comprised of 30 acres with approximately two-thirds developed including the existing 130,000 square foot 100-bed hospital building, two medical office buildings totaling approximately 89,500 square feet, a central utility plant, modular trailers/conference rooms, and surface parking.

PEN18-0228 – Master Plot Plan

The proposed Master Plot Plan provides for the overall development and expansion consisting of approximately 1,125,000 square feet of medical services facilities and ancillary uses of the existing Kaiser Permanente Moreno Valley Medical Center Campus in three phases. The three-phased development at completion will include an approximately 460-bed hospital, hospital support buildings, outpatient medical office buildings, an energy center, and surface and structured parking facilities in addition to required street and landscaping improvements.

Project Components	Size
<i>Phase I</i>	
Diagnostic and Treatment (D&T) Building	95,000 square feet
Energy Center	22,000 square feet
Temporary Parking (to be removed in Phase III)	45 spaces
<i>Phase II</i>	
North and East Patient Bed Tower and D&T Expansion	380,000 square feet

Medical Office Building No. 3	65,000 square feet
Energy Center Expansion	8,000 square feet
Parking Structure No. 1	400 spaces
Parking Structure No. 2	1,400 spaces
Phase III	
West and South Patient Bed Tower	375,000 square feet
Medical Office Building No. 4	95,000 square feet
Parking Structure No. 3	600 spaces
Existing to Remain	
Medical Office Building No. 2	75,000 square feet
Surface Parking	150 spaces

Phase 1

Phase I, expected to start construction on mid-2020, includes PEN18-0229 the Diagnostic and Treatment Expansion, and PEN18-0230, the Energy Center, and a temporary parking lot as described below.

PEN18-0229 – Diagnostic and Treatment Expansion Plot Plan

The Diagnostic and Treatment Center Expansion will increase the existing hospital by approximately 95,000 square feet to allow for a Diagnostic and Treatment building (D&T Building) providing direct support to the hospital including natal intensive care unit (NICU), six (6) operating rooms, interventional radiology and other imaging services, and ancillary support including lab, pathology, and lobby expansion. As designed, the D&T Building would be two stories in height located east of the existing hospital.

The Applicant is also proposing a temporary parking lot north of the existing hospital building with 45 spaces. This parking lot will be removed as part of Phase III.

PEN18-0230 – Energy Center Plot Plan

The Energy Center will replace the existing Central Utility Plant located at the northwestern corner of the existing hospital building with an Energy Center of approximately 22,000 square feet. The center will include three emergency generators (two new and one existing) bulk oxygen and two cooling towers. The center is designed to contain all major mechanical equipment to run the existing hospital facility and the overall campus expansion. Upon completion of the new facility, the existing Central Utility Plant will be decommissioned and removed with the completion of the phase 3.

Subsequent phases will be reviewed through an Amended Plot Plan/Substantial Conformance application process to ensure consistency with this approval.

Site and Surrounding Area

The 30-acre project site is located on the north side of Iris Avenue west of Oliver Street and is approximately two-thirds developed within the Community Commercial (CC) and Office Commercial (OC) zoning districts within the Medical Use Overlay District (MUO).

The general vicinity surrounding the project site is developed with a mix of existing residential uses within the Specific Plan 193 to the south and further east, with Neighborhood Commercial and Office adjacent to the east. Properties to the north and west are undeveloped, with LM (Low/Medium Residential) zoning within the AquaBella Specific Plan 218 (SP218).

Access/Parking

Ingress and egress to the site is from the three existing drive approaches, on the east, west and in the middle of the campus. The parking will be modified during each phase ensuring adequate parking facilities through phases and at build-out to include surface parking and parking structures. Parking structures will be designed with decorative screening and landscaping.

Street improvements will include minor changes to the existing frontage with a change to the existing median and relocation of the existing bus bay for enhanced circulation along Iris Avenue.

Design/Landscaping

The design of the proposed buildings includes contemporary design with the use of multiple building materials, building projections, windows and designed screening for the parking structures.

Each phase will include the required landscaping for the area with a fully landscaped facility at build-out. The existing landscaping along Iris Avenue will remain and will be modified as the project develops.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this project on December 18, 2018. Staff and the applicant discussed the project and subsequent changes and all have been addressed to the satisfaction of all parties.

ENVIRONMENTAL

Draft Environmental Impact Report

The environmental documents were prepared by an outside environmental consultant, Dudek, and submitted to the City for review to ensure that the documents reflect the independent judgment and analysis of the City as the California Environmental Quality Act (CEQA) Lead Agency.

Upon completion of the Draft Environmental Impact Report (DEIR), staff circulated the document for a 45-day public review period, starting on October 11, 2019, and ending on November 25, 2019. Staff sent the Draft EIR to all required State and local agencies and interested parties. Five comment letters were received during the public review period. Some letters expressed concern regarding potential impacts to air quality, noise, traffic and aesthetics, while others acknowledged the project without providing specific comments. As required by CEQA, responses have been prepared for all comments. Written responses to comments are included in the Final EIR.

Mitigation measures are included to reduce the level of environmental impacts. After the application of all feasible mitigation measures, the Project would result in two (2) significant and unavoidable environmental effects, to Air Quality for exceedance of NOx primarily due to mobile source emissions and energy use at the Energy Center, and to Transportation at selected intersections upon buildout during phases.

In cases where impacts cannot be reduced to less than significant levels, CEQA allows a decision making body to consider adoption of a Statement of Overriding Considerations and Findings (SOC). CEQA requires the decision-making agency to balance economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as creation of jobs or other desired beneficial project features versus project impacts that cannot be feasibly mitigated to less than significant levels. If the decision-making body determines benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a SOC and approve the project. The SOC prepared for this project provides specific documentation of economic benefits this project would provide including annual taxes, job creation and roadway infrastructure.

NOTIFICATION

The public hearing notice for this project was published in the local newspaper on March 13, 2020. Public notices were mailed to all property owners of record within 600 feet of the project site on March 13, 2020. The public hearing notice for this project was posted on site on March 16, 2020.

REVIEW AGENCY COMMENTS

The project application materials were circulated for review by all appropriate City Departments and Divisions, as well as applicable outside Agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission

APPROVE Resolution No. 2020-07, and thereby:

1. **CERTIFY** that the Final Environmental Impact Report PEN18-0217 for the Kaiser Permanente Moreno Valley Medical Center Campus Master Plan project on file with the Community Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the Planning Commission reviewed and considered the information in the Final EIR and that the Final EIR reflects the City's independent judgement and analysis; and
2. **ADOPT** the Mitigation Monitoring and Reporting Program for the Final EIR for the proposed Kaiser Permanente Moreno Valley Medical Center Campus Master Plan project, attached as Exhibit A.
3. **ADOPT** the Facts, Findings and Statement of Overriding Considerations regarding the Final EIR for the Kaiser Permanente Moreno Valley Medical Center Campus Master Plan project, attached hereto as Exhibit B; and

APPROVE Resolution No. 2020-08, and thereby:

4. **APPROVE** PEN18-0228, PEN18-0229 and PEN18-0230 Plot Plans subject to the attached conditions of approval attached as Exhibits A, B, and C.

Prepared by:
Julia Descoteaux
Associate Planner

Approved by:
Manuel A. Mancha
Community Development Director

ATTACHMENTS

1. 2020-07_EIR_Resolution
2. Attachment A to 2020-07 KPMV Findings and SOCs_Final
3. Attachment B to 2020-07 Final KPMV_MMRP
4. 2020-08_Project Plot Plans Resolution
5. Attachment A to 2020-08 PEN18-0228 Conditions of Approval Master PP
6. Attachment B to 2020-08 PEN18-0229 Conditions of Approval DT
7. Attachment C to 2020-08 PEN18-0230 Conditions of Approval Energy
8. Project Plans
9. Color Elevations
10. Zoning w-MUO
11. General Plan
12. PC Public Hearing Notice

- 13. 600 Foot Radius
- 14. Comment Letter
- 15. Received Public Comments

HISTORY:

03/26/20 Planning Commission CONTINUED
 Next: 04/09/20

A Master Plot/Site Plan providing for the overall development and expansion of the existing Kaiser Permanente hospital facility consisting of 1,125,000 square feet of medical service facilities and ancillary uses to be constructed over three phases. Phase I included with this application is the expansion of the Diagnostic and Treatment center at the existing hospital and the construction of the new energy center to contain all major mechanical equipment to run the hospital facility.

Motion to continue the item to the Regular Planning Commission meeting of April 9, 2020 was made by Commissioner Brugueras and seconded by Vice Chairperson Baker.

Vote:7-0

Ayes: Commissioner Brugueras, Stephan, Harris, DeJohnette, Korzec, Vice
 Chairperson Baker and Chairperson Sims

Action:Approved

04/09/20 Planning Commission CONTINUED
 Next: 04/23/20

PLANNING COMMISSION RESOLUTION NO. 2020-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (PEN18-0217) AND ADOPTING THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE KAISER FOUNDATION HOSPITAL PROJECT.

WHEREAS, the applicant, Kaiser Foundation Hospital submitted applications for a Master Plot Plan (PEN18-0228) for the overall Kaiser Permanente Moreno Valley Medical Center campus expansion, to include an expansion of the existing energy center and the addition of new medical office buildings with parking structures to be completed in three phases, Plot Plan PEN18-0229 for the Diagnostic and Treatment Center expansion, and Plot Plan PEN18-0230 a new Energy Center to replace the existing Central Utility Plant. The above applications shall not be approved unless the Final Environmental Impact Report (EIR) PEN18-0217, submitted as a related but separate application, is certified and approved; and

WHEREAS, the City of Moreno Valley (City) worked with the environmental consultant, Dudek, in the preparation of an Initial Study checklist and a Notice of Preparation (NOP). An Environmental Document Transmittal form was filed with the State Clearinghouse on November 27, 2018 for the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the project. The public review period of the NOP was November 26, 2018 through December 31, 2018. A public scoping meeting was held in connection with the NOP on December 12, 2018 in the Council Chamber at City Hall; and

WHEREAS, the City worked with the environmental consultant, Dudek, in the review of NOP response comments for the preparation of a Draft (EIR) for this project. The Draft EIR was circulated to the public and to responsible agencies for comments for a 45 day period beginning on October 11, 2019 and ending on November 25, 2019 and

WHEREAS, since October 11, 2019, copies of the Draft EIR have been made available to the public at the City's offices, on the City's website and at the City's Public Library; and

WHEREAS, in accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the City has prepared responses to comments received during the 45 day comment period on the Draft EIR, and such responses are included as a component of the Final EIR; and

WHEREAS, in accordance with Section 15089(b) of the CEQA Guidelines, on March 13, 2020, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the Final EIR to the State Clearinghouse, commenters, local agencies and other interested parties providing the opportunity for their review of the

1

Resolution No. 2020-07

Date Approved:

document prior to approval of the project, and mailed public hearing notices to all property owners within 600 feet, and posted a notice at the site; and

WHEREAS, the Draft and Final EIR concerning the proposed Kaiser Permanente Moreno Valley Medical Center project were prepared in sufficient detail and duly circulated in compliance with CEQA, the State CEQA Guidelines and the City's Rules and Procedures to Implement CEQA; and

WHEREAS, the Final EIR includes an analysis of potential impacts associated with the implementation of the Kaiser Permanente Moreno Valley Medical Center project, including, but not limited to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Green House Gas (GHG) , Hydrology and Water Quality, Traffic and Circulation, Noise, and Soils, and Tribal Resources; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been completed to ensure that all of the mitigation measures outlined in the Final EIR will be monitored and implemented through project completion; and

WHEREAS, after the application of all feasible mitigation measures, the project would result in two significant and unavoidable environmental impacts, to Air Quality for exceedance of NOx primarily due to mobile source emissions and energy use at the Energy Center, and to Transportation at selected intersections upon buildout during phases; and

WHEREAS, after careful consideration of those unavoidable environmental impacts of the project which cannot be mitigated to a level below significance (air quality and transportation/traffic), it was determined that even after application of feasible mitigation that these impacts would remain unavoidable. The economic, legal, social, technological and other community benefits that are expected to result from development of the project have been determined by the Planning Commission, as the decision making body for the project, to outweigh the unavoidable adverse environmental effects, as articulated in the Facts, Findings and Statement of Overriding Considerations prepared for the project; and

WHEREAS, a Final EIR, (including the Draft EIR, and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project; and

WHEREAS, on April 23, 2020, the Planning Commission of the City of Moreno Valley (Planning Commission) conducted a public hearing to consider the Final EIR for the proposed project; and

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

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

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on April 23, 2020, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby finds as follows:
1. **Independent Judgment and Analysis** – The Final EIR represents the City’s independent judgment and analysis.

FACT: The City acting in its capacity as the Lead Agency for the document has subjected the draft environmental document to independent judgment and analysis, including but not limited to, its project description, objectives, technical studies, exhibits, revisions, response to comments, and recommended mitigation to the lead agency’s own review and analysis. The document as completed reflects the independent judgment of the lead agency. Furthermore, City staff has participated in and provided necessary insights and direction at scoping sessions and other pertinent meetings with the public and interested parties throughout the preparation of the document. A public hearing was conducted by the Planning Commission on April 23, 2020 during which opportunity was given to the public and other interested agencies and parties to address the adequacy of the Final EIR. All comments on the Final EIR raised during the public and agency comment period and at the Public Hearing on the project were considered by City staff and the Planning Commission prior to action being taken on the project.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVE** Resolution No. 2020-07, and hereby:

1. **CERTIFY** that the Final Environmental Impact Report (FEIR, PEN18-0217) for the Kaiser Moreno Valley Medical Center project on file with the Community Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the Planning Commission reviewed and considered the information contained in the Final EIR and that the Final EIR reflects the City’s independent judgment and analysis; and
2. **ADOPT** the Facts, Findings and Statement of Overriding Considerations regarding the Final EIR for the Kaiser Moreno Valley Medical Center project, attached hereto as Exhibit A; and
3. **ADOPT** the Mitigation Monitoring and Reporting Program for the Final EIR for the proposed Kaiser Moreno Valley Medical Center project, attached hereto as Exhibit B.

APPROVED this 23rd day of April 2020.

Patricia Korzec
Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

Patty Nevins, Planning Official

City Attorney

Attachments A and B

Attachment: 2020-07_EIR_Resolution [Revision 6] (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno

DRAFT
Findings of Fact
and
Statement of Overriding Considerations
Kaiser Permanente Moreno Valley Medical Center

Prepared for:

City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, California 92553
Contact: Julia Descoteaux, Associate Planner

Prepared by:

DUDEK
38 North Marengo Avenue
Pasadena, California 91101
Contact: Nicole Cobleigh

MARCH 2020

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
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Attachment: Attachment A to 2020-07 KPMV Findings and SOCs_Final (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser

1 Introduction

1.1 Purpose

This statement of Findings of Fact (Findings) addresses the environmental effects associated with the Kaiser Permanente Moreno Valley Medical Center project located in the City of Moreno Valley, California. These Findings are made pursuant to the California Environmental Quality Act (CEQA) under Sections 21081, 21081.5, and 21081.6 of the Public Resources Code and Sections 15091 and 15093 of the CEQA Guidelines, Title 14, Cal. Code Regs. 15000, et seq. The potentially significant impacts were identified in both the Draft Environmental Impact Report (EIR) and the Final EIR, as well as additional facts found in the complete record of proceedings.

Public Resources Code 21081 and Section 15091 of the CEQA Guidelines require that the lead agency prepare written findings for identified significant impacts, accompanied by a brief explanation for the rationale for each finding. The City of Moreno Valley is the lead agency responsible for preparation of the EIR in compliance with CEQA and the CEQA Guidelines. Section 15091 of the CEQA Guidelines states, in part, that:

- (a) No public agency shall approve or carry out a project for which an environmental impact report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In accordance with Public Resource Code 21081 and Section 15093 of the CEQA Guidelines, whenever significant impacts cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." In that case, the decision-making agency may prepare and adopt a Statement of Overriding Considerations (SOC), pursuant to the CEQA Guidelines.

Section 15093 of the CEQA Guidelines state that:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social,

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
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- technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
 - (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The Final EIR for the project identified potentially significant effects that could result from project implementation. However, the City finds that the inclusion of certain mitigation measures as part of the project approval will reduce most, but not all, of those effects to less than significant levels. Those impacts that are not reduced to less than significant levels are identified and overridden due to specific project benefits in a Statement of Overriding Considerations.

In accordance with CEQA and the CEQA Guidelines, the City adopts these findings as part of its certification of the Final EIR for the project. Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the City also finds that the Final EIR reflects the City's independent judgment as the lead agency for the project. As required by CEQA, the City, in adopting these findings, also adopts a Mitigation Monitoring and Reporting Program for the project. The City finds that the Mitigation Monitoring and Reporting Program, which is incorporated by reference and made a part of these findings, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

1.2 Organization and Format of Findings

Section 1.0, Introduction, contains a summary description of the project and background facts relative to the environmental review process.

Section 2.0 discusses the CEQA findings of independent judgment. Section 2.1 describes the environmental effects determined not to be significant during the Notice of Preparation (NOP) scoping process and therefore were not discussed in the EIR. Section 2.2 identifies the project's potential environmental effects that were determined not to be significant and, therefore, do not require mitigation measures. Section 2.3 identifies the potentially significant effects of the project that would be mitigated to a less than significant level with implementation of the identified mitigation measures. Section 2.4 of these Findings identifies the significant impacts of the project that cannot be mitigated to a less than significant level, even though all feasible mitigation measures have been identified and incorporated into the project. Section 2.5 of these Findings identified cumulative impacts.

Section 3.0 discusses findings regarding the project Alternatives.

Section 4.0 contains the Statement of Overriding Considerations providing the City's views on the balance between the project's significant environmental effects and the merits and objectives of the project.

Section 5.0 provides the certification of the Final EIR.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

Section 6.0 discusses General CEQA findings, including findings with respect to mitigation of significant adverse impacts, and adoption of the Mitigation, Monitoring, and Reporting Program (MMRP). .

Section 7.0 provides a summary of the custodian of the record.

1.3 Summary of Project Description

The project site is approximately 30 acres, and approximately two-thirds of the 30-acre site is developed with a 130,000 square-foot 100-bed hospital building, two medical office buildings totaling approximately 89,500 square feet, a central utility plant, modular trailers/conference rooms, and surface parking. The project site has a General Plan land use designation of Commercial and Residential/Office, is zoned Community Commercial and Office Commercial, and is within the Medical Use Overlay (MUO) district.

Regionally, the project site, which is the existing Kaiser Medical Center, is located east of Interstate 215, south of State Route 60, and north of Lake Perris within the City. More specifically, the project site is located on the north side of Iris Avenue, west of Oliver Street, and east of Nason Street at 27300 Iris Avenue, Moreno Valley California, 92555.

Kaiser Permanente is proposing to redevelop and expand the existing Kaiser Permanente Moreno Valley Medical Center campus into a state-of-the-art medical center consisting of approximately 1,125,000 square feet of medical services facilities and ancillary uses. These facilities and uses would include an approximately 460-bed hospital, hospital support buildings, outpatient medical office buildings, an Energy Center, and surface and structured parking. Kaiser Permanente intends to provide a comprehensive range of health care services to Kaiser Permanente members in the City and surrounding communities within western Riverside County.

Table 3-1. Project Components

Project Components	Size
Phase I	
Diagnostic and Treatment (D&T) Building	95,000 square feet
Energy Center	22,000 square feet
Temporary Parking (to be removed in Phase III)	45 spaces
Phase II	
North and East Patient Bed Tower and D&T Expansion	380,000 square feet
Medical Office Building No. 3	65,000 square feet
Energy Center Expansion	8,000 square feet
Parking Structure No. 1	400 spaces
Parking Structure No. 2	1,400 spaces
Phase III	
West and South Patient Bed Tower	375,000 square feet
Medical Office Building No. 4	95,000 square feet
Parking Structure No. 3	600 spaces
Existing to Remain	
Medical Office Building No. 2	75,000 square feet
Surface Parking	150 spaces

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

Table 3-1. Project Components

Project Components	Size
Total Buildout	
Hospital Building with Four Towers and D&T	850,000 square feet
Medical Office Buildings (3)	235,000 square feet
Energy Center	28,000 square feet
Parking	2,550 spaces

Source: CO Architects 2019.

The project would be developed in three phases, with the first phase (Phase I) evaluated at the project level in this EIR. Phases II and III are analyzed in this EIR at a programmatic level because they would be developed at a later date and because they are more conceptual due to several factors that could change over time, including the anticipated future growth of Kaiser Permanente membership within the City and surrounding communities, the anticipated future regional demand for the project's services, the evolution of healthcare technology, the portability of the health care environment, legislative and regulatory changes required by health care reform, the business and health care needs of Kaiser Permanente, and other factors.

The project's phased development would occur between 2020 and 2038. The following sections describe each of the project phases, and Table 3-2 provides a summary of what would be demolished and constructed within each of the three phases.

Table 3-2. Demolition and Construction by Phase

Project Component	Phase I		Phase II		Phase III	
	Demolished	Constructed	Demolished	Constructed	Demolished	Constructed
Facility Service Trailers	3,700 sf					
Education Trailers	2,900 sf					
Medical Office Building No. 1	7,600 sf					
D&T Building		95,000 sf				
Energy Center		22,000 sf		8,000 sf		
North & East Patient Bed Tower and D&T Expansion				380,000 sf		
Medical Office Building No. 3				65,000 sf		
Patient Tower, Hospital and Central Utility Plant					133,000 sf	
West and South Patient Bed Tower						375,000 sf
Medical Office Building No. 4						95,000 sf
Total	14,200 sf	117,000 sf	0	453,000 sf	133,000 sf	470,000 sf

Note:

sf = square feet

See Section 3.0, Project Description, for a thorough description of the proposed project.

1.4 Project Objectives

Section 15124(b) of the CEQA Guidelines states that the project description shall contain “a statement of the objectives sought by the proposed project.” Section 15124(b) further states that “the statement of objectives should include the underlying purpose of the project and may discuss the project benefits.” The underlying purpose of the proposed project is to accommodate both existing deficits and future demand for medical office, diagnostic, and treatment space, including emergency services, in the Moreno Valley Medical Center service area by improving and expanding existing campus facilities on the current Medical Center site. As set forth in the CEQA Guidelines, The project’s specific objectives are provided below.

- Improve public health and safety and serve the existing and projected Kaiser membership base in Moreno Valley and the immediately surrounding communities by providing additional and expanded medical services on the Moreno Valley Medical Center campus.
- Reduce the need for Kaiser members to travel outside the City for medical services by increasing the types and capacity of medical services available at the Moreno Valley Medical Center campus.
- Develop underutilized land located within the Medical Use Overlay district consistent with the City’s objectives, as set forth in the general plan and zoning code, of maintaining a diversity of medical and supportive uses in the vicinity of the existing hospital and creating a medical corridor by limiting land uses to those that are supportive of and compatible with the existing hospital.
- Provide for the long-range development capacity on the project site’s undeveloped area which would accommodate the future growth of Kaiser Permanente members requiring health care services, while also providing the flexibility for a range of shorter term interim and conveniently sited, complementary uses.
- Provide a comprehensive range of high quality health care services in seismically safe, state-of-the-art, advanced-care medical center facilities for Kaiser Permanente members throughout the Moreno Valley region.
- Replace, repair and upgrade existing hospital facilities and supporting infrastructure to address age, functionality and seismic safety.
- Create a comprehensively planned, advanced-care medical center campus that provides community vitality, economic growth, and a wide range of employment opportunities in Moreno Valley and the surrounding region.
- Foster the creation of employment opportunities within Moreno Valley to improve the jobs/housing balance within the City and the surrounding area.
- Maintain current services at the existing Moreno Valley Medical Center without interruption while simultaneously upgrading aging infrastructure and enhancing services available to Kaiser Members based on market demand.
- Provide parking sufficient to accommodate membership and patient demands, staff parking demands during shift changes, reduce delay and improve circulation throughout the campus by alleviating vehicle queuing.
- Implement upgrades to the Medical Center’s Energy Center to improve energy efficiency as well as implement green building features using the standards of the Green Guide for Healthcare, as such standards evolve over time, and Leadership in Energy and Environmental Design (LEED) Gold certification or equivalent, as well as Kaiser’s existing sustainable building strategies.

1.5 Environmental Review Process

1.5.1 Initial Study and Notice of Preparation

In accordance with the requirements of CEQA and the CEQA Guidelines, to determine the number, scope and extent of environmental issues, the NOP of the Draft EIR was circulated for public review for a period of 30 days, beginning on November 26, 2018 and ending on December 31, 2018. The City's Community Development Department held a public scoping meeting on Wednesday, December 12, 2018 from 6:00-7:00 p.m., at 14177 Frederick Street, in the City Hall Council Chambers, to obtain public input on both the project and the scope and content of the Draft EIR. Interested parties attended the public information meeting and provided input.

1.5.2 Draft EIR

In accordance with the requirements of CEQA and the CEQA Guidelines, a Draft EIR was prepared to address the potential significant environmental effects associated with the Medical Center project identified during the NOP process. Based on the NOP and scoping process, the EIR addressed the following potentially significant environmental issues:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural
- Energy
- Geology and Soils
- Greenhouse Gases (GHG)
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The Draft EIR was published for a 45-day public review period beginning on October 11, 2019 and ending November 25, 2019. The document was available for viewing at the City's Community Development Department, located at 14177 Frederick St., Moreno Valley, CA 92553, the Moreno Valley Library, located at 25480 Alessandro Boulevard, Moreno Valley, California, or on-line at the City's web page: <http://www.moval.org/>.

During the Draft EIR public review period, the City received six comment letters. All comment letters received in response to the Draft EIR were reviewed and are included in the Final EIR, along with written responses to each of the comments.

1.5.3 Final EIR

Section 15088 of the CEQA Guidelines requires that the Lead Agency responsible for the preparation of an EIR evaluate comments on environmental issues and prepare a written response addressing comments raising significant environmental issues. The intent of the Final EIR is to provide a forum to address comments pertaining to the information and analysis contained within the Draft EIR, and to provide an opportunity for clarifications, corrections, or minor revisions to the Draft EIR as needed.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

In accordance with CEQA Guidelines section 15132, the Final EIR for the proposed project consists of: (i) the Draft EIR; (ii) subsequent revisions in the form of an errata; (iii) comments received on the Draft EIR; (iv) a list of the persons, organizations, and public agencies commenting on the Draft EIR; (v) written responses to significant environmental issues raised during the public review and comment period and related supporting materials; and, (vi) other information contained in the EIR, including EIR appendices.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

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Attachment: Attachment A to 2020-07 KPMV Findings and SOCs_Final (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser

2 CEQA Findings of Independent Judgment

2.1 Environmental Effects Determined Not to Be Significant in the NOP Scoping Process and Not Discussed in the EIR

Section 15128 of the CEQA Guidelines requires an EIR to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. Chapter 5, Section 5.3, of the EIR addresses the potential environmental effects that have been found not to be significant as a result of the NOP scoping process, the NOP public review process, and the responses to the NOP. Based on the NOP process, and given the nature of the proposed project, the location of the project site, and current uses as the project site, implementation of the proposed project was determined to result in either no impact, or a less than significant impact without the implementation of mitigation measures on the following resources, and were therefore, not discussed in detail in the EIR:

2.1.1 Agricultural Resources

Approximately two-thirds of the project site is currently developed with an existing Medical Center. The land use and zoning designations on the project site include Office Commercial and Community Commercial, and the site lies within the Medical Use Overlay. No agricultural activities or resources exist on the project site, and the site is not zoned for such activities. As such, implementation of the proposed project would not result in impacts to agricultural resources.

2.1.2 Mineral Resources

Approximately two-thirds of the project site is currently developed with an existing Medical Center. The land use and zoning designations on the project site include Office Commercial and Community Commercial, and the site lies within the Medical Use Overlay. No mineral extraction activities or resources occur on the project site, and the site is not zoned for such activities. As such, implementation of the proposed project would not result in impacts to mineral resources.

2.2 Environmental Effects Determined to be Less than Significant

The City finds that, based upon substantial evidence in the record, including information in the Final EIR, the following impacts have been determined be less than significant and no mitigation is required.

2.2.1 Aesthetics

The City finds that, based upon substantial evidence in the record, impacts related to aesthetic resources, Impact thresholds AES-1, AES-2, AES-3 and AES-4 would be less than significant, and no mitigation measures are required.

Threshold AES-1: Would the project have a substantial adverse effect on a scenic vista?

Impact Determination: Construction and operation of project- and program-level elements would result in less than significant impacts to scenic vistas. No mitigation is required.

Development of the proposed project and cumulative projects would not result in a cumulatively considerable impact on scenic vistas. No mitigation is required.

Supporting Explanation: While construction activities would occupy large portions of the project site, surrounding foothills and more distant mountains would remain visible from much of the project site and surrounding area. Further, view obstruction associated with vertical construction equipment and vehicles would not result in permanent blockage of existing views of scenic landforms in the area.

While the proposed Phase I structures would be visible from many of the identified viewpoints, their one- to two-story scale and low vertical profile relative to the existing hospital and medical office building located on site would not substantially block or screen views of scenic resources, including the Russell Mountains, Mount Russell and its surrounding foothills, or the distant San Bernardino Mountains as viewed by area motorists, residents, pedestrians or park users. Interruption of existing views associated with the introduction of the one- and two-story Phase I structures would be minimal.

Proposed buildout of the site with several structures ranging from approximately 20 feet to over 130 feet high would alter the existing layout of the site and existing views across the site to scenic resources including local foothills, peaks, the valley and more distant mountains. While the project would result in visual changes, including without limitation blocking large portions of the lower elevation terrain of the Russell Mountain foothills from view and increasing the building bulk and scale on the project site, the anticipated visual changes do not amount to an adverse impact to a scenic vista. Among other things, the ridgeline of Mount Russell, rocky foothill terrain and the more distant hilly and mountainous landscape remain visible from many locations. The ridgeline of Mount Russell would continue to be visible from the public right of way, and from adjacent land. Views of scenic resources from locations closer to project structures may experience greater visual changes, but do not amount to an adverse impact to a scenic vista. The City has identified scenic resources and view corridors in Figure 7-2 of the Conservation Element of the City's General Plan, but has not defined scenic vistas to include every view of every scenic resource from every location within the City. Buildout of all phases of the proposed project is consistent with Figure 7-2 of the Conservation Element.

The proposed project is consistent with applicable zoning and other regulations governing scenic quality. Among other things, the project would comply with applicable setback and height requirements, and the parking structures would be softened with designed with vegetated walls, which would soften the contrast with the surrounding landscape.

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Threshold AES-2: Would the project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

Impact Determination: Construction and operation of project- and program-level elements would result in less than significant impacts to scenic resources within a state scenic highway. No mitigation is required.

Development of the proposed project and cumulative projects would not result in a cumulatively considerable impact on scenic resources within a state scenic highway. No mitigation is required.

Supporting Explanation: No state-designated or eligible scenic highways are located in the project area. The closest eligible state scenic highway, State Route 74, is located approximately 8 miles south of the project site, and the nearest segment of officially designated state scenic highway, State Route 74, is approximately 20 miles southeast of the project site (Caltrans 2017). Due to distance and intervening development and terrain, the project site is not visible from the eligible scenic and state-designated scenic segments of State Route 74. Therefore, implementation of the project would not substantially damage scenic resources within a state scenic highway.

Threshold AES-3: In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Impact Determination: The project is located in an urbanized area, and construction and operation of project- and program-level elements would result in less than significant impacts to applicable zoning and other regulations governing scenic resources. No mitigation is required.

Development of the proposed project and cumulative projects would not result in a cumulatively considerable impact with respect to conflict with applicable zoning and other regulations governing scenic resources. No mitigation is required.

Supporting Explanation: Scenic quality of new development is governed by the City's Zoning Ordinance as well as goals and policies from the City General Plan. The project site's General Plan land use designation is Commercial and Office, and includes two zoning designations: Office Commercial (OC) District and Community Commercial (CC) District (City of Moreno Valley 2006, 2017b). Further, the project site is located within the Medical Use Overlay (MUO) District of the Zoning Ordinance, which specifically allows the development of Medical Centers. Section 9.07.040 of the Moreno Valley Municipal Code provides that property within the MUO with an underlying zoning of office or office commercial, the development standards (Chapter 9.04, Commercial Districts) of the office commercial designation apply (City of Moreno Valley 2018). As shown in Table 4.10-1 in Section 4.10, Land Use and Planning, the project is consistent with applicable General Plan policies related to scenic resources.

In addition, consistent with residential and hospital development in the area, the project site would be landscaped which would enhance the visual quality of the currently undeveloped and vacant portion of the site proposed for development. Therefore, implementation of Phase I of the proposed project would not substantially degrade the existing visual character and quality of the site and its surroundings and impacts would be less than significant.

Building materials, bulk, scale, and setbacks for each cumulative project would be required to comply with the General Plan, Municipal Code, and any applicable specific plans as it relates to design standards and scenic quality. Thus minimizing potential impacts due to incompatibility with existing character or quality. Impacts to scenic vistas could

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be exacerbated by other projects being constructed within the same general line of sight towards the nearby scenic resources. However, it was determined that views of the mountains would still be visible beyond the proposed buildings along the horizon and cumulative impacts would be less than significant.

Threshold AES-4: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact Determination: Construction and operation of project- and program-level elements would result in less than significant impacts to new sources of substantial light or glare. No mitigation is required.

Development of the proposed project and cumulative projects would not result in a cumulatively considerable impact with respect to new sources of substantial light or glare. No mitigation is required.

Supporting Explanation: After-hours work would not be typical during the construction phase, and during sporadic use, mobile lighting sources would be fully shielded and directed downward to minimize skyglow and light trespass onto adjacent properties. Further, mobile lighting would be focused on the area of active construction such that the entirety of the project site would not be illuminated. Because use of nighttime lighting during construction would be irregular, and mobile lighting sources would be fully shielded and directed downward, construction lighting would not adversely affect nighttime views in the area or create substantial glare.

Reference

Draft EIR Section 4.1, Aesthetics; Final EIR, Chapter 2 – Responses to Comments

2.2.2 Air Quality

The City finds that, based upon substantial evidence in the record, Impact thresholds AQ-1 (Construction, Operation (Phase I only)), AQ-2 (Construction), AQ-3 (Construction and Operational CO Hot Spot and TAC's) and AQ-4 would be would be less than significant, and no mitigation measures are required.

Threshold AQ-1: Would the project conflict with or obstruct implementation of the applicable air quality plan? (Construction, Operation (Phase I only))

Impact Determination: Construction activities associated with Phase I, II and III would not result in a cumulatively considerable net increase of criteria pollutants, and thus would not conflict with or obstruct implementation of the South Coast Air Basin Air Quality Management Plan (AQMP). The project would not conflict with the existing zoning for the site or exceed the growth projections for employment within the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or AQMP. Construction impacts would be less than significant and no mitigation is required. Operation of Phase I of the proposed project would not result in exceedances of any criteria air pollutants, and impacts would be less than significant. No mitigation is required.

Supporting Explanation: The Project Design Features (PDF) set forth below have been incorporated into the project to reduce project construction air emissions. Daily construction emissions during Phase I, Phase II, and Phase III of the project would not exceed any of the South Coast Air Quality Management District (SCAQMD) significance thresholds. Construction-generated emissions would be temporary and would not represent a long-term source of criteria air pollutant emissions. As shown in Table 4.2-15 in the EIR, operational emissions during Phase I of the

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project would not exceed any of the SCAQMD significance thresholds for VOC, NO_x, CO, SO_x, PM₁₀ or PM_{2.5}. As such, impacts would be less than significant, and no mitigation is required.

PDF-AQ-1 Kaiser will prepare and implement a Construction Management Plan, which will include best available control measures among others. Such control measures may include but not be limited to:

- Minimizing simultaneous operation of multiple construction equipment units.
- Require that off-road diesel powered vehicles used for construction should be new low-emission vehicles, or use retrofit emission control devices, such as diesel oxidation catalysts and diesel particulate filters verified by California Air Resources Board.
- Minimizing idling time by construction vehicles per California Air Resources Board regulations.

PDF-AQ-2 The following measures shall be adhered to during all phases of construction activities of the project to reduce PM₁₀ to the satisfaction of the City of Moreno Valley Planning Department:

- All construction equipment shall be equipped with Tier 4 Final diesel engines or better.
- The engine size of construction equipment shall be the minimum size suitable for the required job.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest number is operating at any one time.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.

Threshold AQ-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (Construction and Operations – Phase I)?

Impact Determination (Construction): Construction activities associated with Phase I, II and III would not result in a cumulatively considerable net increase of criteria pollutants and impacts would be less than significant. No mitigation is required.

Supporting Explanation: PDF-AQ-1 and PDF-AQ-2, described above, have been included in the project. Daily construction emissions during Phase I, Phase II, and Phase III of the project would not exceed any of the SCAQMD significance thresholds. Construction-generated emissions would be temporary and would not represent a long-term source of criteria air pollutant emissions. As such, impacts would be less than significant, and no mitigation is required.

Impact Determination (Operation – Phase I): Operation of Phase I of the proposed project would not result in exceedances of any criteria air pollutants, and impacts would be less than significant. No mitigation is required.

Supporting Explanation: Following completion of construction activities, the project would generate VOC, NO_x, CO, SO_x, PM₁₀ and PM_{2.5} emissions from mobile sources including vehicular traffic, area sources, and stationary sources. As shown in Table 4.2-15 in the EIR, operational emissions during Phase I of the project would not exceed any of the SCAQMD significance thresholds for VOC, NO_x, CO, SO_x, PM₁₀ or PM_{2.5}. As such, impacts would be less than significant, and no mitigation is required.

Threshold AQ-3: Would the project expose sensitive receptors to substantial pollutant concentrations (Construction and Operational CO Hot Spot and TACs)?

Impact Determination: Construction and operation of project- and program-level components would not result in exposure of sensitive receptors to localized high concentrations of CO and impacts would be less than significant. In addition, emissions of TACs from new stationary sources associated with the project would be subject to SCAQMD rules that would ensure impacts would be less than significant. No mitigation is required for localized high concentrations of CO or emissions of TACs.

Supporting Explanation: The project would not cause or contribute to violations of the California Ambient Air Quality Standards (CAAQS), and would not result in exposure of sensitive receptors to localized high concentrations of CO. As such, impacts would be less than significant to sensitive receptors with regard to potential CO hotspots resulting from project contribution to cumulative traffic-related air quality impacts, and no mitigation is required.

The HRA showed that cancer and non-cancer risk during construction would be below the SCAQMD significance thresholds. PDF-AQ-2 would also reduce DPM emissions from heavy equipment during construction. Accordingly, the impacts due to TAC emissions would be less than significant, and no mitigation is required.

Threshold AQ-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact Determination: Construction and operations of project- and program-level components would not result in other emissions that would adversely affect a substantial amount of people. Impacts from both construction and operation would be less than significant and no mitigation is required.

Supporting Explanation: Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Project operations would consist of medical office, hospital, and hospital-related uses and would not involve land uses that are commonly associated with odors. Therefore, project operations would not result in other emissions that would adversely affect a substantial amount of people. Impacts from both construction and operation would be less than significant, and no mitigation is required.

Reference

Draft EIR Section 4.2, Air Quality and Appendix B Air Quality Technical Report; Final EIR, Chapter 2 – Responses to Comments

2.2.3 Biological Resources

The City finds that, based upon substantial evidence in the record, impact thresholds BIO-1 (Special-Status Plant Species (Direct and Indirect) and Wildlife (Indirect)), BIO-2, BIO-3 (Indirect), BIO-4, BIO-5 and BIO-6 would be less than significant, and no mitigation measures are required.

Threshold BIO-1: Would the project 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

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plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (Special-Status Plant Species (Direct and Indirect) and Wildlife (Indirect))?

Impact Determination: Special-status plant species include those listed, or candidates for listing, as threatened or endangered by US Fish and Wildlife Service or California Department of Fish and Wildlife, or species covered by the Multiple Species Habitat Conservation Plan. No special-status plant species were identified on site during 2019 focused surveys, and no special-status plant species have a high potential to occur. Therefore no direct impacts to special-status plants would occur. Construction-related dust, soil erosion, and water runoff can affect any potentially occurring special-status plant species that may occur on site. However, no special-status plant species are expected to occur on site; therefore, no significant indirect short-term or long-term impacts to special-status plant species would occur.

Indirect impacts to special status species wildlife from construction-related noise and vibration and lighting are not anticipated, particularly given the existing uses on and immediately adjacent to the project site. Therefore, potential indirect impacts to special-status wildlife are considered less than significant, and no mitigation is required.

Supporting Explanation: No special-status plant species were identified on site and do not have a high potential to occur. The majority of the project site is currently developed with the medical campus, and the northern project boundary contains fences and walls that separate the project site from undeveloped areas to the north. The southern project boundary is bounded by Iris Avenue, and residential development occurs to the east and west. No special-status wildlife species were observed on the project site during focused surveys, and due to project site barriers to direct connectivity to undeveloped open space, the potential for indirect impacts to occur to special-status wildlife in off-site areas is low.

Threshold BIO-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Impact Determination: Payment of the required Multiple Species Habitat Conservation Plan (MSHCP) development fee will mitigate for the loss of vegetation communities, and therefore, direct and indirect impacts to sensitive vegetation communities would be considered less than significant. Additionally, any other potential indirect impact to sensitive vegetation communities would be mitigated for through payment of the MSHCP development fee.

Supporting Explanation: Project impacts to native scrub vegetation communities within the project site that are considered sensitive by CDFW and the MSHCP, such as Riversidean sage scrub, desert saltbush scrub, and southern riparian scrub would be considered significant. However, payment of the MSHCP development fee to comply with project construction within the boundary of the MSHCP will mitigate for the loss of native vegetation communities, and therefore, project impacts to sensitive vegetation communities would be considered less than significant, and no mitigation is required.

Standard construction best management practices and construction-related mitigation measures to control dust, erosion, and runoff, including but not limited to straw bales and silt fencing, will be implemented to minimize these adverse effects. Additionally, any other potential indirect impact to sensitive vegetation communities would be mitigated for through payment of the MSHCP development fee.

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Threshold BIO-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Direct (Phase I only) and Indirect (All phases))?

Impact Determination: Impacts to jurisdictional wetlands or waters would be less than significant during Phase I of the project and no mitigation is required. No indirect impacts to jurisdictional wetlands and waters are anticipated to occur as a result of implementing any of the project phases. Impacts would be less than significant and no mitigation is required.

Supporting Explanation: The project includes installing two basins in the northern portion of the project site during Phase I, to provide the same functions and values as the current basin, which will remain in place until Phases II and III of the project. Therefore, impacts to jurisdictional wetlands and waters will be less than significant during Phase I of the project and no mitigation is required.

No indirect impacts to jurisdictional wetlands and waters are anticipated to occur as a result of implementing all phases of the project. There are no adjacent waters or wetlands that could be indirectly impacted as a result of adverse edge effects particularly because the existing basin that contains jurisdictional waters is isolated and does not connect to any downstream resource. There is no potential to indirectly impact off-site habitats, vegetation communities, species, or water quality that could have an effect on the long-term vitality of off-site jurisdictional resources. Additionally, standard Best Management Practices as part of the project's Stormwater Pollution Prevention Plan (SWPPP) will limit any edge effects such as construction-related dust which could disrupt plant vitality and water quality in the short-term or construction-related soil erosion and water runoff practices.

Threshold BIO-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Impact Determination: Project activities would not result in direct or indirect impacts to wildlife movement because no new structures that would impede wildlife movement are proposed. Existing habitat linkages and wildlife corridor functions would remain intact.

Supporting Explanation: The project site is not located within an MSHCP core or linkage. No project activities are proposed for any phase of the project that would result in a significant direct impact on wildlife movement or the use of native wildlife nursery sites associated with project activities. Furthermore, no long-term edge effects to a corridor or linkage, such as noise or lighting, would occur with project implementation. Thus, no significant indirect impacts to wildlife corridors or habitat linkages would occur.

Threshold BIO-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact Determination: As designed, the proposed project will not result in an impact to trees protected by the City Tree Management Policy. No impact would occur.

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Supporting Explanation: Any trees that will be removed by the project will be on private property and no street, parkway, or right-of-way trees will be removed. The project will result in no impact to local policies and ordinance and no mitigation is required.

Threshold BIO-6: Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Impact Determination: Given that the proposed project would be considered consistent with the goals and provisions of the MSHCP, project-related impacts would be considered less than significant and no mitigation is required.

Supporting Explanation: The project site occurs within the boundaries of the Western Riverside County MSHCP, but is not located within any Criteria Cells, Habitat Blocks, Linkages, or any other conservation area. There are no MSHCP-covered species on the project site that would be impacted by the project. There are also no riparian/riverine habitats or impacts to the urban/wildlands interface that could occur as a result of project implementation. Payment of the MSHCP development fee to the Western Riverside County Regional Conservation Authority prior to issuance of grading permits is required in order to supplement the financing of the acquisition of lands supporting species covered by the MSHCP and to pay for new development's fair share of this cost. The amount of the development mitigation fee is determined by the nature and extent of the impacts from the development to the identified natural ecosystems and the relative cost of mitigating such impacts.

Reference

Draft EIR Section 4.3, Biological Resources and Appendix C Biological Resources Technical Report.

2.2.4 Cultural Resources

The City finds that, based upon substantial evidence in the record, impacts related to cultural resources, Impact threshold CUL-1, would be less than significant, and no mitigation measures are required.

Threshold CUL-1: Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

Impact Determination: Construction and operation of the proposed project would not cause a substantial change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5, and less-than-significant impacts would occur. Because the proposed project and those projects identified within the cumulative impact study area are primarily mitigated by the monitoring of grading activities, adequate mitigation has occurred and the proposed project would not contribute to a cumulatively significant impact to cultural resources. Cumulative impacts would be less than significant.

Supporting Explanation: The proposed project site was initially developed in the late 1990s for its current use as a hospital. Prior to this, the entire project site was subject to major disturbances related to agricultural activities (such as disking and plowing). Due to the very recent development of the proposed project site, and the lack of any structure development within the proposed project site prior to the 1990's, there are no historic buildings or structures present within the proposed project site which are or could be designated as historically significant, as

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defined in the California Register of Historic Resources to mean a resource that is associated with important events, persons, history, or possess high artistic value or important information for the prehistory or history of the area.

Reference

Draft EIR Section 4.4, Cultural Resources, and Appendix D Cultural Resources Technical Report

2.2.5 Energy

The City finds that, based upon substantial evidence in the record, impacts related to energy resources, Impact thresholds ENR-1 and ENR-2, would be less than significant, and no mitigation measures are required.

Threshold ENR-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Impact Determination: The electricity, natural gas, and petroleum consumption of the project would not be considered inefficient or wasteful, and impacts would be less than significant.

Compliance with policies and other energy reduction strategies would ensure that energy use as a result of cumulative development would not be wasteful, inefficient, or unnecessary, and cumulative impacts would be less than significant.

Supporting Explanation: Temporary electric power for as-necessary lighting and electronic equipment such as computers may be needed inside temporary construction trailers. However, the electricity used for such activities would be temporary and would be substantially less than that required for project operation and would have a negligible contribution to the project's overall energy consumption. Natural gas is not anticipated to be required during construction of the project. Because petroleum use during construction would be temporary and relatively minimal, and would not be wasteful or inefficient.

The project is subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations (for those non-hospital components). Title 24, Part 11, contains voluntary energy measures that are applicable to project under the California Green Building Standards Code. Prior to project approval, Kaiser would ensure that the project would meet Title 24 requirements applicable at that time, as required by state regulations through their plan review process. For these reasons, the electricity, natural gas, consumption of the project would not be considered inefficient or wasteful, and impacts would be less than significant.

Furthermore, although the project would increase petroleum use during operation as a result of employees and customers commuting to the site and vendor trucks, the use would be a small fraction of the state- and County-wide use and, due to efficiency increases, would diminish over time.

Threshold ENR-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact Determination: Impacts related to a state or local plan for renewable energy or energy efficiency would be less than significant.

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Supporting Explanation: Because the project would comply with all applicable energy efficiency requirements, and would also voluntarily implement design features (PDF-GHG-1) and programs to reduce energy consumption beyond what is required by the state, the project would implement energy efficiency requirements and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Reference

Draft EIR Section 4.5, Energy

2.2.6 Geology and Soils

The City finds that, based upon substantial evidence in the record, impacts related to geology and soils, Impact thresholds GEO-1 (earthquake fault, liquefaction or landslides), GEO-2, GEO-4, and GEO-5, would be less than significant, and no mitigation measures are required.

Threshold GEO-1: Would the project directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving earthquake fault, seismic ground shaking, liquefaction, or landslides (earthquake fault rupture, landslides)?

Impact Determination: The proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. The proposed project would not directly or indirectly cause or exacerbate adverse effects involving landslides.

Supporting Explanation: The project site is not located within an Alquist-Priolo Earthquake Fault Zone. The closest such zones are located along the San Jacinto, San Andreas, and Elsinore fault zones, located 4 miles, 15 miles, and 20 miles from the project site, respectively. The surrounding topography is similarly relatively flat to gently sloping, with no potential for landslides to exist.

Threshold GEO-2: Would the project result in substantial soil erosion or loss of topsoil?

Impact Determination: With implementation of the SWPPP and Best Management Practices (BMPs), project construction of Phases I, II, and III would result in less than significant impacts associated with soil erosion and loss of topsoil. With construction and implementation of long-term Low Impact Development (LID) features, project operation of Phases I, II, and III would result in less than significant impacts associated with soil erosion and loss of topsoil.

Supporting Explanation: Because all phases of the project would involve construction within an area that is larger than 1 acre, the project applicant would be required to apply for and receive coverage under the current General Construction Permit. Coverage under the General Construction Permit would require adherence to a variety of conditions designed to protect receiving water quality from degradation that could otherwise result from construction activities, as specified in a project-specific SWPPP. Conditions would include adherence to sediment and stormwater pollutant control BMPs, effluent monitoring and compliance, post-construction-period requirements, worker training, and various other measures designed to minimize potential for soil erosion and loss of topsoil.

Upon project implementation, the site would be graded, paved, and landscaped, greatly reducing the possibility for soil erosion or loss of topsoil compared to during the construction phases. In addition, paving of the site would not result in a loss of planned/zoned uses (e.g., agricultural land) or resources that would depend on the presence of

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topsoil. With construction and implementation of long-term LID features, project operation of Phases I, II, and III would result in less than significant impacts associated with soil erosion and loss of topsoil. No mitigation is required.

Threshold GEO-4: Would the project be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code.

Impact Determination: The project site is not located on expansive soils and impacts would be less than significant. No mitigation is required.

Supporting Explanation: Based on geotechnical reports completed for the Phase I project site (Appendices E-1 and E-2), on-site soils locally possess a very low expansion potential. The same would apply for Phases II and III of the project, as sandy alluvium underlies the entire project site.

Threshold GEO-5: Would the project be located on soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems?

Impact Determination: No septic tanks exist on the project site, and no septic tanks are proposed as part of the project.

Supporting Explanation: No septic tanks exist on the project site. Proposed Phases I, II, and III would connect to the existing sewer systems and would not involve other alternative wastewater disposal methods.

Reference

Draft EIR Section 4.6 Geology and Soils, Appendix E, Geotechnical Report

2.2.7 Greenhouse Gases

The City finds that, based upon substantial evidence in the record, impacts related to greenhouse gases (GHG), Impact thresholds GHG-1 and GHG-2, would be less than significant, and no mitigation measures are required.

Threshold GHG-1: Would the project generate GHG emissions either directly or indirectly result in a significant impact on the environment?

Impact Determination: The project is consistent with the 2016 RTP/SCS and would result in less than significant impacts related to GHG emissions. Mitigation measures are not required.

Supporting Explanation: In the absence of an applicable, adopted numeric threshold for GHG emissions, the project was analyzed consistent with CEQA Guideline Section 15064.4(b) by considering whether the project complies with the 2016 RTP/SCS as the most directly applicable plan, policy, regulation, or requirement to adopted to implement a statewide, regional or local plan for the reduction or mitigation of GHG emissions. Because the project is consistent with the 2016 RTP/SCS, the project would result in a less than significant impact to GHG emission and mitigation is not required. The project includes PDF-GHG-1, which provides that the project would obtain LEED Gold certification or its equivalent for the buildings developed on the site. As with project-generated construction air quality pollutant emissions, GHG emissions generated during construction of the proposed project would be short-term in nature, lasting only for the duration of the construction period for each phase, and would not represent a long-term source of GHG emissions.

Threshold GHG-2: Would the project conflict with an applicable plan, policy, or regulation adopted for reducing GHGs?

Impact Determination: The project would not conflict with an adopted plan, policy, or regulation associated with reduction in GHG emissions. Mitigation measures are not required.

Supporting Explanation: As with project-generated construction air quality pollutant emissions, GHG emissions generated during construction of the proposed project would be short-term in nature, lasting only for the duration of the construction period for each phase, and would not represent a long-term source of GHG emissions.

The project would not conflict with the goals within SCAG's 2016 RTP/SCS. Based on the growth forecast analysis, per capita VMT analysis, and consistency with the 2016 RTP/SCS goals, the project would be consistent with the principles of the 2016 RTP/SCS.

The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and no mitigation is required. Therefore, impact associated with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be less than significant.

Reference

Draft EIR Section 4.7 Greenhouse Gas Emissions, and Appendix F Greenhouse Gas Technical Report.

2.2.8 Hazards and Hazardous Materials

The City finds that, based upon substantial evidence in the record, impacts related to hazards and hazardous materials, Impact thresholds HAZ-1 through HAZ-7, would be less than significant, and no mitigation measures are required.

Threshold HAZ-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Impact Determination: Since routine transport, use, and disposal of hazardous materials associated with the proposed project would be regulated by federal, state and local laws, and Kaiser Permanente would comply with all applicable laws and regulations, including without limitation through the updates and/or amendments to the MWMP and HMBP, impacts are considered to be less than significant, and no mitigation is required.

Supporting Explanation: The project involves a three-phased expansion of an existing hospital, medical office buildings, central energy plant, hospital-related facilities, and associated infrastructure improvements. It is assumed that everyday hospital uses, as well as routine landscaping and building maintenance, would involve the transport, use, or disposal of hazardous materials on or off site (see list of hazardous chemicals potentially used and stored on site, provided on page 4.8-10 in the EIR). Caltrans' Office of Hazardous Materials Safety prescribes strict regulations for the safe transport of hazardous materials, as described in Title 40, 42, 45, and 49 of the Code of Federal Regulations, and implemented by Title 17, 19, and 27 of the California Code of Regulations (CCR). Further, Kaiser is required to comply with all applicable federal, state, and local laws, including the California Hazardous Waste Control Law (California Health and Safety Code Division 20, Chapter 6.5), the Hazardous Waste Control Regulations (22 CCR 4.5), and the City's Municipal Code (Section 9.08.090 Hazardous Materials Management).

Threshold HAZ-2: Would the project create a significant hazard to the public involving accidental release of hazardous materials into the environment?

Impact Determination (Construction and Operation): Impacts from the accidental release of hazardous materials during construction activities would be less than significant, and no mitigation is required. In addition, with implementation of updates to the Hazardous Materials Business Plan (HMBP) and the Medical Waste Management Plan (MWMP), in addition to compliance with federal, state, and local regulations, operational impacts are considered to be less than significant, and no mitigation is required.

Supporting Explanation: Accident prevention and containment are the responsibility of the construction contractors, and provisions to properly manage hazardous substances and wastes are typically included in construction specifications. A hazardous materials spill kit would be maintained on site for small spills. Hazardous materials shall not be disposed of or released on the ground, in the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All construction waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials, would be removed to a waste facility permitted to treat, store, or dispose of such materials.

During operation, with implementation of the HMBP, MWMP, and adherence to local, state, and federal regulations, the risk of potential health and environmental hazards from accidental release of these materials would be reduced.

Threshold HAZ-3: Would the project emit or handle hazardous materials or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Impact Determination: Since routine transport, use, and disposal of hazardous materials associated with the proposed project would be regulated by federal, state and local laws, and Kaiser would comply with all applicable laws and regulations, including without limitation through the updates and/or amendments to the MWMP and HMBP, impacts are considered to be less than significant, and no mitigation is required.

Supporting Explanation: The closest school to the project site is Landmark Middle School located approximately 0.2 miles (approx. 1,000 feet) to the northeast. Thus, implementation of the project phases would include the handling of hazardous materials, substances, and/or waste within 0.25 miles of an existing school. As discussed above, the existing Medical Center complies with all applicable regulations that govern the handling of hazardous materials and the proposed project will continue to comply with applicable regulations.

Threshold HAZ-4: Would the project 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?

Impact Determination: Government Code, Section 65962.5, combines several regulatory lists of sites that may pose a hazard related to hazardous materials or substances. According to the California Department of Toxic Substances Control (DTSC) EnviroStor database, there are no open, active, or inactive hazardous materials cleanup sites on the project site or surrounding the project site. Impacts would be less than significant and no mitigation measures are required.

Supporting Explanation: Because Government Code, Section 65962.5(a), and the DTSC EnviroStor database establish that there are no hazardous materials or waste sites located on the project site or in the immediate vicinity of the project site (Appendices F-1 through F-3 of this EIR), the project would not likely create a significant hazard to the public or the environment.

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Threshold HAZ-5: 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 or excessive noise for people residing or working in the project area?

Impact Determination: The project would not result in a safety hazard or excessive noise for people working or residing in the project area. No impacts would result.

Supporting Explanation: The closest public use airport, is March Air Reserve Base Inland Port Airport, which is located approximately 3.40 miles west of the project site. Additionally, Riverside Municipal Airport is located approximately 15 miles west of the project site. Therefore, the project would not result in a safety hazard or excessive noise for people working or residing in the project area.

Threshold HAZ-6: Would the project impair implementation of or physically interfere with an adopted emergency response or evacuation plan?

Impact Determination: Adherence to standard regulations would ensure that potential impacts related to interference with an adopted emergency response plan or emergency evacuation plan would be less than significant, and no mitigation is required.

Supporting Explanation: The project will comply with the City's Emergency Operations Plan (EOP) during both construction and operations of all phases. Any construction activities that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures in accordance with the City's EOP. Operation of the project would not interfere with the City's EOP as all three driveways off Iris Avenue would be accessible for emergency vehicles. Kaiser Permanente would be required to design, construct, and maintain structures, driveways/roadways, and facilities to comply with applicable local, state, and/or federal requirements related to emergency access and evacuation plans, including the City's Municipal Code, Section 8.36.030; California Government Code, Section 8593.3; and OSHA, Section 1910.38. The proposed site plan, including the additional, proposed, access driveway, would be reviewed and approved by the fire department during plan check review.

Threshold HAZ-7: Would the project expose people or structure, either directly or indirectly, to a significant risk of loss, injury, or death involving wildfires?

Impact Determination: The project site is not located in a Fire Hazard Severity Zone according to the California Department of Forestry and Fire Protection (CAL FIRE 2009). Thus, the probability is low that the project would expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant and no mitigation is required.

Supporting Explanation: In the event that a large fire broke out on the hospital campus, multiple fire stations in the City of Moreno Valley and neighboring jurisdictions would respond as well as the California Department of Forestry and Fire Protection. According to Figure 5-2, Moreno Valley High Fire Area Map, from the City's Hazard Mitigation Plan, the project site is not located within a high fire zone (City of Moreno Valley 2017). In addition, the project site is not located in a Fire Hazard Severity Zone according to the California Department of Forestry and Fire Protection (CAL FIRE 2009).

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Reference

Draft EIR Section 4.8 Hazards and Hazardous Materials; Appendix F-1, 2007 Phase I Environmental Site Assessment; Appendix F-2, 2007 Limited Subsurface Investigation; and Appendix F-3, 2008 Phase I Environmental Site Assessment.

2.2.9 Hydrology and Water Quality

The City finds that, based upon substantial evidence in the record, impacts related to hydrology and water quality, Impact thresholds HYD-1 (Construction) and HYD-2 through HYD-5, would be less than significant, and no mitigation measures are required.

Threshold HYD-1: Would the project violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Construction)?

Impact Determination: Project grading and construction for Phases I, II, and III would be completed in accordance with an NPDES-mandated SWPPP, which would include standard BMPs to reduce potential off-site water quality impacts related to erosion and incidental spills of petroleum products and hazardous substances from equipment. With implementation of the SWPPP and BMPs, project construction of Phases I, II, and III would result in less-than-significant impacts associated with stormwater quality. No mitigation is required.

Supporting Explanation: Stormwater BMPs would include those recommended by the California Stormwater Quality Association, such as scheduling or limiting activities to certain times of the year, installing sediment barriers (e.g., silt fences and fiber rolls), maintaining equipment and vehicles used for construction, tracking controls such as stabilizing entrances to the construction site, and developing and implementing a spill prevention and cleanup plan. Non-stormwater management BMPs would include (but not be limited to) installing specific discharge controls during activities such as paving operations, vehicle and equipment washing, and fueling. BMPs that relate to the handling of hazardous materials, spill prevention and clean-up, and the handling of contaminated soil could include minimizing the storage of hazardous materials on site, providing training on spill prevention and clean up, and ensuring proper handling procedures for contaminated soils (California Stormwater Quality Association 2003).

Threshold HYD-2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Impact Determination: The project site is underlain by relatively impermeable, silty soils that are not conducive to groundwater recharge. Most of the site is currently developed and paved. Paving over the remaining undeveloped areas would not interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin. Therefore, impacts would be less than significant and no mitigation measure is required.

Supporting Explanation: Approximately 75% of Eastern Municipal Water District's (EMWD) potable water demand is supplied by imported water from MWD and 25% is supplied by groundwater wells. EMWD manages their groundwater resources through the Groundwater Reliability Plus program, which ensures groundwater sustainability for the communities served by the water district. EMWD's groundwater supply management has included enhancing water supplies through its recycled water program, desalination program, water use efficiency programs, and healthy sewers program. Groundwater Reliability Plus includes a water banking project and a future proposed

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purified water replenishment project, which combines advanced water purification and natural filtration. As a result, project development would not substantially decrease groundwater supplies such that the project would impede sustainable groundwater management of the basin.

Threshold HYD-3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would in substantial erosion or flooding on- or off-site?

Impact Determination: Although project construction would partially impede or redirect flood flows, no substantial downstream flooding would occur. Impacts are considered less than significant and no mitigation is required.

Supporting Explanation: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Project construction would not impede or redirect flood flows, and no downstream flooding would occur. While a portion of both Phase II parking structures would be located within Federal Emergency Management Agency (FEMA) Special Flood Hazard Zone A and project construction would incrementally impede and redirect flood flows in the northwest portion of each parking structure, there are no anticipated negative downstream or upstream impacts because the project is located in a hydrologic condition of concern (HCOC) exempt area, which applies to all downstream conveyance channels to an adequate sump (e.g., Prado Dam, Lake Elsinore, Canyon Lake, Santa Ana River. These relatively large downstream water bodies, which are regularly maintained for flood control purposes, would be able to absorb any minor increase in flood flows associated with partial construction of the parking lots within the floodplain. As a result, construction of portions of the parking structures within the flood zone would not impede flood flows such that downstream flooding would occur and downstream property owners would not be affected. Impacts are considered less than significant and no mitigation is required.

Threshold HYD-4: In a flood hazard, tsunami, or seiche zone, would the project risk release of pollutants due to project inundation?

Impact Determination: The project site is not located in a flood hazard, tsunami, or seiche zone. Impacts are considered less than significant and no mitigation is required.

Supporting Explanation: The project site is not located in a flood hazard zone or seiche zone. In addition, the project site is not located in proximity to the Pacific Ocean and therefore would not be subject to flooding as a result of a tsunami. As a result, no impacts would occur and no mitigation is required.

Threshold HYD-5: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact Determination (Groundwater Management Plan): The project would not conflict with or obstruct the sustainable groundwater management plan. Impacts are considered less than significant and no mitigation measures are required.

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Supporting Explanation: With respect to groundwater management, EMWD manages their groundwater resources through the Groundwater Reliability Plus program, which ensures groundwater sustainability for the communities served by the water district. EMWD's groundwater supply management has included enhancing water supplies through its recycled water program, desalination program, water use efficiency programs, and healthy sewers program. Groundwater Reliability Plus includes a water banking project and a future proposed purified water replenishment project, which combines advanced water purification and natural filtration. As a result, the project would not conflict with or obstruct this sustainable groundwater management plan. Impacts are considered less than significant and no mitigation measures are required.

Reference

Draft EIR Section 4.9 Hydrology and Water Quality; Appendix G1, Drainage Report; and Appendix G2, Water Quality Management Plan; Final EIR, Chapter 2

2.2.10 Land Use and Planning

The City finds that, based upon substantial evidence in the record, impacts related to land use and planning, Impact thresholds LU-1 and LU-2, including cumulative impacts, would be less than significant, and no mitigation measures are required.

Threshold LU-1: Would the project physically divide an established community?

Impact Determination: Implementation of the project would not physically divide an established community. No impacts would occur, and no mitigation is required.

Supporting Explanation: The project would not physically divide an established community; rather, the project would instead continue to provide health care and emergency medical services to the surrounding residential communities within the boundaries of the same project site. While development would occur on the project site, none of the proposed features of the Medical Center expansion would introduce physical barriers to the City or the community. Additionally, the proposed project would be consistent with the Medical Use Overlay applicable to the project site as outlined in the City's Municipal Code (Title 9, Planning and Zoning, Section 9.07.091) and in the General Plan. As such, implementation of the project would not physically divide an established community. No impacts would occur, and no mitigation is required.

Threshold LU-2: Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

Impact Determination: The project would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.

Supporting Explanation: As shown in Tables 4.10-1 and 4.10-2 of the Final EIR, the proposed project is consistent with applicable provisions of the City of Moreno Valley General Plan, and the SCAG 2016 RTP/SCS. The project is consistent with the project site's General Plan land use designation and zoning, and the development of medical and hospital uses on the site would further the General Plan and Medical Use Overlay Zone policies. The project site is bordered by Iris Avenue, a major arterial street and accessible from public transportation, walkways and

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bikeways on Iris Avenue. The project will achieve LEED Gold or its equivalent for buildings constructed on the project site, and will incorporate transportation demand management practices for employees. The project would create a substantial number of new jobs and would further the jobs/housing balance in the region. Thus, the project would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

Reference

Draft EIR Section 4.10, Land Use and Planning

2.2.11 Noise

The City finds that, based upon substantial evidence in the record, impacts related to noise, Impact thresholds NOI-1 (Construction Roadway Vehicles, Emergency Vehicle, Parking, Off-Site Traffic) and NOI-2 through NOI-3, including cumulative impacts, would be less than significant, and no mitigation measures are required.

Threshold NOI-1: Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (Construction Roadway Vehicles, Emergency Vehicle, Parking, Off-Site Traffic)?

Impact Determination: Roadway vehicle noise during construction, emergency vehicle noise, parking structure or surface parking noise and off-site traffic noise would be less than significant. No mitigation is required.

Supporting Explanation: Although project construction activities would entail workers commuting to and from the jobsite, and involve regular deliveries of materials and equipment, such additional roadway vehicle trips would not be expected to increase local traffic volumes by an amount that would be considered impactful. For perspective, a doubling of roadway traffic volumes (which would exceed any increase in traffic from project construction activities), assuming vehicle speeds and types are relatively unchanged, would be required to cause a just-perceptible 3 dB noise increase. Therefore, short-term construction noise due to increases in local roadway construction traffic would be less than significant and no mitigation is required.

Noise from emergency vehicle sirens would be relatively brief and periodic in nature and would cease once the emergency vehicles either enter or exit the area. Further, Section 11.80.030.E.1 of the City Municipal Code exempts “sounds resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of an emergency.” Therefore, impacts from increased emergency vehicle use would be less than significant, and no mitigation is required.

Surface parking lots are proposed as part of Phases I, and II of the project, and parking structures are proposed as part of Phases II and III. At a distance of 50 feet to the project boundary, the potential source-to-receptor distance would be the same as the reference distance utilized and shown in Table 4.11-7 on page 4.11-14 of Draft EIR. The upper end of the L_{max} value ranges for the three typical impulsive parking garage noises is only 70 dBA and thus far less than the 125 dBA level (for up to 100 repetitions per 24-hour period) as permitted by Moreno Valley Municipal Code Table 11.80.030-1A. Further, the predicted L_{max} magnitude of 70 dBA is less than the measured L_{max} values for project property line locations and would not exceed the latter’s L_{eq}

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value of 65.7 dBA by more than 5 dB. Hence, project parking garage noise would be considered a less than significant impact

With respect to off-site traffic, the City does not have a specific noise criterion for evaluating off-site noise impacts to residences or noise-sensitive areas from project-related traffic. Therefore, potential impacts were analyzed using a quantitative standard of an increase of 5db from existing noise levels. As shown in Table 4.11-10, the additional traffic volume along the adjacent roads would not increase the existing noise level in the project vicinity by 5dB. Impacts from traffic noise level increase is considered less than significant; no mitigation measures are required.

Threshold NOI-2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Impact Determination: Vibration impacts would be less than significant, and no mitigation is required.

Supporting Explanation: The closest homes exposed to groundborne vibration would be approximately 175 feet or more from the construction area. At this closest source-to-receptor distance, and assuming an on-site roller (0.21 ips PPV) represents the most vibratory conventional heavy equipment expected on site, the estimated PPV at existing sensitive receivers would be 0.025 ips PPV, and no greater than 0.07 ips PPV at vacant residentially zoned land, and thus well below the 0.1 ips PPV annoyance-based impact criterion. Therefore, construction activities are not anticipated to result in continuous vibration levels that typically annoy people. Vibration impacts would be less than significant, and no mitigation is required.

Threshold NOI-3: For a project located within the vicinity of a private airstrip or 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?

Impact Determination: The project would not expose people residing or working in the project area to excessive noise levels. No impact would result, and no mitigation is required.

Supporting Explanation: The project site is not located within 2 miles of a public airport or public use airport or within an airport safety zone area. The closest airport, March Air Reserve Base, is located approximately 3.40 miles west of the project site. The project site does not lie within the 60 dBA CNEL noise contour of any airport and is not subject to aircraft noise in excess of regulatory limits. Therefore, the project would not expose people residing or working in the project area to excessive noise levels. No impact would result, and no mitigation is required.

Reference

Draft EIR Section 4.11, Noise, and Appendix H Noise Technical Report; Final EIR, Chapter 2 – Responses to Comments

2.2.12 Population and Housing

The City finds that, based upon substantial evidence in the record, impacts related to population and housing, Impact thresholds POP-1 and POP-2, including cumulative impacts, would be less than significant, and no mitigation measures are required.

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Threshold POP-1: Would the project induce substantial unplanned population growth in an area, either directly or indirectly?

Impact Determination: The proposed project would not induce substantial unplanned population growth during construction or operation and impacts would be less than significant.

Supporting Explanation: Construction of the project's three phases will occur intermittently over an 18-year period, during which construction personnel would generate periodic and temporary increase in employment at the project site. However, construction employment at the project site is not anticipated to generate population growth in the City or in the County. Instead, the need for construction workers would most likely be accommodated within the existing and future labor market in the Riverside metropolitan area, which is highly dense and supports a diversity of construction firms and personnel. Given this, construction employment would not induce substantial population growth in the area and the project would not provide construction employment opportunities to the local and regional area for an extended period. Construction-related impacts would be less than significant.

The proposed project is not expected to induce substantial, unplanned population growth in the City or in the County. The proposed project includes the expansion of an existing medical center and is located within the larger planning area of the County of Riverside, which would provide a robust and diverse employment pool. Give this, the increases in employment at the project site during construction and operation would not be expected to cause people to move into the City or the County from areas outside the City or County. Furthermore, the employment growth caused by the project falls well within current projections for employment growth in the City and County. For these reasons, the proposed project would not induce substantial unplanned population growth, and impacts would be less than significant.

Threshold POP-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction or replacement housing elsewhere?

Impact Determination: The project would not displace substantial numbers of existing people or housing, thereby necessitating the construction of replacement housing elsewhere and no impact would occur.

Supporting Explanation: The project does not include any development or infrastructure that could displace existing people or housing, thereby necessitating the construction of replacement housing elsewhere. Conversely, the proposed project would provide employment opportunities, as well as advanced medical care to the surrounding local and regional communities. Given this, the project would not displace substantial numbers of existing people or housing, thereby necessitating the construction of replacement housing elsewhere and no impact would occur.

Reference

Draft EIR Section 4.12, Population and Housing.

2.2.13 Public Services and Recreation

The City finds that, based upon substantial evidence in the record, impacts related to public services and recreation, Impact thresholds PUB-1 through PUB-3, including cumulative impacts, would be less than significant, and no mitigation measures are required.

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Threshold PUB-1: Would the project result in substantial adverse physical impacts associated with new or physically altered public facilities, need for new or physically altered governmental 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 following services: fire/life safety protection; police protection; schools; parks; or other public facilities?

Impact Determination: The project would not result in substantial adverse physical impacts associated with new or physically altered public facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for fire/life safety protection; police protection; schools; parks, or other public facilities.

Supporting Explanation:

Fire/Life Safety Protection

With the nearby services of Fire Station No. 99 as well as other fire stations within the City of Moreno Valley and neighboring jurisdictions, the project would be served by sufficient fire protection services and the Moreno Valley Fire Department's (MVFD) 5-minute response time target would be adequately met. The additional demand for fire rescue response services generated by the project would not negatively affect response times or workload capacities for the existing engines (Ahmad, pers. comm. 2019). Therefore, the project would not result in the need for new or expanded fire protection facilities.

Police Protection

In light of the relatively small anticipated increase in employee and resident population, and with the presence of on-site security and compliance with Moreno Valley Police Department (MVPD) recommendations, the project would not result in the need for new or expanded police protection facilities.

Schools

Since all of the schools within the relevant school districts are currently operating below capacity (with the exception of two), it is not anticipated that Phase I or other phases would result in the need for new or physically altered school facilities. Additionally, the project would be required to pay school fees pursuant to California Education Code Section 17620.

Parks

The project would not result in the increased demand for or use of existing parks or recreational facilities such that new or physically altered park facilities would be required. The existing parks closest to the project site are Fairway Park, located approximately one mile northeast of the project site; Vista Lomas Park, located approximately 0.8-mile west of the project site; and Celebration Park, located approximately 0.8-mile northeast of the project site. These parks, and other parks in the City, are not expected to experience a substantial increase in use as a result of expansion of the existing Medical Center at full buildout or any phase. Additionally, payment of the Development Impact Fee (DIF) would ensure that the project contributes its fair share cost for any new facilities planned due to the increased use of parks and recreation facilities associated with new development.

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Libraries

Any increased use of the library by additional employees at the new hospital is expected to be minimal and would not result in the need for new or physically altered library facilities. The project involves a three-phased expansion of the existing Medical Center on the project site. At full buildout, the expanded Medical Center would result in an increase in approximately 4,006 employees in the area, some of whom may reside in the City and ultimately use the local library. However, any increased use of the library by additional employees at the new hospital is expected to be minimal and would not result in the need for new or physically altered library facilities.

Threshold PUB-2: Would the project increase in use of existing neighborhood or regional parks such that physical deterioration of the facility would occur or be accelerated?

Impact Determination: The project would not result in physical deterioration of neighborhood or regional parks and impacts would be less than significant.

Supporting Explanation: The project does not involve a housing component or use that would result in the need for additional park services or increased use of parks or other recreational facilities. As such, the project would not likely result in the increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

Threshold PUB-3: 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?

Impact Determination: The project would not result in the construction or expansion of any recreational facilities and impacts would be less than significant.

Supporting Explanation: The project involves a three-phased expansion of the existing Medical Center on the project site. The project does not include any recreational facilities or require the construction of new or expanded recreational facilities. No adverse physical effects on the environment as a result of the expansion or construction of new recreational facilities would occur as a result of the project. Therefore, impacts would be less than significant, and no mitigation is required.

Reference

Draft EIR Section 4.13, Public Services and Recreation

2.2.14 Transportation

The City finds that, based upon substantial evidence in the record, impacts related to transportation resources, Impact thresholds TRA-1 (Roadways (specified intersections/roadway segments), transit, bicycle and pedestrian facilities), TRA-2, and TRA-4, would be less than significant, and no mitigation measures are required.

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Threshold TRA-1: Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities (Roadways (specified intersections/roadway segments)?

Phase I Completion Year (2023) with Project – Intersections

Impact Determination: The following intersections would operate at an acceptable level of service upon completion of Phase I of the project:

- I-215 Southbound Ramps/Alessandro Boulevard (Intersection No. 1)
- I-215 Northbound Ramps/Alessandro Boulevard (Intersection No. 2)
- I-215 Southbound Ramps/Cactus Avenue (Intersection No. 3)
- I-215 Northbound Ramps/Cactus Avenue (Intersection No. 4)
- I-215 Northbound Ramps - Old 215 Frontage Road/Cactus Avenue (Intersection No. 5)
- Day Street/Alessandro Boulevard (Intersection No. 6)
- Elsworth Street/Alessandro Boulevard (Intersection No. 7)
- Frederick Street/Alessandro Boulevard (Intersection No. 9)
- Frederick Street/Cactus Avenue (Intersection No. 10)
- Graham Street/Alessandro Boulevard (Intersection No. 11)
- Graham Street - Riverside Drive/Cactus Avenue (Intersection No. 12)
- Heacock Street/Alessandro Boulevard (Intersection No. 13)
- Heacock Street/Cactus Avenue (Intersection No. 14)
- Heacock Street/Iris Avenue (Intersection No. 15)
- Indian Street/Alessandro Boulevard (Intersection No. 16)
- Indian Street/Iris Avenue (Intersection No. 18)
- Perris Boulevard/Alessandro Boulevard (Intersection No. 19)
- Perris Boulevard/Cactus Avenue (Intersection No. 20)
- Perris Boulevard/Iris Avenue (Intersection No. 21)
- Perris Boulevard/Krameria Avenue (Intersection No. 22)
- Perris Boulevard/San Michele Road (Intersection No. 23)
- Perris Boulevard/Nandina Avenue (Intersection No. 24)
- Perris Boulevard/Harley Knox Boulevard (Intersection No. 25)
- Kitching Street/Alessandro Boulevard (Intersection No. 26)
- Lasselle Street/John F Kennedy Drive (Intersection No. 31)
- Lasselle Street/Iris Avenue (Intersection No. 32)
- Lasselle Street/Via Xavier Lane (Intersection No. 34)
- Lasselle Street/Lasselle Sports Park - Rojo Tierra (Intersection No. 35)
- Lasselle Street/Cremello Way - Avenida De Plata (Intersection No. 36)
- Lasselle Street/Avenida Classica - Kentucky Derby Drive (Intersection No. 37)

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- Camino Flores/Iris Avenue (Intersection No. 40)
- Coachlight Court - Avenida De Circo/Iris Avenue (Intersection No. 41)
- Grande Vista Drive/Iris Avenue (Intersection No. 42)
- Nason Street/Elder Avenue - SR-60 Westbound Ramps (Intersection No. 43)
- Nason Street/SR-60 Eastbound Ramps (Intersection No. 44)
- Nason Street/Eucalyptus Avenue (Intersection No. 45)
- Nason Street/Cottonwood Avenue (Intersection No. 46)
- Nason Street/Alessandro Boulevard (Intersection No. 47)
- Nason Street/Cactus Avenue (Intersection No. 48)
- Oliver Street/Cactus Avenue (Intersection No. 51)
- Oliver Street/John F Kennedy Drive (Intersection No. 52)
- Oliver Street/Iris Avenue (Intersection No. 53)
- Via Del Lago/Iris Avenue - Moreno Beach Drive (Intersection No. 54)
- Moreno Beach Drive/SR-60 Westbound Ramps (Intersection No. 55)
- Moreno Beach Drive/Eucalyptus Avenue (Intersection No. 57)
- Moreno Beach Drive/Cottonwood Avenue (Intersection No. 58)
- Moreno Beach Drive/Cactus Avenue (Intersection No. 60)
- Moreno Beach Drive/John F Kennedy Drive (Intersection No. 61)
- Driveway 1/Iris Avenue (Intersection No. 62)
- Driveway 2/Iris Avenue (Intersection No. 63)
- Driveway 3/Iris Avenue (Intersection No. 64)

Supporting Explanation:

As shown in Table 4.14-13 of the Draft EIR, Phase I impacts at the intersections specified above would be less than significant and no mitigation is required.

Phase I Completion Year (2023) with Project – Roadway Segments

Impact Determination: The following roadway segments would operate at an acceptable level of service upon completion of Phase I of the project:

- Perris Boulevard between Iris Avenue and Krameria Avenue (Roadway Segment No. 1)
- Perris Boulevard between Krameria Avenue and San Michele Road (Roadway Segment No. 2)
- Perris Boulevard between San Michele Road and Nandina Avenue (Roadway Segment No. 3)
- Perris Boulevard between Nandina Avenue and Harley Knox Boulevard (Roadway Segment No. 4)
- Lasselle Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 5)
- Lasselle Street between Iris Avenue and Krameria Avenue (Roadway Segment No. 6)
- Lasselle Street between Krameria Avenue and Via Xavier Lane (Roadway Segment No. 7)
- Lasselle Street between Via Xavier Lane and Lasselle Sports Park - Rojo Tierra (Roadway Segment No. 8)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Lasselle Street between Lasselle Sports Park - Rojo Tierra and Cremello Way - Avenida De Plata (Roadway Segment No. 9)
- Lasselle Street between Cremello Way - Avenida De Plata and Avenida Classica - Kentucky Derby Drive (Roadway Segment No. 10)
- Lasselle Street between Avenida Classica - Kentucky Derby Drive and Via De Anza - Rancho Verde High School (Roadway Segment No. 11)
- Lasselle Street - Evans Road between Via De Anza - Rancho Verde High School and Ramona Expressway (Roadway Segment No. 12)
- Nason Street between SR-60 Eastbound Ramps and Eucalyptus Avenue (Roadway Segment No. 13)
- Nason Street between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 14)
- Nason Street between Cottonwood Avenue and Alessandro Boulevard (Roadway Segment No. 15)
- Nason Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 16)
- Nason Street between Cactus Avenue and Iris Avenue (Roadway Segment No. 17)
- Oliver Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 18)
- Oliver Street between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 19)
- Oliver Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 20)
- Moreno Beach Drive between SR-60 Eastbound Ramps and Eucalyptus Avenue (Roadway Segment No. 21)
- Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 22)
- Moreno Beach Drive between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 25)
- Moreno Beach Drive between John F Kennedy Drive and Via Del Lago (Roadway Segment No. 26)
- Alessandro Boulevard between I-215 Northbound Ramps and Day Street (Roadway Segment No. 27)
- Alessandro Boulevard between Day Street and Elsworth Street (Roadway Segment No. 28)
- Alessandro Boulevard between Elsworth Street and Frederick Street (Roadway Segment No. 29)
- Alessandro Boulevard between Frederick Street and Graham Street (Roadway Segment No. 30)
- Alessandro Boulevard between Graham Street and Heacock Street (Roadway Segment No. 31)
- Alessandro Boulevard between Heacock Street and Indian Street (Roadway Segment No. 32)
- Alessandro Boulevard between Indian Street and Perris Boulevard (Roadway Segment No. 33)
- Alessandro Boulevard between Perris Boulevard and Kitching Street (Roadway Segment No. 34)
- Cactus Avenue between Elsworth Street and Frederick Street (Roadway Segment No. 39)
- Cactus Avenue between Frederick Street and Graham Street - Riverside Drive (Roadway Segment No. 40)
- Cactus Avenue between Graham Street -Riverside Drive and Heacock Street (Roadway Segment No. 41)
- Cactus Avenue between Heacock Street and Indian Street (Roadway Segment No. 42)
- Cactus Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 43)
- Cactus Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 44)
- Cactus Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 45)
- Cactus Avenue between Lasselle Street and Nason Street (Roadway Segment No. 46)
- John F Kennedy Drive between Oliver Street and Moreno Beach Drive (Roadway Segment No. 47)
- Iris Avenue between Heacock Street and Indian Street (Roadway Segment No. 48)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Iris Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 49)
- Iris Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 50)
- Iris Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 51)
- Iris Avenue between Lasselle Street and Camino Flores (Roadway Segment No. 52)
- Iris Avenue between Camino Flores and Coachlight Court - Avenida De Circo (Roadway Segment No. 53)
- Iris Avenue between Coachlight Court - Avenida De Circo and Grande Vista Drive (Roadway Segment No. 54)
- Iris Avenue between Grande Vista Drive and Nason Street – Hillrose Lane (Roadway Segment No. 55)
- Iris Avenue between Nason Street – Hillrose Lane and Driveway 1 (Roadway Segment No. 56)
- Iris Avenue between Driveway 1 and Driveway 2 (Roadway Segment No. 57)
- Iris Avenue between Driveway 2 and Driveway 3 (Roadway Segment No. 58)
- Iris Avenue between Driveway 3 and Oliver Street (Roadway Segment No. 59)
- Iris Avenue between Oliver Street and Via Del Lago (Roadway Segment No. 60)

Supporting Explanation:

As shown in Table 4.14-14 of the Draft EIR, Phase I impacts at the roadway segments specified above would be less than significant and no mitigation is required.

Phase II Completion Year (2028) with Project – Intersections

Impact Determination: The following intersections would operate at an acceptable level of service upon completion of Phase II of the project:

- I-215 Southbound Ramps/Alessandro Boulevard (Intersection No. 1)
- I-215 Northbound Ramps/Alessandro Boulevard (Intersection No. 2)
- I-215 Southbound Ramps/Cactus Avenue (Intersection No. 3)
- I-215 Northbound Ramps/Cactus Avenue (Intersection No. 4)
- Frederick Street/Alessandro Boulevard (Intersection No. 9)
- Frederick Street/Cactus Avenue (Intersection No. 10)
- Heacock Street/Alessandro Boulevard (Intersection No. 13)
- Heacock Street/Cactus Avenue (Intersection No. 14)
- Heacock Street/Iris Avenue (Intersection No. 15)
- Indian Street/Alessandro Boulevard (Intersection No. 16)
- Indian Street/Iris Avenue (Intersection No. 18)
- Perris Boulevard/Cactus Avenue (Intersection No. 20)
- Perris Boulevard/Iris Avenue (Intersection No. 21)
- Perris Boulevard/Krameria Avenue (Intersection No. 22)
- Perris Boulevard/San Michele Road (Intersection No. 23)
- Perris Boulevard/Nandina Avenue (Intersection No. 24)
- Kitching Street/Alessandro Boulevard (Intersection No. 26)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Lasselle Street/John F Kennedy Drive (Intersection No. 31)
- Lasselle Street/Via Xavier Lane (Intersection No. 34)
- Lasselle Street/Lasselle Sports Park - Rojo Tierra (Intersection No. 35)
- Lasselle Street/Cremello Way - Avenida De Plata (Intersection No. 36)
- Lasselle Street/Avenida Classica - Kentucky Derby Drive (Intersection No. 37)
- Camino Flores/Iris Avenue (Intersection No. 40)
- Coachlight Court - Avenida De Circo/Iris Avenue (Intersection No. 41)
- Grande Vista Drive/Iris Avenue (Intersection No. 42)
- Nason Street/Elder Avenue - SR-60 Westbound Ramps (Intersection No. 43)
- Nason Street/SR-60 Eastbound Ramps (Intersection No. 44)
- Nason Street/Cottonwood Avenue (Intersection No. 46)
- Nason Street/Alessandro Boulevard (Intersection No. 47)
- Nason Street/Cactus Avenue (Intersection No. 48)
- Oliver Street/Cactus Avenue (Intersection No. 51)
- Oliver Street/John F Kennedy Drive (Intersection No. 52)
- Oliver Street/Iris Avenue (Intersection No. 53)
- Via Del Lago/Iris Avenue - Moreno Beach Drive (Intersection No. 54)
- Moreno Beach Drive/SR-60 Westbound Ramps (Intersection No. 55)
- Moreno Beach Drive/Eucalyptus Avenue (Intersection No. 57)
- Moreno Beach Drive/Cottonwood Avenue (Intersection No. 58)
- Moreno Beach Drive/Cactus Avenue (Intersection No. 60)
- Moreno Beach Drive/John F Kennedy Drive (Intersection No. 61)
- Driveway 1/Iris Avenue (Intersection No. 62)
- Driveway 2/Iris Avenue (Intersection No. 63)
- Driveway 3/Iris Avenue (Intersection No. 64)

Supporting Explanation:

As shown in Table 4.14-15 of the Draft EIR, Phase II impacts at the intersections specified above would be less than significant and no mitigation is required.

Phase II Completion Year (2028) with Project – Roadway Segments

Impact Determination: The following roadway segments would operate at an acceptable level of service upon completion of Phase II of the project:

- Perris Boulevard between Iris Avenue and Krameria Avenue (Roadway Segment No. 1)
- Perris Boulevard between Krameria Avenue and San Michele Road (Roadway Segment No. 2)
- Perris Boulevard between San Michele Road and Nandina Avenue (Roadway Segment No. 3)
- Perris Boulevard between Nandina Avenue and Harley Knox Boulevard (Roadway Segment No. 4)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Lasselle Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 5)
- Lasselle Street between Avenida Classica - Kentucky Derby Drive and Via De Anza - Rancho Verde High School (Roadway Segment No. 11)
- Nason Street between SR-60 Eastbound Ramps and Eucalyptus Avenue (Roadway Segment No. 13)
- Nason Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 16)
- Nason Street between Cactus Avenue and Iris Avenue (Roadway Segment No. 17)
- Oliver Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 18)
- Oliver Street between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 19)
- Oliver Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 20)
- Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 22)
- Moreno Beach Drive between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 25)
- Moreno Beach Drive between John F Kennedy Drive and Via Del Lago (Roadway Segment No. 26)
- Alessandro Boulevard between Elsworth Street and Frederick Street (Roadway Segment No. 29)
- Alessandro Boulevard between Heacock Street and Indian Street (Roadway Segment No. 32)
- Alessandro Boulevard between Indian Street and Perris Boulevard (Roadway Segment No. 33)
- Alessandro Boulevard between Perris Boulevard and Kitching Street (Roadway Segment No. 34)
- Cactus Avenue between Elsworth Street and Frederick Street (Roadway Segment No. 39)
- Cactus Avenue between Frederick Street and Graham Street - Riverside Drive (Roadway Segment No. 40)
- Cactus Avenue between Graham Street -Riverside Drive and Heacock Street (Roadway Segment No. 41)
- Cactus Avenue between Heacock Street and Indian Street (Roadway Segment No. 42)
- Cactus Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 43)
- Cactus Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 44)
- Cactus Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 45)
- Cactus Avenue between Lasselle Street and Nason Street (Roadway Segment No. 46)
- John F Kennedy Drive between Oliver Street and Moreno Beach Drive (Roadway Segment No. 47)
- Iris Avenue between Heacock Street and Indian Street (Roadway Segment No. 48)
- Iris Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 49)
- Iris Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 50)
- Iris Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 51)
- Iris Avenue between Lasselle Street and Camino Flores (Roadway Segment No. 52)
- Iris Avenue between Camino Flores and Coachlight Court - Avenida De Circo (Roadway Segment No. 53)
- Iris Avenue between Coachlight Court - Avenida De Circo and Grande Vista Drive (Roadway Segment No. 54)
- Iris Avenue between Grande Vista Drive and Nason Street – Hillrose Lane (Roadway Segment No. 55)
- Iris Avenue between Nason Street – Hillrose Lane and Driveway 1 (Roadway Segment No. 56)
- Iris Avenue between Driveway 1 and Driveway 2 (Roadway Segment No. 57)
- Iris Avenue between Driveway 2 and Driveway 3 (Roadway Segment No. 58)
- Iris Avenue between Driveway 3 and Oliver Street (Roadway Segment No. 59)
- Iris Avenue between Oliver Street and Via Del Lago (Roadway Segment No. 60)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

Supporting Explanation:

As shown in Table 4.14-16 of the Draft EIR, Phase II impacts at the roadway segments specified above would be less than significant and no mitigation is required.

Phase III Completion Year (2038) with Project – Intersections

Impact Determination: The following intersections would operate at an acceptable level of service upon completion of Phase III of the project:

- I-215 Southbound Ramps/Alessandro Boulevard (Intersection No. 1)
- I-215 Northbound Ramps/Alessandro Boulevard (Intersection No. 2)
- I-215 Southbound Ramps/Cactus Avenue (Intersection No. 3)
- I-215 Northbound Ramps/Cactus Avenue (Intersection No. 4)
- Frederick Street/Cactus Avenue (Intersection No. 10)
- Heacock Street/Cactus Avenue (Intersection No. 14)
- Heacock Street/Iris Avenue (Intersection No. 15)
- Indian Street/Alessandro Boulevard (Intersection No. 16)
- Indian Street/Iris Avenue (Intersection No. 18)
- Perris Boulevard/San Michele Road (Intersection No. 23)
- Perris Boulevard/Nandina Avenue (Intersection No. 24)
- Kitching Street/Alessandro Boulevard (Intersection No. 26)
- Lasselle Street/John F Kennedy Drive (Intersection No. 31)
- Lasselle Street/Via Xavier Lane (Intersection No. 34)
- Lasselle Street/Lasselle Sports Park - Rojo Tierra (Intersection No. 35)
- Lasselle Street/Cremello Way - Avenida De Plata (Intersection No. 36)
- Lasselle Street/Avenida Classica - Kentucky Derby Drive (Intersection No. 37)
- Camino Flores/Iris Avenue (Intersection No. 40)
- Coachlight Court - Avenida De Circo/Iris Avenue (Intersection No. 41)
- Grande Vista Drive/Iris Avenue (Intersection No. 42)
- Nason Street/Elder Avenue - SR-60 Westbound Ramps (Intersection No. 43)
- Nason Street/SR-60 Eastbound Ramps (Intersection No. 44)
- Nason Street/Cottonwood Avenue (Intersection No. 46)
- Nason Street/Cactus Avenue (Intersection No. 48)
- Oliver Street/Cactus Avenue (Intersection No. 51)
- Oliver Street/John F Kennedy Drive (Intersection No. 52)
- Oliver Street/Iris Avenue (Intersection No. 53)
- Via Del Lago/Iris Avenue - Moreno Beach Drive (Intersection No. 54)
- Moreno Beach Drive/SR-60 Westbound Ramps (Intersection No. 55)
- Moreno Beach Drive/Cactus Avenue (Intersection No. 60)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Moreno Beach Drive/John F Kennedy Drive (Intersection No. 61)
- Driveway 2/Iris Avenue (Intersection No. 63)
- Driveway 3/Iris Avenue (Intersection No. 64)

Supporting Explanation:

As shown in Table 4.14-17 of the Draft EIR, Phase III impacts at the intersections specified above would be less than significant and no mitigation is required.

Phase III Completion Year (2038) with Project – Roadway Segments

Impact Determination: The following roadway segments would operate at an acceptable level of service upon completion of Phase III of the project:

- Perris Boulevard between Iris Avenue and Krameria Avenue (Roadway Segment No. 1)
- Lasselle Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 5)
- Nason Street between SR-60 Eastbound Ramps and Eucalyptus Avenue (Roadway Segment No. 13)
- Nason Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 16)
- Nason Street between Cactus Avenue and Iris Avenue (Roadway Segment No. 17)
- Oliver Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 18)
- Oliver Street between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 19)
- Oliver Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 20)
- Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 22)
- Moreno Beach Drive between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 25)
- Moreno Beach Drive between John F Kennedy Drive and Via Del Lago (Roadway Segment No. 26)
- Alessandro Boulevard between Elsworth Street and Frederick Street (Roadway Segment No. 29)
- Alessandro Boulevard between Indian Street and Perris Boulevard (Roadway Segment No. 33)
- Cactus Avenue between Graham Street -Riverside Drive and Heacock Street (Roadway Segment No. 41)
- Cactus Avenue between Heacock Street and Indian Street (Roadway Segment No. 42)
- Cactus Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 43)
- Cactus Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 44)
- Cactus Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 45)
- Cactus Avenue between Lasselle Street and Nason Street (Roadway Segment No. 46)
- John F Kennedy Drive between Oliver Street and Moreno Beach Drive (Roadway Segment No. 47)
- Iris Avenue between Heacock Street and Indian Street (Roadway Segment No. 48)
- Iris Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 49)
- Iris Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 51)
- Iris Avenue between Nason Street – Hillrose Lane and Driveway 1 (Roadway Segment No. 56)
- Iris Avenue between Driveway 1 and Driveway 2 (Roadway Segment No. 57)
- Iris Avenue between Driveway 2 and Driveway 3 (Roadway Segment No. 58)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Iris Avenue between Driveway 3 and Oliver Street (Roadway Segment No. 59)
- Iris Avenue between Oliver Street and Via Del Lago (Roadway Segment No. 60)

Supporting Explanation:

As shown in Table 4.14-18 of the Draft EIR, Phase III impacts at the roadway segments specified above would be less than significant and no mitigation is required.

General Plan Buildout (2040) with Project – Intersections

Impact Determination: The following intersections would operate at an acceptable level of service upon completion of General Plan Buildout in 2040:

- I-215 Southbound Ramps/Alessandro Boulevard (Intersection No. 1)
- I-215 Northbound Ramps/Alessandro Boulevard (Intersection No. 2)
- I-215 Southbound Ramps/Cactus Avenue (Intersection No. 3)
- I-215 Northbound Ramps/Cactus Avenue (Intersection No. 4)
- Frederick Street/Cactus Avenue (Intersection No. 10)
- Heacock Street/Cactus Avenue (Intersection No. 14)
- Heacock Street/Iris Avenue (Intersection No. 15)
- Indian Street/Alessandro Boulevard (Intersection No. 16)
- Indian Street/Iris Avenue (Intersection No. 18)
- Perris Boulevard/San Michele Road (Intersection No. 23)
- Perris Boulevard/Nandina Avenue (Intersection No. 24)
- Kitching Street/Alessandro Boulevard (Intersection No. 26)
- Lasselle Street/John F Kennedy Drive (Intersection No. 31)
- Lasselle Street/Via Xavier Lane (Intersection No. 34)
- Lasselle Street/Lasselle Sports Park - Rojo Tierra (Intersection No. 35)
- Lasselle Street/Cremello Way - Avenida De Plata (Intersection No. 36)
- Lasselle Street/Avenida Classica - Kentucky Derby Drive (Intersection No. 37)
- Camino Flores/Iris Avenue (Intersection No. 40)
- Coachlight Court - Avenida De Circo/Iris Avenue (Intersection No. 41)
- Grande Vista Drive/Iris Avenue (Intersection No. 42)
- Nason Street/Elder Avenue - SR-60 Westbound Ramps (Intersection No. 43)
- Nason Street/SR-60 Eastbound Ramps (Intersection No. 44)
- Nason Street/Cottonwood Avenue (Intersection No. 46)
- Nason Street/Cactus Avenue (Intersection No. 48)
- Oliver Street/Cactus Avenue (Intersection No. 51)
- Oliver Street/John F Kennedy Drive (Intersection No. 52)
- Oliver Street/Iris Avenue (Intersection No. 53)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Via Del Lago/Iris Avenue - Moreno Beach Drive (Intersection No. 54)
- Moreno Beach Drive/SR-60 Westbound Ramps (Intersection No. 55)
- Moreno Beach Drive/Cactus Avenue (Intersection No. 60)
- Moreno Beach Drive/John F Kennedy Drive (Intersection No. 61)
- Driveway 2/Iris Avenue (Intersection No. 63)
- Driveway 3/Iris Avenue (Intersection No. 64)

Supporting Explanation:

As shown in Table 4.14-19 of the Draft EIR, impacts at the intersections specified above would be less than significant at General Plan Buildout and no mitigation is required.

General Plan Buildout (2040) with Project – Roadway Segments

Impact Determination: The following roadway segments would operate at an acceptable level of service upon completion of General Plan Buildout in 2040:

- Lasselle Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 5)
- Nason Street between SR-60 Eastbound Ramps and Eucalyptus Avenue (Roadway Segment No. 13)
- Nason Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 16)
- Nason Street between Cactus Avenue and Iris Avenue (Roadway Segment No. 17)
- Oliver Street between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 18)
- Oliver Street between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 19)
- Oliver Street between John F Kennedy Drive and Iris Avenue (Roadway Segment No. 20)
- Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 22)
- Moreno Beach Drive between Cactus Avenue and John F Kennedy Drive (Roadway Segment No. 25)
- Moreno Beach Drive between John F Kennedy Drive and Via Del Lago (Roadway Segment No. 26)
- Alessandro Boulevard between Elsworth Street and Frederick Street (Roadway Segment No. 29)
- Cactus Avenue between Graham Street -Riverside Drive and Heacock Street (Roadway Segment No. 41)
- Cactus Avenue between Heacock Street and Indian Street (Roadway Segment No. 42)
- Cactus Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 43)
- Cactus Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 44)
- Cactus Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 45)
- Cactus Avenue between Lasselle Street and Nason Street (Roadway Segment No. 46)
- John F Kennedy Drive between Oliver Street and Moreno Beach Drive (Roadway Segment No. 47)
- Iris Avenue between Heacock Street and Indian Street (Roadway Segment No. 48)
- Iris Avenue between Indian Street and Perris Boulevard (Roadway Segment No. 49)
- Iris Avenue between Kitching Street and Lasselle Street (Roadway Segment No. 51)
- Iris Avenue between Driveway 1 and Driveway 2 (Roadway Segment No. 57)
- Iris Avenue between Driveway 2 and Driveway 3 (Roadway Segment No. 58)

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

- Iris Avenue between Driveway 3 and Oliver Street (Roadway Segment No. 59)
- Iris Avenue between Oliver Street and Via Del Lago (Roadway Segment No. 60)

Supporting Explanation:

As shown in Table 4.14-20 of the Draft EIR, impacts at the roadway segments specified above would be less than significant at General Plan Buildout and no mitigation is required.

Transit, Roadway, Bicycle, and Pedestrian Facilities

Impact Determination: Impacts related to transit, roadway, bicycle and pedestrian facilities would be less than significant.

Supporting Explanation: The design of project driveways and other project frontage and site improvements would not impair any bicycle lanes, sidewalks, wheelchair ramps, crosswalks on adjacent public streets and rights-of-way such as those on Iris Avenue. Impacts to those facilities on Iris Avenue during project construction would be minimized by the required coordination with the City through the City's encroachment permit process which would require traffic control plans. Since the project would provide for safe accessibility and safety of transit, bicycle, and pedestrian facilities on and around the Medical Center, nor would the project conflict with, or impair, the City's Bicycle Master Plan (2014), it would not conflict with adopted policies, plans, or programs regarding these transportation modes. Therefore, impacts are considered less than significant.

Threshold TRA-2: Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact Determination: The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b) and impacts are less than significant. No mitigation is required.

Supporting Explanation: The provisions of CEQA Guideline 15064.3(b) shall apply statewide on July 1, 2020. The project's transportation impacts have been evaluated based upon a delay based level of service analysis as discussed in Section 4.14.5 of the EIR. Because the requirements of CEQA Guideline 15064.3(b) are not yet mandatory, the project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b). Therefore impacts are less than significant.

Threshold TRA-4: Would the project result in inadequate emergency access?

Impact Determination: The proposed site plan, including the access driveways, will be reviewed and approved by the fire department during plan check review. Adherence to these requirements would ensure that potential impacts related to this issue remain below a level of significance.

Supporting Explanation: The proposed project would provide adequate access to the project site, including access for emergency vehicles. Construction activities during all phases that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures in accordance with the City's Emergency Operations Plan (EOP) (PDF-TRA-1). Operation of the project would not interfere with the City's EOP as driveways off Iris Avenue would be made accessible for emergency vehicles. The project applicant would be required to design, construct, and maintain structures, roadways, and facilities to comply with applicable local, regional, state, and/or federal requirements related to emergency access and evacuation plans. The proposed site plan, including the access driveways, will be reviewed and approved by the fire department during plan check review.

Reference

Draft EIR Section 4.14, Transportation and Appendix I – Traffic Impact Analysis; Final EIR, Chapter 2 – Responses to Comments, Chapter 3 - Errata, Final EIR

2.2.15 Tribal Cultural Resources

The City finds that, based upon substantial evidence in the record, impacts related to tribal cultural resources, Impact thresholds TCR-1, would be less than significant, and no mitigation measures are required.

Threshold TCR-1(i): Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

Impact Determination: Impacts to tribal cultural resources would be less than significant and no mitigation is required.

Supporting Explanation: As described under Section 4.4.4, Cultural Resources Records Search, of this Final EIR, a CHRIS records search was conducted for the proposed project site and within a 1-mile buffer. No tribal cultural resources were identified as a result of the records search. In a Sacred Lands File (SLF) results letter dated November 26, 2018, the NAHC stated that the SLF search was completed with negative results. Additionally, no tribal cultural resources were identified by California Native American tribes as part of Dudek’s tribal outreach or as part of the City’s Assembly Bill (AB) 52 notification and consultation process. Therefore, impacts are considered less than significant. No mitigation is required.

Reference

Draft EIR Section 4.15, Tribal Cultural Resources, and Appendix D, Cultural Resources Technical Report; Final EIR, Chapter 3 - Errata

2.2.16 Utilities and Service Systems

The City finds that, based upon substantial evidence in the record, impacts related to utilities and service systems, Impact thresholds UTL-1 through UTL-5, would be less than significant, and no mitigation measures are required.

Threshold UTL-1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electrical power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Impact Determination: Impacts associated with the construction or expansion of water, wastewater treatment, stormwater facilities, electrical power facilities, natural gas facilities, and telecommunication facilities would be less than significant.

Supporting Explanation: EMWD has sufficient capacity and infrastructure to provide and treat water and to accept and treat wastewater generated from the proposed project and no new or expanded infrastructure associated with

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treatment would be required for the additional demand or flow generated by the proposed project. In addition, new stormwater drainage facilities that would be required to redirect flows across the site have been incorporated into the overall project description and design of the project. Impacts to resources, such as, biological resources, cultural resources, air quality and greenhouse gas, and noise, associated with the construction and operation of facilities have been analyzed and disclosed within this EIR. Therefore, impacts associated with the construction or expansion of water, wastewater treatment, stormwater facilities, electrical power facilities, natural gas facilities, and telecommunication facilities would be less than significant.

Threshold UTL-2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Impact Determination: Sufficient water supplies are available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. In addition, the off-site water system has the ability to support fire flows required for buildout of the proposed project.

Supporting Explanation: A Water Supply Assessment (WSA) Report was prepared for the proposed project and is included within Appendix J. The WSA states that EMWD relies on Metropolitan Water District (MWD) to meet the needs of its growing population. MWD stated in their 2015 UWMP that with the addition of all water supplies, existing and planned, MWD has the ability to meet all of its member agencies' projected supplemental demand through 2040, even under a repeat of historic multiple year drought scenarios. Based on present information and the assurance that MWD is engaged in identifying solutions that, when combined with the rest of its supply portfolio, will ensure a reliable long-term water supply for its member agencies, EMWD has determined that it will be able to provide adequate water supplies to meet the potable water demand of 318 acre feet per year (AFY) for the proposed project as part of its existing and future demands (Appendix J).

Threshold UTL-3: Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Impact Determination: Adequate capacity exists to serve the proposed project at buildout, in addition to existing commitments. Impacts would be less than significant.

Supporting Explanation: Based on the remaining capacity to treat wastewater, at buildout, the proposed project's average wet weather flows (greatest of the average flows) would only be approximately 1.7 AFY of water, or 1,500 GPD, or 0.002% of the remaining capacity available to EMWD. Therefore, the EMWD's regional wastewater reclamation facilities would have adequate capacity to treat wastewater generated by the proposed project at buildout, in addition to existing commitments.

Threshold UTL-4: Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Impact Determination: With compliance with applicable regulations, the project would not generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure. Impacts would be less than significant, and no mitigation is required.

Supporting Explanation: The City's Building Code Requirements require completion and submittal of a Waste Management and Recycling Plan (Form CD-1) to the City for approval prior to issuance of building permits for the

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site, which will be required as a Condition of Approval. The Waste Management and Recycling Plan will identify the type of project and estimate the amount of materials to be recycled during construction. A Diversion Report (Form CD-2) must then be prepared and reviewed by the City's Building Department in order to demonstrate that the project recycled a minimum of 50% of its construction waste. Thus, with compliance with applicable regulations, the project would not conflict with reduction goals for construction waste.

Solid waste impacts as a result of operation of the proposed project would be less than significant and no mitigation is required. On an annual basis, the proposed project would contribute 2,169.5 tons per year, which represents an annual contribution of approximately 0.013% towards the remaining capacity. All recyclable non-hazardous solid waste generated from the project site (such as plastic and glass bottles and jars, paper, newspaper, metal containers, and cardboard) would be recycled per local and state regulations mentioned above, with a goal of 75%, in compliance with the Integrated Waste Management Act. The City will review building plans and ensure that proper space is set aside to allow for the collection and storage of recyclable and organic materials prior to issuance of building permits to ensure that there is adequate space for recycling on the project site.

Threshold UTL-5: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Determination: The project will comply with state and local statutes and regulations related to solid waste during construction and operation of all phases, impacts would be less than significant, and no mitigation is required.

Supporting Explanation: All non-hazardous solid waste generated from the project site once operational (such as plastic and glass bottles and jars, paper, newspaper, metal containers, and cardboard) would be recycled, with a goal of 75%, in compliance with the Integrated Waste Management Act. In addition, in compliance with existing regulations (i.e., AB 1826) Phases I through III would be required to implement an organic waste recycling program and subscribe to services to collect the organic waste in order to comply with state regulations and to accommodate expansion. Thus, the project will comply with state and local statutes and regulations related to solid waste during construction and operation of all phases, impacts would be less than significant, and no mitigation is required.

Reference

Draft EIR Section 4.17 Utilities and Service Systems; Appendix J1, Water Supply Analysis; Appendix J2, Water Study; and Appendix K, Sewer Study.

2.3 Potentially Significant Impacts that Can Be Mitigated Below a Level of Significance

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, the City finds that, for each of the following significant effects identified in the Final EIR, changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the identified significant effects on the environment to less than significant levels. These findings are explained below and are supported by substantial evidence in the record of proceedings.

2.3.1 Biological Resources

Threshold BIO-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (Special-Status Plant Wildlife [Direct])?

Impact Determination: If the burrowing owl moves onto the site prior to construction, project construction could result in direct impacts to the species. Mitigation Measures MM-BIO-1 and MM-BIO-2 have been incorporated to reduce potential impacts to less than significant.

Mitigation Measures

MM-BIO-1 To avoid potential direct impacts to burrowing owl, a burrowing owl preconstruction survey shall be conducted by a qualified biologist no more than 30 days prior to ground-disturbing project activities. If burrowing owls are present, occupied burrows shall be avoided. The preconstruction survey, avoidance, and any relocation of burrowing owls, if present, shall be conducted in accordance with current MSHCP survey guidelines and protocols.

MM-BIO-2 All vegetation removal and ground-disturbance activities shall be planned outside the nesting season for raptors (February 1 to August 15) and outside the peak nesting season for birds (March 1 to August 15) if practicable. If vegetation removal would occur during those time periods, a preconstruction survey for active nests shall be conducted by a qualified biologist no more than one week prior to the onset of ground-disturbance activities. If active nests are found on the site, disturbance or removal of the nest shall be avoided until the young have fledged and the nest is no longer active. Depending on the species, site conditions, and proposed construction activities near the active nest, a buffer distance may be prescribed, as determined by a qualified biologist.

Finding: The City finds that the above mitigation measures are feasible, will reduce the potential biological resources-related impacts of the project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Although the burrowing owl is not present on the project site, suitable habitat is present and the species could move onto the site prior to construction. The potential direct impacts to burrowing owl would be reduced to less than significant through implementation of MM-BIO-1, which requires pre-construction surveys, and MM-BIO-2, which requires avoidance or removal of nest, and potentially a buffer distance from construction activities.

Reference

Draft EIR Section 4.3, Biological Resources and Appendix B Biological Resources Technical Report.

Threshold BIO-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Direct, Phases II and III only)?

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Impact Determination: If the regulatory agencies take jurisdiction over the existing detention basin, potentially significant impacts to jurisdictional waters could occur when the basin is impacted in Phases II and III of the proposed project. Mitigation Measure MM-BIO-3 has been incorporated to reduce potential impacts to less than significant.

Mitigation Measure

MM-BIO-3 Consultation with the resource agencies shall be conducted prior to implementing Phases II and III of the project to determine the Regional Water Quality Control Board (RWQCB) and/or California Department of Fish and Wildlife (CDFW) will indeed take jurisdiction over the existing detention basin. If jurisdiction is determined, the Applicant will mitigate for the loss of 0.51-acre of waters of the state subject to RWQCB and CDFW jurisdiction, and an additional 0.54-acre of streambed under CDFW jurisdiction only. The project applicant will apply for A Waste Discharge Requirement (WDR) from the RWQCB and a Streambed Alteration Agreement from CDFW prior to the start of construction of Phases II and III of the project. Mitigation required for these permits would include compensatory habitat-based mitigation at a minimum 2:1 ratio for impacts to non-wetland waters of the state and CDFW streambed. Mitigation may include on-site restoration of waters through implementation of an approved Habitat Mitigation Monitoring Plan or purchase of off-site credits through an agency-approved mitigation bank such as the Soquel Canyon Mitigation Bank. Coordination with the resource agencies will determine the final mitigation ratio and strategy. Documentation shall be provided to the City.

Findings: The City finds that the above mitigation measure is feasible, will reduce the potential biological resources-related impacts of the project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Two basins will be installed in Phase I of the project to serve the same functions and values as the existing detention basin, which will remain until Phases II and III. If the state regulatory agencies take jurisdiction over the existing detention basin, potentially significant impacts to jurisdictional waters could occur in Phases II and III. The potential direct impacts to 0.51 acre of non-wetland waters of the state subject to RWQCB and CDFW jurisdiction, and an additional 0.54 acre of streambed subject only to CDFW jurisdiction, would be reduced to less than significant with implementation of MM-BIO-3, which would require consultation and compensatory habitat-based mitigation. There are no federal jurisdictional wetlands or waters of the United States within the project site.

Reference

Draft EIR Section 4.3, Biological Resources and Appendix B Biological Resources Technical Report.

2.3.2 Cultural Resources

Threshold CUL-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

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Impact Determination: There is the potential to encounter unanticipated cultural resources during the course of construction. Mitigation Measure MM-CUL-1 has been incorporated to reduce potential impacts to less than significant.

Mitigation Measure

MM-CUL-1 The applicant shall ensure that all ground-disturbing activities are ceased and treatment plans are implemented if archaeological resources are encountered. In the event that archaeological resources are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 100 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be prehistoric, Native American Tribes/Individuals should be contacted and consulted and Native American construction monitoring should be initiated. The Applicant and City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

In the event that a cultural resource is encountered during ground-disturbing activities, the landowner(s) shall relinquish ownership of all such resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains. The artifacts shall be relinquished through one or more of the following methods and evidence of such shall be provided to the City of Moreno Valley Community Development Department, Planning Division:

1. Accommodate the process for Preservation-In-Place/On-site reburial of the discovered items with the consulting Native American tribes or bands, as detailed in the treatment plan prepared by the professional archaeologist. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
2. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 Code of Federal Regulations (CFR) Part 79; therefore, the resources would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and/or
3. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center by default.

Once artifact analysis is completed, a final written report detailing the results of all research procedures and interpretation of the site shall be submitted to the lead agency for review and approval.

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Findings: The City finds that the above mitigation measure is feasible, will reduce the potential cultural resource impacts of the project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Although no archaeological resources were identified within the proposed project site, there is the potential to encounter unanticipated cultural resources during the course of construction. With implementation of MM-CUL-1, which provides an action plan if resources are unearthed during construction, impacts would be reduced to below a level of significance.

Reference

EIR Section 4.4, Cultural Resources and Appendix D Cultural Resources Technical Report.

Threshold CUL-3: Would the project disturb human remains, including those outside of formal cemeteries?

Impact Determination: A potential significant impact to human remains could occur as a result of the proposed project should construction or other personnel encounter any previously undocumented human remains. Mitigation Measure MM-CUL-2 has been incorporated to reduce potential impacts to less than significant.

Mitigation Measure

MM-CUL-2 In the event that any human remains are unearthed during project construction, the City of Moreno Valley and the Applicant shall comply with State Health and Safety Code Section 7050.5. The City of Moreno Valley and the Applicant shall immediately notify the Riverside County Coroner's office and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition. If remains are determined to be of Native American descent, the coroner has 24-hours to notify the Native American Heritage Commission (NAHC). The NAHC shall identify the person(s) thought to be the Most Likely Descendant (MLD). After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment or disposal, with appropriate dignity, of the human remains and any associated funerary objects. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and cultural items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the MLD all reasonable options regarding the MLDs preferences for treatment.

Findings: The City finds that the above mitigation measure is feasible, will reduce the potential cultural resource impacts as a result of the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section

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15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: A potential significant impact to human remains would occur as a result of the proposed project should construction or other personnel encounter any previously undocumented human remains. However, implementation of mitigation measure MM-CUL-2 would assure proper treatment of unanticipated finds during construction activities, and compliance with applicable regulations. Therefore, impacts to human remains during construction of the proposed project would be less than significant with mitigation incorporated. After construction is finished, operational/permanent activities would not result in significant impacts to human remains.

Reference

Draft EIR Section 4.4, Cultural Resources and Appendix D Cultural Resources Technical Report.

2.3.3 Geology and Soils

Threshold GEO-1: Would the project directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving earthquake fault, seismic ground shaking, liquefaction, or landslides (earthquake fault rupture, landslides)? (Seismic ground shaking, seismic-related ground failure/liquefaction).

Impact Determination: Potential impacts to seismic ground shaking and seismic-related ground failure/liquefaction would be reduced to less than significant with incorporation of Mitigation Measures MM-GEO-1, MM-GEO-2 and MM-GEO-3.

Mitigation Measure

- MM-GEO-1** Kaiser Permanente shall include in the Phase I project design all recommendations provided in the site-specific geotechnical investigations prepared for the proposed Diagnostic and Treatment Building and proposed Energy Center (Appendices E-1 and E-2). These recommendations include but are not limited to those related to ground improvements, drainage improvements, foundation design, and pavement design. Recommendations for remedial actions related to geotechnical concerns shall be implemented by Kaiser Permanente, to the satisfaction of the City of Moreno Valley.
- MM-GEO-2** A geotechnical study shall be prepared during the design phases for Phases II and III of the program. Recommendations for remedial actions related to geotechnical concerns, provided by the geotechnical consultant, shall be implemented by Kaiser Permanente, to the satisfaction of the City of Moreno Valley.
- MM-GEO-3** The Office of Statewide Health Planning and Development's (OSHPD's) Facilities Development Division shall review and approve the plans and specifications of the proposed medical office building, hospital, and related hospital facilities.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential geology and soils impacts of the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1),

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changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: The City is located in a seismically active area. Movement along major faults in proximity to the City, such as the Elsinore, San Jacinto, and San Andreas faults, can occur in the project area. These faults, as well as other regional faults, are capable of producing moderate to major earthquakes that could cause strong seismically induced ground shaking at the project site. Due to the depth of groundwater at the project site (in excess of 71 feet), the potential for liquefaction and associated lateral spreading at the site is low. Implementation of MM-GEO-1 and MM-GEO-2, which require construction of Phase I, II, and III be completed in accordance with recommendations by a site-specific geotechnical report, would help reduce potential impacts to below a level of significance. In addition, MM-GEO-3 requires the Office of Statewide Health Planning and Development's Facilities Development Division review and approval of the project plans to ensure compliance with the CBC. Compliance with these mitigation measures would incorporate final design features that would reduce the risk of structural damage and/or failure as a result of existing soils and geologic hazard conditions, and impacts to seismic ground shaking and seismic-related ground failure/liquefaction would be less than significant.

Reference

Draft EIR Section 4.6, Geology and Soils, Appendix E, Geotechnical Report

Threshold GEO-3: Would the project 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?

Impact Determination: Seismically induced settlement and regional subsidence could result in a potential significant impact to the proposed project's operation. Mitigation Measures MM-GEO-1, MM-GEO-2 and MM-GEO-3 have been incorporated to reduce potential impacts to less than significant.

Mitigation Measure

See MM-GEO-1 through MM-GEO-3 above.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential geology and soils impacts of the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Seismically induced settlement up to 0.5 inch could occur at the project site and the alluvial sediments in project area are susceptible to regional subsidence. The same would apply for Phases II and III of the project, as the entire site is underlain by similar alluvial soils. Implementation of MM-GEO-1 and MM-GEO-3, which require construction of Phase I, II, and III be completed in accordance with recommendations by a site-specific geotechnical report, would help reduce potential impacts to below a level of significance. In addition, MM-GEO-3 requires the Office of Statewide Health Planning and Development's Facilities Development Division review and approval of the project plans to ensure compliance with the CBC.

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Reference

Draft EIR Section 4.6, Geology and Soils, Appendix E, Geotechnical Report

Threshold GEO-6: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Determination: Ground-disturbing activities associated with construction have the potential to uncover and damage/or destroy a unique paleontological resource or site. Mitigation Measures MM-GEO-4 through MM-GEO-7 have been incorporated to reduce potential impacts to less than significant.

Mitigation Measures

MM-GEO-4 Prior to the issuance of a grading permit, the Applicant shall retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology. Prior to commencement of excavation activities, the paleontologist shall conduct a Paleontological Sensitivity Training for all construction personnel that will conduct earthwork or grading activities. The training shall include a handout and shall focus on how to identify paleontological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event, including who to contact and the appropriate avoidance measures that need to be undertaken until the find(s) can be properly evaluated; the duties of paleontological monitors; notification and other procedures to follow upon discovery of resources; and the general steps a qualified professional paleontologist would follow in conducting a salvage investigation if one is necessary. All new construction personnel that will conduct earthwork or grading activities must take the Paleontological Sensitivity Training prior to beginning work on the project and the professional paleontologist shall make themselves available to provide the training on an as-needed basis.

MM-GEO-5 The applicant shall ensure the monitoring of construction excavations for paleontological resources is required for all excavations in older Quaternary alluvial fan deposits. Prior to the issuance of a grading permit, the Applicant shall retain a qualified paleontological monitor, who will work under the guidance and direction of a professional paleontologist, and who meets the qualifications set forth by the Society of Vertebrate Paleontology. The paleontological monitor shall have the authority to temporarily redirect earthmoving activities in the event that suspected paleontological resources are unearthed during project construction. The paleontological monitor shall be present during all construction excavations including, but not limited to grading, trenching, boring, and clearing/grubbing. Multiple earth-moving construction activities may require multiple paleontological monitors. The frequency of monitoring shall be based on the rate of excavation and grading. Monitoring may be reduced if potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the professional paleontologist to have a low potential to contain or yield fossil resources.

MM-GEO-6 The applicant shall ensure that in the event that paleontological resources and/or unique geological features are unearthed during ground-disturbing activities, all ground-disturbing activities shall be halted or diverted away from the vicinity of the find in order to evaluate the resource. A buffer area of at least 100 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological treatment plan has been approved by the Applicant and the City of Moreno Valley. Work shall be allowed to continue outside

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of the buffer area. The Applicant and City of Moreno Valley shall coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing. Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage is required for significant discoveries.

MM-GEO-7 The applicant shall ensure that a professional paleontologist prepares a report summarizing the results of the monitoring and any salvaging efforts, the methodology used in these efforts, as well as a description of any fossils collected and their significance, as well as any necessary maps and graphics to accurately record the original location of any such resources. The report shall be submitted to the Applicant, the City of Moreno Valley, the San Bernardino County Natural History Museum, Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the required mitigation measures.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential paleontological impacts of the proposed project to less-than-significant levels, and is adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Because ground-disturbing activities associated with construction have the potential to uncover and damage/or destroy a unique paleontological resource or site, implementation of mitigation measures MM-GEO-4 through MM-GEO-7 would be required to reduce potential impacts. MM-GEO-4 through MM-GEO-7 require pre-construction training and monitoring of excavations, and provide a plan of action in the event a resource is uncovered. Implementation of these mitigation measures would reduce impacts to below a level of significance.

Reference

Draft EIR Section 4.6, Geology and Soils, Appendix E, Geotechnical Report

2.3.4 Hydrology and Water Quality

Threshold HYD-1: Would the project violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Operation)?

Impact Determination: Each of the three project phases would include an increase in impervious surfaces, but the project's preliminary project-specific water quality management plan does not require best management practices to address these increases. The project includes bioretention basins which require maintenance to void clogging from silts and clays. Measures MM-HYD-1 and through MM-HYD-3 have been incorporated to reduce potential impacts to less than significant.

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Mitigation Measures

- MM-HYD-1** Treatment control Best Management Practice (BMP) features proposed for the eastern project area, including an underground storage vaults and a modular wetland system (Figure 4.9-4, Proposed Drainage), shall be constructed during Phase I of the project. These treatment control BMPs shall be constructed in accordance with the project Water Quality Management Plan (Appendix G-1) and approved by the City of Moreno Valley.
- MM-HYD-2** Treatment control BMP features proposed for the western project area, including multiple bioretention basins (Figure 4.9-4, Proposed Drainage), shall be constructed during Phase II of the project. These treatment control BMPs shall be constructed in accordance with the project Water Quality Management Plan (Appendix G-1) and approved by the City of Moreno Valley.
- MM-HYD-3** Consistent with the Design Handbook for Low Impact Development Best Management Practices (Riverside County Flood Control Water Conservation District 2011), Section 3.5 – Bioretention Basins, Inspection and Maintenance Schedule, the following inspection and maintenance activities shall be implemented following basin construction:
- 1) Ongoing, the applicant shall:
 - a) Keep adjacent landscape areas maintained. Remove clippings from landscape maintenance areas.
 - b) Remove trash and debris.
 - c) Replace damaged grass and/or plants.
 - d) Replace surface mulch layer as needed to maintain a 2-3 inch soil cover.
 - 2) After storm events, the applicant shall inspect areas for ponding.
 - 3) Annually, the applicant shall inspect/clean inlets and outlets.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential hydrology and water quality impacts related to the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Although the project proposes stormwater treatment BMPs for the entire project site, as indicated in the Water Quality Management Plan (Appendix G-2), if stormwater treatment BMPs are not constructed in sequence with phased construction, residual concentrations of oil and grease and other contaminants could be transported off site in stormwater, potentially impacting downstream beneficial uses of water bodies. Mitigation measures MM-HYD-1 and MM-HYD-2 will ensure that BMPs correspond to phases in order to address potential impacts of each phase. In addition, the proposed bioretention basins have the potential clog from silts and clays. Mitigation Measure MM-HYD-3 would ensure that these basins are adequately maintained to function properly. Impacts are considered less than significant with implementation of MM-HYD-1, MM-HYD-2, and MM-HYD-3.

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Reference

Draft EIR Section 4.9 Hydrology and Water Quality; Appendix G1, Drainage Report; and Appendix G2, Water Quality Management Plan

Threshold HYD-5. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Water Quality)?

Impact Determination: The project would have the potential to conflict with implementation of a water quality control plan during construction and operation because the project's preliminary project-specific water quality management plan does not require best management practices to address the project increases in impervious surfaces and because the project includes bioretention basins which require maintenance to void clogging from silts and clays. Mitigation Measures MM-HYD-1 through MM-HYD-3 have been incorporated to reduce potential impacts to less than significant.

Mitigation Measures

See MM-HYD-1 through MM-HYD-3 above.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential hydrology and water quality impacts related to the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Although the project proposes stormwater treatment BMPs for the entire project site, as indicated in the Water Quality Management Plan (Appendix G-2), if stormwater treatment BMPs are not constructed in sequence with phased construction, residual concentrations of oil and grease and other contaminants could be transported off site in stormwater, potentially conflicting with the ability to implement a water quality control plan. Mitigation measures MM-HYD-1 and MM-HYD-2 will ensure that BMPs correspond to phases in order to address potential impacts of each phase. In addition, the proposed bioretention basins have the potential clog from silts and clays. Mitigation Measure MM-HYD-3 would ensure that these basins are adequately maintained to function properly. Impacts are considered less than significant with implementation of MM-HYD-1, MM-HYD-2, and MM-HYD-3.

Reference

Draft EIR Section 4.9 Hydrology and Water Quality; Appendix G1, Drainage Report; and Appendix G2, Water Quality Management Plan

2.3.5 Noise

Threshold NOI-1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies (Construction Noise and On-Site Noise)?

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Impact Determination (Construction Noise): The project would be consistent with the City's regulations for construction noise. In addition, mitigation measures MM-NOI-1 and MM-NOI-2 have been incorporated to ensure that project construction noise would not exceed FTA's general assessment guidance of 80 dBA L_{eq8h} .

Mitigation Measures

MM-NOI-1 Prior to grading permit issuance, and to help ensure construction noise levels at community noise-sensitive receptors (e.g., residences) are compliant with City of Moreno Valley (City) requirements and adopted Federal Transit Administration guidance, the applicant or its construction contractor(s) shall implement the following:

- Construction noise reduction methods such as shutting off idling equipment, and usage of electric-driven air compressors and similar power tools in lieu of diesel-powered equipment, shall be applied where feasible.
- During construction, stationary operating construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors. When increased distance cannot be used to help reduce noise exposure at a sensitive receptor due to loud operation of stationary equipment, apply feasible on-site noise attenuation measures that may include temporary noise barriers (e.g., acoustical blankets or field-erected wooden walls) or the placement of on-site tanks, containers, or trailers so that direct noise source-to-receptor path(s) are occluded.
- During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors while being located on the project site or on existing developed areas.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners and residents to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate response (that may include corrective actions, as warranted by investigation of the received complaint and determination of noise exceedance) shall be implemented and a report of the response and/or action provided to the reporting party in a reasonable timeframe.

MM-NOI-2 The construction contractor shall require that all construction equipment be operated with original factory-installed or factory-approved noise control equipment (e.g., exhaust mufflers and silencers, intake filters, and engine shrouds as appropriate) that is properly installed and in good working order. Enforcement shall be accomplished via field inspections by applicant or third-party personnel during construction activities to the satisfaction of the City of Moreno Valley Public Works Department.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential noise impacts related to the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: The City's noise ordinance provides limits to noise from construction activities during the hours of 7:00 pm and 8:00 a.m. However, the project does not propose construction activity between the hours of 8:00 pm

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and 7:00 am, and even if construction activity were to occur during such hours, it would be required to comply with Moreno Valley Municipal Code (MVMC) Section 11.80.030, including Section 11.80.030.D.7 and 11.80.030.D.9, which impose limits on such noise. In addition, because the City's noise ordinance does not impose numerical limits on construction activities, project construction was analyzed in accordance with the Federal Transportation Administration's (FTA) general assessment guidance metric of 80 dBA L_{eq8h} . Table 4.11-6 shows that the predicted construction noise for all phases does not exceed the FTA's general assessment guidance metric of 80 dBA L_{eq8h} for existing sensitive uses. Nevertheless, to help ensure construction activity noise is adequately controlled and/or abated and results in actual noise exposures at nearby noise-sensitive receivers that are consistent with predicted levels presented in Table 4.11-6, Kaiser Permanente shall incorporate two construction noise mitigation measures (MM-NOI-1 and MM-NOI-2). MM-NOI-1 requires noise reduction techniques and MM-NOI-2 requires equipment be operated with factory-approved noise control equipment. With implementation, impacts would be reduced to below a level of significance.

Impact Determination (On-Site Noise Generators): During non-emergency instances, there is the potential for noise generated from emergency generators to temporarily exceed established noise standards. Mitigation Measures MM-NOI-3 and MM-NOI-4 have been incorporated to reduce potential impacts to less than significant.

Mitigation Measures

MM-NOI-3 The applicant shall require that the combined outdoor noise emission from operation of the two emergency generators (i.e., 1 x 1-MW and 1 x 2-MW gensets), including sound attenuated exhaust and casing radiated (and any air intakes or heat discharge) would not exceed 55 dBA L_{eq} at a distance of 200 feet. Achievement of this acoustical performance metric shall be demonstrated either by on-site field noise testing or via engineering specifications (e.g., expected sound pressure levels at a defined distance from the equipment) provided by the equipment supplier and/or manufacturer and disclosed as part of the final project design (and reviewed by a qualified acoustical consultant) prior to equipment submittal approval and project construction.

MM-NOI-4 The applicant shall require that when project design details are finalized, and prior to submission of the final project design to the City, an acoustical analysis of aggregate project operation noise from expected stationary sources of sound emission (e.g., HVAC systems) shall be conducted or reviewed by a qualified acoustical consultant (e.g., Institute of Noise Control Engineering [INCE] Board Certified Member or as otherwise approved by the City of Moreno Valley). Using reference sound level data provided by (and thus the responsibility of) equipment suppliers as part of the modeling input parameters, this predictive analysis shall evaluate aggregate noise levels from these stationary sound sources at the same assessment positions per each of three project phases as appearing in Table 4.11-9. The results of this acoustical analysis shall be summarized in a concise report, and include descriptions of equipment noise control, sound transmission path abatement, and other conditions as reflected by the final project design submitted to the City that contribute to expected attainment of noise levels that are compliant with applicable daytime and nighttime thresholds at these positions. This analysis shall be performed to include two operation noise scenarios per phase: with and without operation of the proposed emergency generators.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential noise impacts related to the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or

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alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: Table 4.11-9 shows that for each of the three studied proposed project phases, predicted potential aggregate noise emissions from the major stationary operating equipment would be compliant with the City's nighttime requirement at a distance of 200 feet from the project's property line, except when the emergency generators associated with the Energy Center are operating under non-emergency conditions. During emergencies, noise from generator operation and other equipment would be exempt per Section 11.80.030.E.2 of the City's noise ordinance. Thus, to keep emergency generator noise levels compliant for isolated non-emergency operation cases, MM-NOI-3 and MM-NOI-4 are recommended in order to reduce potential periodic operational impacts. MM-NOI-3 requires field noise testing to ensure the operation of two emergency generators would not exceed 55 dBA at a distance of 200 feet. MM-NOI-4 requires an acoustical analysis of aggregate project operation noise from expected stationary sources of sound emission during final project design. Implementation of these measures would reduce impacts to below a level of significance.

Reference

Draft EIR Section 4.11, Noise, Appendix H Noise Technical Report; Final EIR, Chapter 2 – Responses to Comments

2.3.6 Transportation

Threshold TRA-3: Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Impact Determination: The project would not substantially increase hazards due to a geometric design feature or incompatible use. Impacts would be less than significant, and no mitigation is required. The City also requires a site access analysis to identify queuing issues at driveways. With implementation of MM-TRA-55 and MM-TRA-56, queuing impacts would be reduced to less than significant levels.

Mitigation Measures

- MM-TRA-55** Prior to the completion of Phase I construction, the project shall extend the existing eastbound left-turn storage lane of Driveway 2 by 30 feet.
- MM-TRA-56** Prior to the completion of Phase II construction, the project shall remove the existing raised median on Iris Avenue for the eastbound approach to Driveway 2, stripe the eastbound approach to accommodate a second eastbound left-turn lane, and extend the dual left-turn pocket up to 400 feet. Additionally, the existing southbound left-turn storage at Driveway 2 shall be extended to 200 feet prior to the completion of Phase II construction.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential transportation impacts related to the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

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Supporting Explanation: Project access will not substantially increase hazards due to design features or incompatible uses. Primary site access is provided by three existing driveways located on Iris Avenue. The existing signalized driveway (Driveway 2) will continue to operate as a full-access driveway. The driveway farthest west (Driveway 1) would remain operating as right-in/right-out (RIRO) only. Phase I proposes the modification of the driveway farthest east (Driveway 3) to operate as a right-in-right-out only driveway from its existing full-access configuration.

The proposed project includes a circulation network that would serve the project site. Proposed project driveways and internal circulation elements have been designed to reflect the specific opportunities and constraints within the project site. All intersection and circulation improvements, and access to the site would be designed consistent with City roadway standards and would not create a hazard for vehicles, bicycles, or pedestrians entering or exiting the site. The proposed project does not include any other project elements that could potentially create a hazard to the public.

Modifications to existing project access driveways to the site, in the form of MM-TRA-55 and MM-TRA-6, have been proposed to improve LOS and vehicle queuing. Those would be designed according to City standards and would not create sharp curves or dangerous intersections. As such, the proposed project would not increase hazards due to a design feature or incompatible uses and impacts would be less than significant with implementation of mitigation.

Reference

Draft EIR Section 4.14, Transportation and Appendix I – Traffic Impact Analysis; Final EIR, Chapter 2 – Responses to Comments, Chapter 3 - Errata

2.3.7 Tribal Cultural Resources

Threshold TCR-1(ii): Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 50.24.1? In applying the criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Impact Determination: A significant impact to any previously unidentified TCRs could occur as a result of proposed project construction. Mitigation Measures MM-TCR-1 through MM-TCR-9 have been incorporated to reduce potential impacts to less than significant.

Mitigation Measures

MM-TCR-1 Prior to the issuance of a grading permit, the Applicant shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior’s Professional Qualifications and Standards. The project archaeologist, in consultation with the Soboba Band of Luiseno Indians, the construction manager, and any contractors (hereafter referred to as “Native American Tribal Representatives”) will conduct an Archaeological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training session will include a handout and

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will focus on how to identify archaeological and Tribal Cultural Resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, including who to contact and the appropriate avoidance measures that need to be undertaken until the find(s) can be properly evaluated; the duties of archaeological and Soboba Band of Luiseno Indians monitors; and the general steps a qualified professional archaeologist would follow in conducting a salvage investigation if one is necessary. All new construction personnel that will conduct earthwork or grading activities must take the Archaeological Sensitivity Training prior to beginning work on the project and the professional archaeologist shall make themselves available to provide the training on an as-needed basis. A sign-in sheet shall be compiled to track attendance and shall be submitted to the City of Moreno Valley with the Phase IV Archaeological Monitoring Report.

- MM-TCR-2** Preconstruction Notification of Soboba Band of Luiseno Indians Representatives. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that the Soboba Band of Luiseno Indians Representatives received a minimum of 30 days advance notice of all mass grading and trenching activities, and provide evidence of monitoring agreements between the Applicant and the Tribes. The Soboba Band of Luiseno Indians Representatives shall be notified a minimum of 48 hours in advance and allowed to attend the pre-grading meeting with the City and project construction contractors and/or monitor all project mass grading and trenching activities.
- MM-TCR-3** Prior to grading permit issuance, the Applicant and the City of Moreno Valley 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 Soboba Band of Luiseno Indians 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 Soboba Band of Luiseno Indians Representatives to the site to assess the significance of the find."
- MM-TCR-4** Prior to the issuance of a grading permit, the Applicant shall retain a qualified archaeological monitor as well as secure an agreement with the Soboba Band of Luiseno Indians for tribal monitoring. The archaeological monitor will work under the direction and guidance of the qualified professional archaeologist and will meet the U.S. Secretary of the Interior's Professional Qualifications and Standards. The archeological monitor and the Soboba Band of Luiseno Indians monitor shall have the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during project construction. Archaeological and tribal cultural monitoring is required at all depths and strata. The archaeological and tribal cultural monitors shall be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into non-fill younger Pleistocene alluvial sediments. Multiple earth-moving construction activities may require multiple archaeological monitors. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to any known archaeological resources, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the qualified professional archaeologist.
- MM-TCR-5** The applicant shall ensure that all ground-disturbing activities are ceased and treatment plans are implemented if tribal cultural resources (TCRs) are encountered. In the event that TCRs are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the

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vicinity of the find so that the find can be evaluated. A buffer area of at least 100 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All TCRs unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards.

In the event that a TCR is encountered during ground-disturbing activities, the landowner(s) shall relinquish ownership of all such resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains. The artifacts shall be relinquished through one or more of the following methods and evidence of such shall be provided to the City of Moreno Valley Planning Department:

1. Accommodate the process for Preservation-In-Place/On-site reburial of the discovered items with the consulting Soboba Band of Luiseno Indians, as detailed in the treatment plan prepared by the professional archaeologist. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
2. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 Code of Federal Regulations (CFR) Part 79; therefore, the resources would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and/or
3. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center by default.

MM-TCR-6

Prior to the issuance of a grading permit, project archaeologist, in consultation with the Soboba Band of Luiseno Indians, the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the CRMP shall include:

- a. Project grading and development scheduling;
- b. The project archeologist and the Soboba Band of Luiseno Indians as defined in MM-TCR-1 shall attend the pre-grading meeting with the City, the construction manager and any contractors and shall conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training shall include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that shall conduct earthwork or grading activities that begin work on the project following the initial Training must take the Cultural

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Sensitivity Training prior to beginning work and the project archaeologist and Soboba Band of Luiseno Indians shall make themselves available to provide the training on an as-needed basis;

- c. The protocols and stipulations that the contractor, City, Soboba Band of Luiseno Indians, and project archaeologist shall follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

MM-TCR-7 Prior to building permit issuance, the project archaeologist shall prepare a final Phase IV Monitoring Report as outlined in the Cultural Resources Management Plan (CRMP), which shall be submitted to the City of Moreno Valley Planning Division, the appropriate Soboba Band of Luiseno Indians, and the Eastern Information Center at the University of California, Riverside. The report shall include a description of resources unearthed, if any, evaluation of the resources with respect to the California Register and CEQA, and treatment of these resources. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated in a Riverside County repository according to the current professional repository standards and may include the Western Science Center or other federally approved repository.

MM-TCR-8 If potential historic or cultural resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Soboba Band of Luiseno Indians Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and the Soboba Band of Luiseno Indians, as defined in the Cultural Resources Management Plan, prepared under MM-TCR-6, before any further work commences in the affected area.

MM-TCR-9 In the event that any human remains are unearthed during project construction, the City of Moreno Valley and the Applicant shall comply with State Health and Safety Code Section 7050.5. The City of Moreno Valley and the Applicant shall immediately notify the Riverside County Coroner's office and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition. If remains are determined to be of Native American descent, the coroner has 24-hours to notify the Native American Heritage Commission (NAHC). The NAHC shall identify the person(s) thought to be the Most Likely Descendant (MLD). After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment or disposal, with appropriate dignity, of the human remains and any associated funerary objects. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and cultural items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has

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discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the MLD all reasonable options regarding the MLDs preferences for treatment.

If the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

Findings: The City finds that the above mitigation measures are feasible, will reduce potential tribal cultural resource impacts related to the proposed project to less-than-significant levels, and are adopted by the City. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Supporting Explanation: AB 52 consultation between the City and tribal representatives from the Soboba Band of Luiseno and Morongo Band of Mission Indians suggests that there is still some potential for unknown subsurface TCRs to be impacted by the proposed project. In the event that unknown subsurface TCRs are uncovered during ground disturbance associated with the proposed project, and such resources are not identified and avoided or properly treated, a potentially significant impact could result. With adherence to the mitigation measures MM-TCR-1 through MM-TCR-9, the potential for impacts to TCRs would be less than significant with mitigation incorporated.

Reference

Draft EIR Section 4.15, Tribal Cultural Resources, and Appendix D, Cultural Resources Technical Report; Final EIR, Chapter 3 - Errata

2.4 Potentially Significant Impacts That Cannot Be Mitigated Below a Level of Significance

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, the City finds that, for each of the following significant effects identified in the Final EIR, specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

2.4.1 Air Quality

Threshold AQ-1: Would the project conflict with or obstruct implementation of the applicable air quality plan? (Operation (NOx), Phases II and III)

Impact Determination: The project would exceed the SCAQMD's significance thresholds for NOx during operation of Phases II and III and no there is no feasible mitigation. Therefore, this impact is considered significant and unavoidable.

Mitigation Measures: No feasible mitigation measures.

Findings: The City finds that no feasible mitigation measures exist that will mitigate these significant impacts attributable to operations during Phases II and III of the proposed project, as identified in the Final EIR, and impacts would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation: At the buildout of Phases II and III, the project's net increase in operational emissions would not exceed the SCAQMD operational thresholds for VOC, CO, SOx, PM₁₀, and PM_{2.5} but would exceed the SCAQMD operational thresholds for NOx. This exceedances of NOx is primarily due to mobile source emissions and energy use (natural gas combustion) at the Energy Center. The project includes PDF-TRA-2, set forth in Section 2.4.2 below, which provides for implementation of transportation demand management. However, feasible transportation demand management is not sufficient to reduce NOx emissions below the SCAQMD threshold. The Energy Center is essential to the project's hospital operation as it provides the necessary power source to meet operational and regulatory requirements. The project will replace older equipment (which has significantly higher emission rates) and would comply with applicable AQMD rules for the Energy Center equipment. However, there are no alternative energy power sources sufficient to meet the project hospital's specialized power needs.

Reference

Draft EIR Section 4.2, Air Quality and Appendix B Air Quality Technical Report; Final EIR, Chapter 2 – Responses to Comments

Threshold AQ-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard? (Operation, Phases II and III)

Impact Determination (Operation, Phases II and III): Operational emissions generated by Phases II and III of the project would result in a significant impact regarding NOx. There is no feasible mitigation and impacts would be significant and unavoidable.

Mitigation Measures: No feasible mitigation measures.

Findings: The City finds that no feasible mitigation measures exist that will mitigate these significant impacts attributable to operation of Phases II and III of the proposed project, as identified in the Final EIR, and impacts

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would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation: At the buildout of Phases II and III, the project's net increase in operational emissions would not exceed the SCAQMD operational thresholds for VOC, CO, SO_x, PM₁₀, and PM_{2.5} but would exceed the SCAQMD operational thresholds for NO_x. This exceedance of NO_x is primarily due to mobile source emissions and energy use (natural gas combustion) at the Energy Center. The project includes PDF-TRA-2, set forth in Section 2.4.2 below, which provides for implementation of transportation demand management. However, feasible transportation demand management is not sufficient to reduce NO_x emissions below the SCAQMD threshold. The Energy Center is essential to the project's hospital operation as it provides the necessary power source to meet operational and regulatory requirements. The project will replace older equipment (which has significantly higher emission rates) and would comply with applicable AQMD rules for the Energy Center equipment. However, there are no alternative energy power sources sufficient to meet the project hospital's specialized power needs. As there is no mitigation available to reduce the emissions of NO_x from the project operation during Phases II and III below the SCAQMD threshold of significance, impacts would remain significant and unavoidable.

Reference

Draft EIR Section 4.2, Air Quality and Appendix B Air Quality Technical Report; Final EIR, Chapter 2 – Responses to Comments

Threshold AQ-3: Would the project expose sensitive receptors to substantial pollutant concentrations? (Operation, Phases II and III Health Effects)

Impact Determination: Because operation of the project upon implementation of Phases II and III could result in exceedances of the SCAQMD significance thresholds for NO_x, which is a precursor to ozone (O₃) the potential health effects associated with criteria air pollutants, specifically O₃, are considered potentially significant.

Mitigation Measures: No feasible mitigation measures.

Findings: The City finds that no feasible mitigation measures exist that will mitigate the significant impact as identified in the Final EIR, and impacts to Threshold AQ-3 (Operation, Health Effects) would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation: At the buildout of Phases II and III, the project's net increase in operational emissions would not exceed the SCAQMD operational thresholds for VOC, CO, SO_x, PM₁₀, and PM_{2.5} but would exceed the SCAQMD operational thresholds for NO_x. This exceedance of NO_x is primarily due to mobile source emissions and energy use (natural gas combustion) at the Energy Center. The project includes PDF-TRA-2, set forth in Section 2.4.2 below, which provides for implementation of transportation demand management. However, feasible transportation

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demand management is not sufficient to reduce NO_x emissions below the SCAQMD threshold. The Energy Center is essential to the project's hospital operation as it provides the necessary power source to meet operational and regulatory requirements. The project will replace older equipment (which has significantly higher emission rates) and would comply with applicable AQMD rules for the Energy Center equipment. However, there are no alternative energy power sources sufficient to meet the project hospital's specialized power needs. NO_x is a precursor to O₃. Operation of the project would contribute to exceedances of the National Ambient Air Quality Standards (NAAQS) and CAAQS for NO₂. Due to exceedances in operation-generated emissions of NO_x, the project could result in potential health effects associated with NO₂ and NO_x. As there is no mitigation available to reduce the emissions of NO_x from the project operation during Phases II and III below the SCAQMD threshold of significance, impacts would remain significant and unavoidable.

Reference

Draft EIR Section 4.2, Air Quality and Appendix B, Air Quality Technical Report; Final EIR, Chapter 2 – Responses to Comments

2.4.2 Transportation

Threshold TRA-1: Would the project conflict with a program, plan, ordinance, or policy addressing circulation systems, including transit, roadway, bicycle, and pedestrian facilities? (Specified Intersections/Roadway Segments)

Phase I Completion Year (2023) with Project – Intersections

Impact Determination: Significant and unavoidable impacts during Phase I with Project Traffic Conditions would occur at Intersection Nos. 29, 39, 49, 50, 56, and 59 even after implementation of mitigation measures MM-TRA-1 through MM-TRA-6, identified below. While implementation of the physical improvements identified in these mitigation measures would improve intersection level of service to less than significant, and the project would pay the specified Transportation Uniform Mitigation Fee (TUMF) fee or fair share payment, such payments do not guarantee that these improvements would be in place before the Certificate of Occupancy for Phase I is obtained. Therefore, the project's impacts at these intersections would be significant and unavoidable.

- MM-TRA-1.** Intersection No. 29 – Lasselle Street/Alessandro Boulevard: Pay TUMF fee for the following improvements: add eastbound through (EBT) and westbound through (WBT) lanes.
- MM-TRA-2.** Intersection No. 39 – Evans Road/Ramona Expressway: Pay fair-share (1.6%) for the following improvements: add right-turn overlap phasing for westbound right (WBR) and southbound right (SBR) turn lanes.
- MM-TRA-3.** Intersection No. 49 – Nason Street-Hillrose Lane/Iris Avenue: Pay fair-share (26.8%) for the following improvements: add southbound left (SBL) turn lane.
- MM-TRA-4.** Intersection No. 50 – Pearl Lane - Oliver Street/Alessandro Boulevard: Pay fair-share (1.9%) for the following improvement: install traffic signal.

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MM-TRA-5. Intersection No. 56 – Pearl Lane - Moreno Beach Drive/SR-60 Eastbound Ramps: Pay TUMF fee for the following improvements: add second southbound through (SBT) lane and eastbound right (EBR) turn lane.

MM-TRA-6. Intersection No. 59 – Moreno Beach Drive/Alessandro Boulevard: Pay fair-share (8.0%) for the following improvements: add second southbound through (SBT) lane and northbound through (NBT) lane.

Significant and unavoidable impacts during Phase I with Project Traffic Conditions would occur at Intersection Nos. 27, 30 and 33 even after implementation of mitigation measures MM-TRA-7 through MM-TRA-9 and MM-TRA-54, identified below. While the improvements identified in these mitigation measures would reduce project impacts at these intersections, acceptable level of service would not be achieved and there are no feasible mitigation measures that would reduce this impact to below a level of significance. Therefore, the project's impacts at these intersections would be significant and unavoidable.

MM-TRA-7. Intersection No. 30 – Lasselle Street/Cactus Avenue: Pay fair-share (16.3%) for the following improvement: add right-turn overlap phasing for westbound right (WBR) turn lane.

MM-TRA-8. Intersection No. 33 – Lasselle Street/Krameria Avenue: Pay fair-share (9.66%) for the following improvements: restripe eastbound approach from eastbound left (EBL), eastbound through (EBT) and eastbound right (EBR) to two EBL, EBT, and EBTR, restripe westbound approach from westbound left (WBL), westbound through (WBT), and westbound right (WBR) to WBL, WBT and WBTR.

MM-TRA-9. Intersection No. 27 – Kitching Street/Cactus Avenue: Pay fair share (29.6%) for the following improvements: restripe southbound right (SBR) to a southbound through right (SBTR), widen the south leg of the intersection for a second receiving lane.

MM-TRA-54. Intersection No. 8 – Elsworth Street/Cactus Avenue: Pay fair share (6.24%) for the following improvement: widen the south leg of the intersection to add a northbound through lane (NBT).

No feasible mitigation measures are available to reduce project impacts at Intersection Nos. 8, 17, 28, 33 and 38. Therefore, impacts at these intersections are significant and unavoidable.

Implementation of mitigation measure MM-TRA-53, set forth below, has been included to improve the City's circulation system. However, MM-TRA-53 would not reduce project impacts at study intersections, and thus the project's Phase I impacts would remain significant and unavoidable.

MM-TRA-53. The project shall contribute a total fair share contribution of \$26,100 to the following Capital Improvement Plan (CIP) improvements: Heacock Street, between Nandina Avenue and Harley Knox Boulevard; and Indian Street, between Krameria Avenue and San Michele Road. As provided in the City's CIP, these improvements consist of extending Heacock Street's existing southern terminus to Harley Knox Boulevard and constructing a four-lane bridge on Indian Street over the Flood Control Channel Lateral A to connect to the existing terminus.

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained

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workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation: The Final EIR identified all feasible physical improvements that would reduce impacts at intersections that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those intersections where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project also includes the feasible transportation demand management in PDF-TRA-2, set forth below, which specifies transportation demand management measures to reduce vehicle trips by employees, which comprise the majority of project trips. Consistent with the City's traffic impact analysis guidelines, the transportation analysis conservatively did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

PDF-TRA-1. Traffic Control During Project Construction: The project would comply with the City's Emergency Operations Plan (EOP) for both construction and operations of all phases. Construction activities during all phases that may temporarily restrict vehicular traffic would implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures in accordance with the City's EOP. Operation of the project would not interfere with the City's EOP as driveways off Iris Avenue would be made accessible for emergency vehicles.

PDF-TRA-2. Kaiser will have a Transportation Demand Management (TDM) representative that will manage all aspects of the TDM program and participate in City-sponsored workshops and information roundtables, as well as be responsible for the TDM activities at the project site. The following TDMs would be implemented:

Transportation Information Center. Kaiser Permanente will provide information at the project site for employees, members, and visitors about local public transit services (including bus lines, future light rail lines, bus fare programs, rideshare programs and shuttles) and bicycle facilities (including routes, rental and sales locations, on-site bicycle racks and showers). Kaiser Permanente will also provide walking and biking maps for employees, visitors and residents, which would include but not be limited to information about convenient local services and restaurants within walking distance of the project site. Such transportation information will be provided at a transportation kiosk at the project site which will be maintained by the Kaiser Rider coordinator. In addition, information would be provided highlighting the environmental and health benefits of utilization of alternative transportation modes (e.g., Kaiser's Walk-for-your-Health program, etc.).

Preferential Parking for Employees. Kaiser Permanente will provide preferential parking (i.e., vanpool spaces, carpool spaces) within the parking facilities for employees who commute to work in Kaiser Permanente registered vanpools and carpools. For example, an employee who drives to

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work with at least one other employee to the project site may register as a carpool entitled to preferential parking within the meaning of this provision.

Convenient Parking and Facilities for Bicycle Riders. Kaiser Permanente will provide locations at all site buildings for convenient parking for bicycle commuters for employees working at the sites, members traveling to the site, and visitors to the sites. The bicycle parking will be located within the Kaiser Permanente project site and/or in the public right-of-way adjacent to the commercial uses such that long-term and short-term parkers can be accommodated.

Guaranteed Return Trip for Employees. Kaiser Permanente will provide vanpool and carpool reliant employees with a free return trip (or to the point of commute origin), when a personal emergency situation requires it.

Phase I Completion Year (2023) with Project – Roadway Segments

Impact Determination: Significant and unavoidable impacts during Phase I with Project Traffic Conditions would occur at the roadway segments of Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard, Moreno Beach Drive between Alessandro Boulevard and Cactus Avenue, Alessandro Boulevard between Kitching Street and Lasselle Street, Alessandro Boulevard between Lasselle Street and Nason Street, and Alessandro Boulevard between Nason Street and Moreno Beach Drive after implementation of mitigation measures MM-TRA-10 through MM-TRA-14, identified below. While implementation of the physical improvements identified in these mitigation measures would improve roadway level of service to less than significant, and the project would pay the specified TUMF fee or fair share payment, such payments do not guarantee that these improvements would be in place before the Certificate of Occupancy for Phase I is obtained. Therefore, the project's impacts at these roadway segments would be significant and unavoidable.

- MM-TRA-10.** Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard (Roadway Segment No. 23): Pay fair-share (17.3%) to improve the roadway segment to the classification of four-lane divided arterial.
- MM-TRA-11.** Moreno Beach Drive between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 24): Pay fair-share (15.2%) to improve the roadway segment to the classification of four-lane divided arterial.
- MM-TRA-12.** Alessandro Boulevard between Kitching Street and Lasselle Street (Roadway Segment No. 35): Pay TUMF fee to improve the roadway segment to the classification of four-lane divided arterial.
- MM-TRA-13.** Alessandro Boulevard between Lasselle Street and Nason Street (Roadway Segment No. 36): Pay TUMF fee to improve the roadway segment to the classification of four-lane divided arterial.
- MM-TRA-14.** Alessandro Boulevard between Nason Street and Moreno Beach Drive (Roadway Segment No. 37): Pay TUMF fee to improve the roadway segment to the classification of a four-lane divided arterial.

Significant and unavoidable impacts during Phase I with Project Traffic Conditions would occur at Cactus Avenue between I-215 Northbound Ramps – Old Frontage Road and Elsworth Street even after implementation of mitigation measure MM-TRA-15, identified below. While the improvements identified in this mitigation measure would reduce project impacts at this roadway segment, an acceptable level of service would not be achieved and

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there are no feasible mitigation measures that would reduce this impact to below a level of significance. Therefore, the project's impacts at this roadway segment would be significant and unavoidable.

MM-TRA-15. Cactus Avenue between I-215 Northbound Ramps – Old Frontage Road and Elsworth Street: Pay TUMF/fair-share fee to widen roadway from four lanes to six lanes.

Implementation of mitigation measure MM-TRA-53, set forth below, has been included to improve the City's circulation system. However, MM-TRA-53 would not reduce project impacts at study roadway segments, and thus the project's Phase I impacts would remain significant and unavoidable.

MM-TRA-53. The project shall contribute a total fair share contribution of \$26,100 to the following Capital Improvement Plan (CIP) improvements: Heacock Street, between Nandina Avenue and Harley Knox Boulevard; and Indian Street, between Krameria Avenue and San Michele Road. As provided in the City's CIP, these improvements consist of extending Heacock Street's existing southern terminus to Harley Knox Boulevard and constructing a four-lane bridge on Indian Street over the Flood Control Channel Lateral A to connect to the existing termini.

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation:

The Final EIR identified all feasible physical improvements that would reduce impacts at roadway segments that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those segments where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project includes the feasible transportation demand management in PDF-TRA-2, set forth above, which specifies transportation demand management measures to reduce vehicle trips by employees, which comprise the majority of project trips. The transportation analysis did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

Phase II Completion Year (2028) with Project – Intersections

Impact Determination: Significant and unavoidable impacts during Phase II with Project Traffic Conditions would occur at Intersection Nos. 5, 6, 11, 25, 29, 45, 56 and 59 even after implementation of mitigation measures MM-TRA-16 through MM-TRA-23, identified below. While implementation of the physical improvements identified in these mitigation measures would improve intersection level of service to less than significant, and the project would

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pay the specified TUMF fee or fair share payment, such payments do not guarantee that these improvements would be in place before the Certificate of Occupancy for Phase II is obtained. Therefore, the project's impacts at these intersections would be significant and unavoidable.

- MM-TRA-16.** Intersection No. 5 – I-215 northbound ramps - Old 215 Frontage Road/Cactus Avenue: Pay TUMF fee for the following improvements: interchange redesign and widening of the bridge to 6 lanes. Add second northbound left (NBL) and northbound through (NBT), second southbound left (SBL), dedicated southbound right (SBR) with overlap phasing, EBT, EBR, WBT and WBR with overlap phasing.
- MM-TRA-17.** Intersection No. 6 – Day Street/Alessandro Boulevard: Pay TUMF fee for the addition of a westbound through (WBT) lane. Pay fair-share (1.0%) for the following improvements: convert north-south movement to protected phasing, add southbound right, add second eastbound left (EBL) and second westbound left (WBL), add overlap phasing to westbound right (WBR).
- MM-TRA-18.** Intersection No. 11 – Graham Street/Alessandro Boulevard: Pay TUMF fee for the addition of an eastbound through (EBT) lane.
- MM-TRA-19.** Intersection No. 25 – Perris Boulevard/Harley Knox Boulevard: Pay fair-share (1.3%) for the following improvements: add right-turn overlap phasing for westbound right (WBR) and southbound right (SBR) movements.
- MM-TRA-20.** Intersection No. 29 – Lasselle Street/Alessandro Boulevard: Pay fair-share (4.3%) for the addition of a southbound through (SBT) lane.
- MM-TRA-21.** Intersection No. 45 – Nason Street/Eucalyptus Avenue: Pay fair-share (6.1%) for the following improvements: add eastbound right (EBR) turn lane, northbound right (NBR) turn lane, and southbound right (SBR) turn lanes. Add right-turn overlap phasing for eastbound right (EBR), northbound right (NBR), and southbound right (SBR) movements.
- MM-TRA-22.** Intersection No. 56 – Pearl Lane – Moreno Beach Drive/SR-60 Eastbound Ramps: Pay TUMF fee for the following improvements: add second northbound through (NBT), add second southbound through (SBT), restripe southbound through left to southbound left and restripe eastbound through left through to eastbound left-through-right.
- MM-TRA-23.** Intersection No. 59 – Moreno Beach Drive/Alessandro Boulevard: Pay TUMF fee for the addition of second eastbound through (EBT) lane and second westbound through (WBT) lane, second northbound through (NBT) lane, second southbound through (SBT) lane and northbound right (NBR) lane. Pay fair-share (8.0%) for northbound right overlap phasing.

Significant and unavoidable impacts during Phase II with Project Traffic Conditions would occur at Intersection Nos. 19 and 49 even after implementation of mitigation measures MM-TRA-24 and MM-TRA-25, identified below. While these mitigation measures would improve intersection capacity, acceptable level of service standards would not be achieved. Therefore, the project's impacts at these intersections would be significant and unavoidable.

- MM-TRA-24.** Intersection No. 19 – Perris Boulevard/Alessandro Boulevard: Pay fair-share (2.7%) for the following improvements: add eastbound through (EBT) by removing the center median along both east and west leg approaches and shifting the left-turn lanes to accommodate the through lane.

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Add right-turn overlap phasing for the NBR, SBR, and EBR. No further mitigations feasible due to right-of-way constraints.

MM-TRA-25. Intersection No. 49 – Nason Street-Hillrose Lane/Iris Avenue: Pay fair-share (26.8%) for the following improvements: a second southbound right (SBR). No further mitigations feasible due to right-of-way constraints.

No feasible mitigation measures are available to reduce project impacts at Intersection Nos. 7, 8, 12, 17, 27, 28, 30 32, 33 and 38. Therefore, impacts at these intersections are significant and unavoidable.

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation:

The Final EIR identified all feasible physical improvements that would reduce impacts at intersections that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those intersections where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project includes the feasible transportation demand management in PDF-TRA-2, set forth above, which specifies transportation demand management measures to reduce vehicle trips by employees, which comprise the majority of project trips. The transportation analysis did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

Phase II Completion Year (2028) with Project – Roadway Segments

Impact Determination: Significant and unavoidable impacts during Phase II with Project Traffic Conditions would occur at the roadway segments of Lasselle Street-Evans Road between Via De Anza – Rancho Verde High School and Ramona Expressway, Nason Street-Evans Road between Cottonwood Avenue and Alessandro Boulevard, Moreno Beach Drive between SR-60 Eastbound Ramps and Eucalyptus Avenue, Alessandro Boulevard between Day Street and Elsworth Street, Alessandro Boulevard between Frederick Street and Graham Street, Alessandro Boulevard between Graham Street and Heacock Street, and Alessandro Boulevard between Kitching Street and Lasselle Street after implementation of mitigation measures MM-TRA-26 through MM-TRA-32, identified below. While implementation of the physical improvements identified in these mitigation measures would improve roadway level of service to less than significant, and the project would pay the specified TUMF fee or fair share payment, such payments do not guarantee that these improvements would

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be in place before the Certificate of Occupancy for Phase II is obtained. Therefore, the project's impacts at these roadway segments would be significant and unavoidable.

- MM-TRA-26.** Lasselle Street-Evans Road between Via De Anza - Rancho Verde High School and Ramona Expressway (Roadway Segment No. 12): Pay fair-share (4.0%) to improve the roadway segment to the classification of a six-lane arterial.
- MM-TRA-27.** Nason Street-Evans Road between Cottonwood Avenue and Alessandro Boulevard (Roadway Segment No. 15): Pay fair-share (9.0%) to improve the roadway segment to the classification of a six-lane arterial.
- MM-TRA-28.** Moreno Beach Drive between SR-60 Eastbound Ramps and Eucalyptus Avenue (Roadway Segment No. 21): Pay fair-share (7.4%) to improve the roadway segment to the classification of a six-lane divided arterial.
- MM-TRA-29.** Alessandro Boulevard between Day Street and Elsworth Street (Roadway Segment No. 28): Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.
- MM-TRA-30.** Alessandro Boulevard between Frederick Street and Graham Street (Roadway Segment No. 30): Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.
- MM-TRA-31.** Alessandro Boulevard between Graham Street and Heacock Street (Roadway Segment No. 31): Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.
- MM-TRA-32.** Alessandro Boulevard between Kitching Street and Lasselle Street (Roadway Segment No. 35): Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.

Significant and unavoidable impacts during Phase I with Project Traffic Conditions would occur at Alessandro Boulevard between I-215 northbound ramps and Day Street even after implementation of mitigation measure MM-TRA-33, identified below. While this mitigation measure would improve roadway segment capacity, acceptable level of service standards would not be achieved. Therefore, the project's impacts at this roadway segment would be significant and unavoidable.

- MM-TRA-33.** Alessandro Boulevard between I-215 northbound ramps and Day Street (Roadway Segment No. 27): Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.

No feasible mitigation measures are available to reduce project impacts at the following street segments. Therefore, impacts at these intersections are significant and unavoidable.

- Lasselle Street between Iris Avenue and Krameria Avenue (Roadway Segment No. 6)
- Lasselle Street between Krameria Avenue and Via Xavier Lane (Roadway Segment No. 7)
- Lasselle Street between Via Xavier Lane and Lasselle Sports Park – Rojo Tierra (Roadway Segment No. 8)
- Lasselle Street between Lasselle Sports Park – Rojo Tierra and Cremello Way – Avenida De Plata (Roadway Segment No. 9)
- Lasselle Street between Cremello Way – Avenida De Plata and Avenida Classica – Kentucky Derby Drive (Roadway Segment No. 10)

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- Lasselle Street between Avenida Classica - Kentucky Derby Drive and Via De Anza - Rancho Verde High School (Roadway Segment No. 11)
- Nason Street between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 14)
- Cactus Avenue between I-215 Northbound Ramps – Old Frontage Road and Elsworth Street (Roadway Segment No. 38)

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation:

The Final EIR identified all feasible physical improvements that would reduce impacts at roadway segments that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those roadway segments where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project includes the feasible transportation demand management in PDF-TRA-2, set forth above, which specifies transportation demand management measures to reduce vehicle trips by employees, which comprise the majority of project trips. The transportation analysis did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

Phase III Completion Year (2038) with Project – Intersections

Impact Determination: Significant and unavoidable impacts during Phase III with Project Traffic Conditions would occur at Intersection Nos. 9, 11, 13, 22, 25, 29, 47, 49, 50, 57, 58, and 59 even after implementation of mitigation measures MM-TRA-34 through MM-TRA-45, identified below. While implementation of the physical improvements identified in these mitigation measures would improve intersection level of service to less than significant, and the project would pay the specified TUMF fee or fair share payment, such payments do not guarantee that these improvements would be in place before the Certificate of Occupancy for Phase III is obtained. Therefore, the project's impacts at these intersections would be significant and unavoidable.

MM-TRA-34. Intersection No. 9: Frederick Street/Alessandro Boulevard: Pay TUMF fee for the addition of an eastbound through (EBT) lane.

MM-TRA-35. Intersection No. 11: Graham Street/Alessandro Boulevard: Pay TUMF fee for the addition of second eastbound through (EBT) lane and a second westbound through (WBT) lane.

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- MM-TRA-36.** Intersection No. 13: Heacock Street/Alessandro Boulevard: Pay fair-share (2.6%) for the following improvements: add second eastbound left (EBL) turn lane.
- MM-TRA-37.** Intersection No. 22: Perris Boulevard/Krameria Avenue: Pay fair-share (1.5%) to restripe westbound approach to westbound left (WBL) and shared westbound through-right (WBTR).
- MM-TRA-38.** Intersection No. 25: Perris Boulevard/Harley Knox Boulevard: Pay fair-share (1.3%) for the addition of an eastbound left (EBL) turn lane and add right-turn overlap phasing for westbound right (WBR) and southbound right (SBR) movements.
- MM-TRA-39.** Intersection No. 29: Lasselle Street/Alessandro Boulevard: Pay TUMF fee for the addition of a second westbound through (WBT) and a second eastbound through (EBT) lane.
- MM-TRA-40.** Intersection No. 47: Nason Street/Alessandro Boulevard: Pay TUMF fee for the addition of a westbound through (WBT) lane.
- MM-TRA-41.** Intersection No. 49 – Nason Street-Hillrose Lane/Iris Avenue; pay fair-share (26.8%) for the addition of a southbound right (SBR) turn lane.
- MM-TRA-42.** Intersection No. 50: Peal Lane-Oliver Street/Alessandro Boulevard: Pay fair-share (1.9%) for the addition of an eastbound left (EBL) turn lane.
- MM-TRA-43.** Intersection No. 57: Moreno Beach Drive/Eucalyptus Avenue: Pay fair share (5.4%) for the following improvements: add southbound left (SBL) and southbound through (SBT).
- MM-TRA-44.** Intersection No. 58: Moreno Beach Drive/Cottonwood Avenue: Pay fair-share (9.4%) for the following improvements: add westbound left (WBL), and restripe westbound approach as westbound left (WBL) and shared westbound through-right (WBTR). Change the split phasing for the east-west approach to permitted phasing.
- MM-TRA-45.** Intersection No. 59 – Moreno Beach Drive/Alessandro Boulevard: Pay fair-share (8.0%) for addition of second westbound left (WBL) turn-lane.

Significant and unavoidable impacts during Phase III with Project Traffic Conditions would occur at Intersection Nos. 21 and 39 even after implementation of mitigation measures MM-TRA-46 and MM-TRA-47, identified below. While the improvements identified in these mitigation measures would reduce project impacts at these intersections, acceptable level of service would not be achieved and no there are no feasible mitigation measures that would reduce this impact to below a level of significance. Therefore, the project's impacts at these intersections would be significant and unavoidable.

- MM-TRA-46.** Intersection No. 21: Perris Boulevard/Iris Avenue: Pay fair-share (3.1%) to add overlap phasing to northbound right (NBR).
- MM-TRA-47.** Intersection No. 39 – Evans Road/Ramona Expressway: Pay TUMF fee for addition of westbound through (WBT) lane.

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No feasible mitigation measures are available to reduce project impacts at Intersection Nos. 6, 7, 8, 12, 17, 19, 27, 28, 30 32, 33, 38, and 57. Therefore, impacts at these intersections are significant and unavoidable.

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation:

The Final EIR identified all feasible physical improvements that would reduce impacts at intersections that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those intersections where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project includes the feasible transportation demand management in PDF-TRA-2, set forth above, which specifies transportation demand management measures to reduce vehicle trips by employees, which comprise the majority of project trips. The transportation analysis did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

Phase III Completion Year (2038) with Project – Roadway Segments

Impact Determination: Significant and unavoidable impacts during Phase III with Project Traffic Conditions would occur at the roadway segment of Alessandro Boulevard between Perris Boulevard and Kitching Street after implementation of mitigation measure MM-TRA-48, identified below. While implementation of the physical improvements identified in this mitigation measure would improve roadway level of service to less than significant, and the project would pay the specified TUMF fee, such payment does not guarantee that this improvements would be in place before the Certificate of Occupancy for Phase III is obtained. Therefore, the project's impacts at this roadway segment would be significant and unavoidable.

MM-TRA-48. Alessandro Boulevard between Perris Boulevard and Kitching Street (Roadway Segment No. 34):
Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.

No feasible mitigation measures are available to reduce project impacts at the following street segments. Therefore, impacts at these intersections are significant and unavoidable.

- Perris Boulevard between Krameria Avenue and San Michele Road (Roadway Segment No. 2)
- Perris Boulevard between San Michele Road and Nandina Avenue (Roadway Segment No. 3)
- Perris Boulevard between Nandina Avenue and Harley Knox Boulevard (Roadway Segment No. 4)
- Lasselle Street between Iris Avenue and Krameria Avenue (Roadway Segment No. 6)

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- Lasselle Street between Krameria Avenue and Via Xavier Lane (Roadway Segment No. 7)
- Lasselle Street between Via Xavier Lane and Lasselle Sports Park – Rojo Tierra (Roadway Segment No. 8)
- Lasselle Street between Lasselle Sports Park – Rojo Tierra and Cremello Way – Avenida De Plata (Roadway Segment No. 9)
- Lasselle Street between Cremello Way – Avenida De Plata and Avenida Classica – Kentucky Derby Drive (Roadway Segment No. 10)
- Lasselle Street between Avenida Classica - Kentucky Derby Drive and Via De Anza - Rancho Verde High School (Roadway Segment No. 11)
- Nason Street between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 14)
- Alessandro Boulevard between I-215 Northbound Ramps and Day Street (Roadway Segment No. 27)
- Alessandro Boulevard between Graham Street and Heacock Street (Roadway Segment No. 31)
- Alessandro Boulevard between Heacock Street and Indian Street (Roadway Segment No. 32)
- Cactus Avenue between I-215 Northbound Ramps – Old Frontage Road and Elsworth Street (Roadway Segment No. 38)
- Cactus Avenue between Elsworth Street and Frederick Street (Roadway Segment No. 39)
- Cactus Avenue between Frederick Street and Graham Street - Riverside Drive (Roadway Segment No. 40)
- Iris Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 50)
- Iris Avenue between Lasselle Street and Camino Flores (Roadway Segment No. 52)
- Iris Avenue between Camino Flores and Coachlight Court - Avenida De Circo (Roadway Segment No. 53)
- Iris Avenue between Coachlight Court - Avenida De Circo and Grande Vista Drive (Roadway Segment No. 54)
- Iris Avenue between Grande Vista Drive and Nason Street – Hillrose Lane (Roadway Segment No. 55)

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation:

The Final EIR identified all feasible physical improvements that would reduce impacts at roadway segments that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those roadway segments where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project includes the feasible transportation demand management in PDF-TRA-2, set forth above, which specifies transportation demand

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management measures to reduce vehicle trips by employees, which comprise the majority of project trips. The transportation analysis did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

General Plan Buildout Year (2040) with Project – Intersections

Impact Determination: Significant and unavoidable impacts during General Plan Buildout with Project Traffic Conditions would occur at Intersection Nos. 47 and 50 even after implementation of mitigation measures MM-TRA-49 and MM-TRA-50, identified below. While implementation of the physical improvements identified in these mitigation measures would improve intersection level of service to less than significant, and the project would pay the specified fair share payments, such payments do not guarantee that these improvements would be in place before the Certificate of Occupancy for Phase III is obtained. Therefore, the project's impacts at these intersections would be significant and unavoidable.

MM-TRA-49. Intersection No. 47: Nason Street/Alessandro Boulevard: Pay fair-share (9.6%) fee for the addition of a northbound left (NBL) turn-lane.

MM-TRA-50. Intersection No. 50: Pearl Lane-Oliver Street/Alessandro Boulevard: Pay fair-share (1.9%) for the addition of a westbound left (WBL) turn lane.

No feasible mitigation measures are available to reduce project impacts at Intersection Nos. 6, 7, 8, 12, 13, 17, 19, 20, 21, 27, 28, 30, 32, 33, 38, 39, 45, 49 and 57. Therefore, impacts at these intersections are significant and unavoidable.

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation:

The Final EIR identified all feasible physical improvements that would reduce impacts at intersections that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those intersections where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project includes the feasible transportation demand management in PDF-TRA-2, set forth above, which specifies transportation demand management measures to reduce vehicle trips by employees, which comprise the majority of project trips. The transportation analysis did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

General Plan Buildout Year (2040) with Project – Roadway Segments

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Impact Determination: Significant and unavoidable impacts during General Plan Buildout with Project Traffic Conditions would occur at the roadway segments of Moreno Beach Drive between Alessandro Boulevard and Cactus Avenue and Alessandro Boulevard between Lasselle Street and Nason Street after implementation of mitigation measures MM-TRA-51 and MM-TRA-52, identified below. While implementation of the physical improvements identified in these mitigation measures would improve roadway level of service to less than significant, and the project would pay the specified TUMF fee or fair share payment, such payments do not guarantee that these improvements would be in place before the Certificate of Occupancy for Phase III is obtained. Therefore, the project's impacts at these roadway segments would be significant and unavoidable.

MM-TRA-51. Moreno Beach Drive between Alessandro Boulevard and Cactus Avenue (Roadway Segment No. 23): Pay fair-share (15.18%) to improve the roadway segment to the classification of a six-lane divided arterial.

MM-TRA-52. Alessandro Boulevard between Lasselle Street and Nason Street (Roadway Segment 36): Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.

No feasible mitigation measures are available to reduce project impacts at the following street segments. Therefore, impacts at these intersections are significant and unavoidable.

- Perris Boulevard between Iris Avenue and Krameria Avenue (Roadway Segment No. 1)
- Perris Boulevard between Krameria Avenue and San Michele Road (Roadway Segment No. 2)
- Perris Boulevard between San Michele Road and Nandina Avenue (Roadway Segment No. 3)
- Perris Boulevard between Nandina Avenue and Harley Knox Boulevard (Roadway Segment No. 4)
- Lasselle Street between Iris Avenue and Krameria Avenue (Roadway Segment No. 6)
- Lasselle Street between Krameria Avenue and Via Xavier Lane (Roadway Segment No. 7)
- Lasselle Street between Via Xavier Lane and Lasselle Sports Park – Rojo Tierra (Roadway Segment No. 8)
- Lasselle Street between Lasselle Sports Park – Rojo Tierra and Cremello Way – Avenida De Plata (Roadway Segment No. 9)
- Lasselle Street between Cremello Way – Avenida De Plata and Avenida Classica – Kentucky Derby Drive (Roadway Segment No. 10)
- Lasselle Street between Avenida Classica - Kentucky Derby Drive and Via De Anza - Rancho Verde High School (Roadway Segment No. 11)
- Nason Street between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 14)
- Alessandro Boulevard between I-215 Northbound Ramps and Day Street (Roadway Segment No. 27)
- Alessandro Boulevard between Graham Street and Heacock Street (Roadway Segment No. 31)
- Alessandro Boulevard between Heacock Street and Indian Street (Roadway Segment No. 32)
- Alessandro Boulevard between Indian Street and Perris Boulevard (Roadway Segment No. 33)
- Cactus Avenue between I-215 Northbound Ramps – Old Frontage Road and Elsworth Street (Roadway Segment No. 38)
- Cactus Avenue between Elsworth Street and Frederick Street (Roadway Segment No. 39)
- Cactus Avenue between Frederick Street and Graham Street - Riverside Drive 40)
- Iris Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 50)

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- Iris Avenue between Lasselle Street and Camino Flores (Roadway Segment No. 52)
- Iris Avenue between Camino Flores and Coachlight Court - Avenida De Circo (Roadway Segment No. 53)
- Iris Avenue between Coachlight Court - Avenida De Circo and Grande Vista Drive (Roadway Segment No. 54)
- Iris Avenue between Grande Vista Drive and Nason Street – Hillrose Lane (Roadway Segment No. 55)
- Iris Avenue between Nason Street – Hillrose Lane and Driveway 1 (Roadway Segment No. 56)

Findings: The City finds that although all feasible mitigation measure have been incorporated into the proposed project, this impact would remain significant and unavoidable. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR. Pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweigh the significant and unavoidable impacts.

Supporting Explanation: The Final EIR identified all feasible physical improvements that would reduce impacts at roadway segments that exceed the specified level of service, and all such improvements have been included in the mitigation measures described above. However, while the project is responsible for payment of specified TUMF fees or the project fair share of these improvements, such payments do not guarantee that these physical improvements would be in place prior to issuance of a certificate of occupancy for the relevant phase, and therefore the required mitigation does not result in a less than significant impact. For those roadway segments where identified physical improvements, if implemented, are not sufficient to reduce impacts below the applicable threshold, further expansion of roadways would exceed the General Plan roadway designations or require a significant encroachment on existing adjacent development and therefore are inconsistent with the General Plan and infeasible. The project includes the feasible transportation demand management in PDF-TRA-2, set forth above, which specifies transportation demand management measures to reduce vehicle trips by employees, which comprise the majority of project trips. The transportation analysis did not account for PDF-TRA-1 or PDF-TRA-2 in its quantitative analysis.

Reference

Draft EIR Section 4.14, Transportation, and Appendix I, Traffic Impact Analysis, Final EIR, Chapter 2 – Responses to Comments, Chapter 3 - Errata

2.5 Findings Regarding Cumulative Impacts

2.5.1 Aesthetics

Aesthetics impacts associated with the proposed project would all be less than significant. The project would not substantially impact a scenic vista or scenic resource, or conflict with applicable zoning or other regulations governing scenic quality, or create a new source of substantial light or glare that would adversely affect views in the area, with no mitigation required. A significant cumulative impact to aesthetics would occur where the development of the cumulative projects would combine to block important views, or where projects would cumulatively result in a new source of light or glare.

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Cumulative projects would be interspersed mostly throughout an established urban setting, however there are a number of cumulative projects that would be developed on vacant land and would contribute to the overall character and quality of the City once developed. Building materials, bulk, scale, and setbacks for each cumulative project would be required to comply with the General Plan, Municipal Code, and any applicable specific plans as it relates to design standards and scenic quality. Thus minimizing potential impacts due to incompatibility with existing character or quality. Impacts to scenic vistas could be exacerbated by other projects being constructed within the same general line of sight towards the nearby scenic resources. However, identified projects would not be of similar height, bulk and scale as the large structures proposed for the project site. Regarding lighting and glare, all projects would be subject to the light and glare threshold identified in the City of Moreno Valley Municipal Code, Section 9.10.110, which would prevent or minimize potential impacts from light and/or glare. Overall, development of the proposed project and cumulative projects would not result in a cumulatively considerable impact on scenic vistas, scenic resources, zoning and regulations governing scenic quality or lighting and glare. Thus, the project's contribution to aesthetic impacts would be less than cumulatively considerable, and its cumulative impact is less than significant.

2.5.2 Air Quality

Construction Emissions

Daily construction emissions during Phases I, II, and III of the proposed project would not exceed the SCAQMD significance thresholds for VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5}. As such, impacts of the proposed project would be less than significant during construction. Since the proposed project does not exceed thresholds project construction, and does not account for a significant proportion of the cumulative total emissions, a cumulatively considerable impact would not occur.

Operational Emissions

Following the completion of construction activities, the project would generate VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions from mobile, stationary sources and area sources. The combined mobile, area, and stationary source emissions would not exceed the SCAQMD operational thresholds for VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} at Phase I buildout of the project. The combined mobile, area, and stationary source emissions would not exceed the SCAQMD operational thresholds for CO, SO_x, PM₁₀, and PM_{2.5} but would exceed the SCAQMD operational thresholds for NO_x at the buildout of Phases II and III of the project. The exceedances of NO_x at the buildout of Phases II and III are primarily due to mobile source and natural gas combustion emissions.

There are no feasible measures to reduce the operational emissions of the project, which are primarily driven by natural gas combustion at the Energy Center and mobile sources. Impacts would remain significant and unavoidable because NO_x emissions would remain above the SCAQMD's threshold of significance.

With regard to cumulative impacts associated with nonattainment pollutants, in general, if a project is consistent with the community and general plans, it has been accounted for in the attainment demonstration contained within the state implementation plan and would therefore not cause a cumulatively significant impact on the ambient air quality. As the project does not conflict with the existing zoning for the site, it would be consistent with the City's General Plan and underlying assumptions. The project would also not exceed the growth projections within the SCAQMD 2016 RTP/SCS. However, as discussed above the project would exceed the SCAQMD NO_x thresholds during operation. Therefore, impacts would be cumulatively considerable and significant.

2.5.3 Biological Resources

The proposed project would not have any direct or indirect impacts on special-status plant species. The project would have potentially significant impacts on special-status wildlife, including the burrowing owl which are MSHCP covered species. Compliance with mitigation measures would reduce potentially significant to below a level of significance. If cumulative projects are located within the MSHCP they would be required to comply with the policies and regulations therein. Consistency with the MSHCP results in the ability of a project to rely on the MSHCP for mitigation related to cumulative biological impacts.

Cumulative projects that would occur on previously undeveloped land would be required to identify and mitigate any potentially significant impacts to biological resources. Projects that would occur on previously developed land or in a highly urbanized area would have less potential to significantly impact biological resources; however, there is a potential for nesting birds to be present in ornamental landscaping or on existing buildings. The combined construction of projects within the vicinity of the proposed project could deprive some species of a significant amount of habitable space. However, it is anticipated that species that are potentially affected by related projects would also be subject to the same requirements of CEQA as the project. These determinations would be made on a case-by-case basis and the effects of cumulative development on nesting birds would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Thus, with implementation of mitigation, the project's contribution to biological resources impacts would be less than cumulatively considerable, and its cumulative impact is less than significant.

2.5.4 Cultural Resources

The proposed project would not have any impacts on historical resources; however, impacts with the potential to uncover archaeological resources, as well as, unknown human remains were determined to be potentially significant. However, impacts to the cultural resources would be reduced to less than significant through mitigation measures that include monitoring of grading activities. All cumulative projects would be subject to similar mitigation measures. Because the proposed project and those projects identified within the cumulative impact study area are mitigated by the monitoring of grading activities, adequate mitigation has occurred and the proposed project would not contribute to a cumulatively significant impact to cultural resources. Thus, with implementation of mitigation, the project's contribution to cultural resources impacts would be less than cumulatively considerable, and its cumulative impact is less than significant.

2.5.5 Energy

A significant cumulative impact to energy resources would result if wasteful, inefficient or unnecessary consumption of energy resources were to occur, or if the project would, in combination with other cumulative projects, conflict, or obstruct state local plans for renewable energy or energy efficiency. Implementation of the proposed project, as well as, cumulative development in the surrounding area would result in an increased energy demand. Prior to project approval, Kaiser would ensure that the project would meet Title 24 requirements applicable at that time, as required by state regulations through their plan review process. For these reasons, the electricity consumption of the project would not be considered inefficient or wasteful. In addition, because the project would voluntarily implement design features and programs to reduce energy consumption beyond what is required by the state, the project would be consistent with existing energy standards and regulations. All other cumulative projects considered in this analysis would be required to meet the mandatory energy standards, current CCR Title 24, Part 6 California

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Energy Code, and Part 11 California Green Building Standards. Compliance with these policies and other energy reduction strategies would ensure that energy use as a result of cumulative development would not be wasteful, inefficient, or unnecessary. Thus, the project's contribution to energy impacts would be less than cumulatively considerable, and its cumulative impact is less than significant.

2.5.6 Geology and Soils

Potential cumulative impacts on geology and soils would result from projects that combine to create geologic hazards, including unstable geologic conditions, or substantially contribute to erosion. Most geology and soil hazards associated with development on surrounding projects would be site-specific and can be mitigated on a project-by-project basis. Such hazards include exposure of people or structures to rupture of an earthquake fault, liquefaction, landslides, unstable geologic units, and expansive soils. Individual project mitigation for these hazards would ensure that there are no residual cumulative impacts. Proper engineering design, utilization of standard construction practices, and implementation of the recommendations found in the site-specific geotechnical reports would ensure that the potential for cumulatively considerable geological impacts resulting from the project would be less than significant. Since geologic hazards are site-specific and not necessarily cumulative in nature, the proposed project would not have a cumulatively considerable impact.

Excavation and ground-disturbing activities during construction of the proposed project, and cumulative projects, could potentially leave loose soil exposed to the erosive forces of rainfall and high winds, which would increase the potential for soil erosion and loss of topsoil. Adequate drainage on project site is critical in reducing potential soil erosion or the loss of topsoil. The project sites would be graded and maintained such that surface drainage is directed away from structures, in accordance with 2016 CBC Chapter 18, Soils and Foundations, or other applicable standards. Earth-disturbing activities associated with construction would be temporary and in compliance with the General Construction Permit and BMPs outlined in the SWPPP. Thus, with implementation of mitigation, the project's contribution to geology and soils impacts would be less than cumulatively considerable, and its cumulative impact is less than significant.

2.5.7 Greenhouse Gases

Given the global scope of climate change, it is not anticipated that a single project would have an individually discernible effect on global climate change. It is more appropriate to conclude that if a project is anticipated to result in a substantial increase in greenhouse gas emissions, it would combine with global emissions to cumulatively contribute to global climate change.

The project was shown to be consistent with the California Air Resources Board (CARB) Scoping Plan, Southern California Association of Governments (SCAG) 2016 RTP/SCS, and the City's Energy Efficiency and Climate Action Strategy. Therefore, impacts associated with consistency with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases were determined to be less than significant. Thus, the proposed project would not result in a significant increase in project-level greenhouse gas emissions, which would combine with other emissions from cumulative projects to create a significant cumulative impacts. The project's contribution to GHG impacts would be less than cumulatively considerable, and its cumulative impact is less than significant.

2.5.8 Hazards and Hazardous Materials

Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials, which could result in potential impacts to the public or the environment. The potential for cumulative impacts to occur is limited since the impacts from hazardous materials use on a project site are site specific. The proposed project would result in less than significant impacts with compliance to local, state, and federal regulations, including updating the Hazardous Materials Business Plan and the Medical Waste Management Plan. Although each development site from the cumulative projects list has potentially unique hazardous materials considerations, it is expected that future development within the area will comply with federal, state, and local statutes and regulations applicable to hazardous materials. Development of the project site would not, therefore, create a cumulative impact related to exposing the public to hazardous materials. For these reasons, cumulative impacts to the public or environment resulting from the accidental release of hazardous materials would be less than significant, and the project's contribution to hazards and hazardous materials impacts would be less than cumulatively considerable.

2.5.9 Hydrology and Water Quality

Stormwater treatment BMPs have been proposed as part of the project, as indicated in the Water Quality Management Plan (Appendix G-1); however, it is not clear that these BMP features would be constructed in sequence with phased construction. In the absence of stormwater treatment BMPs following individual construction phases, residual concentrations of oil and grease and other contaminants could be transported off site in stormwater, potentially impacting downstream beneficial uses of water bodies. Mitigation measures would reduce potentially significant impacts to below a level of significance. The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. Impacts are considered less than significant and no mitigation is required.

On a cumulative scale, the proposed project in conjunction with other future projects, may potentially have an impact on water quality; however, future projects are also required to comply with applicable federal, state, and local regulations for stormwater and construction discharges, including the application of appropriate site-specific BMPs, which would help to reduce cumulatively related water quality impacts. In addition, the project site is underlain by relatively impermeable, silty soils that are not conducive to groundwater recharge. Most of the site is currently developed and paved. Paving over the remaining undeveloped areas would not interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin. Given this consideration, the project would not combine with other projects in the area to create cumulative impacts on the depletion of groundwater supplies. Thus, with implementation of mitigation, the proposed project would not have a cumulatively considerable impact on water quality, hydrology, or groundwater and cumulative impacts would be less than significant.

2.5.10 Land Use and Planning

Cumulative land use impacts would result from projects that contribute to development that is inconsistent with applicable plans or incompatible with existing or planned uses; or would combine to physically divide a community. Cumulative projects would be required to comply with the local General Plan and prove to be consistent with the goals and policies identified therein. Projects would also be required to comply with the SCAG 2016 RTP/SCS. The proposed project would be consistent with the goals and policies outlined in the City's General Plan, as well as, the SCAG 2016 RTP/SCS, and would implement the zoning and general plan designation for medical center uses on the project site. Additionally, the project would not physically divide an established community; rather, the project would continue to provide health care and emergency medical services to the surrounding residential communities and to the City at large on an existing site, currently developed with a hospital and medical office buildings. In combination with the identified cumulative projects, the proposed project would not incrementally contribute or result in an inconsistency or conflict with an adopted land use plan, land use designation, or policy. The proposed project would not contribute to a cumulatively considerable impact related to land use, and cumulative impacts would be less than significant.

2.5.11 Noise

The geographic extent for the analysis of cumulative impacts related to noise is generally limited to areas within approximately 0.25 mile of the project components and access routes. This is because noise impacts are generally localized, mainly within approximately 500 feet from any noise source; however, it is possible that noise from different sources within 0.25 mile of each other could combine to create a significant impact to receptors at any point between the projects. At distances greater than 0.25 mile, construction noise would be briefly audible and steady construction noise from the project would generally dissipate into quiet background noise levels.

On-site noise-generating activities associated with all phases of the project would include short-term construction as well as long-term operational noise associated with hospital operations, such as noise from emergency vehicles (i.e., ambulance sirens), proposed parking structures and surface parking, and other on-site noise sources (i.e., emergency standby generators and heating, ventilation, and air conditioning (HVAC) equipment). All phases of the project would also generate off-site traffic noise along various roads in the area. On-site noise generating activities would be minimized through implementation of mitigation measures.

Construction Impacts

The predicted construction noise for any listed phase does not exceed the Federal Transportation Administration's general assessment guidance metric of 80 dBA Leq8h. Nevertheless, to help ensure construction activity noise is adequately controlled and/or abated and results in actual noise exposures at nearby noise-sensitive receivers that are consistent with predicted levels, Kaiser Permanente shall incorporate two construction noise mitigation measures. Furthermore, construction activities would be short-term, and would cease upon construction completion. Therefore, short-term construction noise from on-site sources would be less than significant with mitigation. The combination of project generated temporary construction noise and noise generated from surrounding projects, with implementation of mitigation impacts would not be cumulatively considerable. Cumulative construction noise impacts would be less than significant.

Operational Impacts

Long-term operational noise associated with increased emergency vehicle use would be less than significant and no mitigation is required. Regarding noise from parking structures or surface parking, noise levels would range from approximately 45 dBA Lmax to 60 dBA Lmax. These noise levels, while audible, would generally be very brief and are not louder than measured ambient noise levels in the project area. Potential noise impacts from parking structures or surface parking are considered to be less than significant. As the existing hospital currently operates 24-hours per day, and the proposed added facilities will also operate 24 hours a day to serve the needs of its patients and the surrounding community. When the two emergency generators associated with the Energy Center are running in “non-emergency” conditions, they have the potential to exceeded noise levels greater than City’s allowable nighttime requirement at a distance of 200 feet from the property line. Mitigation would serve to reduce this impact to below a level of significance. In addition, regarding off-site traffic related noise, the additional traffic volume along the adjacent roads would not increase the existing noise level in the project vicinity by 5dB, impacts from traffic noise level increase is considered less than significant; no mitigation measures are required.

Over time, as cumulative development continues, the ambient noise level would increase due to an increase in traffic volumes and a general increase in urban activity/human presence. However, the project and all future projects would be required to adhere to the City’s noise thresholds and mitigate as necessary. As such, the project would not contribute to a cumulatively considerable increase in noise levels in conjunction with the other reasonably foreseeable projects. Cumulative operational noise impacts would be less than significant.

2.5.12 Population and Housing

Planned projects identified in the vicinity of the proposed project could combine to create substantial population growth in the City. However, construction employment would not induce substantial population growth in the area. In addition, while, the project would provide employment opportunities to the local and regional area for an extended period, the employment growth caused by the project falls well within current projections for employment growth in the City and Riverside County. For these reasons, the proposed project would not induce substantial unplanned population growth, and impacts would be less than significant. Therefore, it is not anticipated that the proposed project, in combination with other future foreseeable projects, would create a cumulatively considerable impact. Cumulative impacts would be less than significant.

2.5.13 Public Services and Recreation

The proposed project could result in slight residential population growth, which could increase demand for fire and police protection services, as well as, generate demand for school and park facilities. However, the increase in on-site and citywide population would be minimal and is ultimately not expected to increase demand for any of these services or facilities beyond their current capacity. The proposed project would be subject to the payment of a Development Impact Fee (DIF), which would be used exclusively for future public facility improvements necessary to ensure that the development contributes its fair share of the cost of facilities and equipment determined to be necessary to adequately accommodate new development in the City. The DIF amount is determined through evaluation of the need for new public service facilities as it relates to the level of service demanded by new development, which varies in proportion to specific land uses.

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Regarding schools, it is not anticipated that Phase I or other phases would result in the need for new or physically altered school facilities, and the project would be required to pay school fees pursuant to Senate Bill (SB) 50, which would constitute full mitigation for any impacts should they occur, impacts related to school facilities would be less than significant, and no mitigation is required. Regarding parks, the project would not result in the increased demand for or use of existing parks or recreational facilities such that new or physically altered park facilities would be required. Similarly, the cumulative projects identified would also be required to contribute a fair share contribution of the cost of facilities and equipment determined to be necessary to adequately accommodate new development in the City based on the projected demand each project would have on public services and facilities (e.g., housing developments would have a greater impact on public services and facilities than a hospital). Therefore, since each project would be required to contribute to the DIF program, or expand or construct new facilities, if determined to be necessary, impacts would not be cumulatively considerable and would be less than significant.

2.5.14 Transportation

Cumulative traffic impacts result when multiple projects contribute trips to the same circulation system features. A cumulative traffic impact analysis was conducted for this project as part of the traffic impact analysis. This cumulative analysis estimated cumulative impacts on the studied roadway system (intersections and street segments) and analyzed whether the project's contribution would be significant (or, for purposes of this analysis, cumulatively considerable).

Intersections

Cumulative traffic conditions at buildout of the proposed project include ambient traffic growth, and the traffic from the proposed project. Mitigation measures are proposed under Existing with Project, Phase I Project Completion (2023) with Project Traffic Conditions, Phase II Project Completion (2032) with Project Traffic Conditions, Phase III Project Completion (2038) with Project Traffic Conditions, and General Plan Buildout (2040) with Project Traffic Conditions. The following intersections would continue to operate at a deficient level of service at full General Plan Buildout (2040), and project cumulative impacts would also be significant and unavoidable:

- Intersection No. 6 – Day Street/Alessandro Boulevard
- Intersection No. 7 – Elsworth Street/Alessandro Boulevard
- Intersection No. 8 – Elsworth Street/Cactus Avenue
- Intersection No. 12 – Graham Street-Riverside Drive/Cactus Avenue
- Intersection No. 13 – Heacock Street/Alessandro Boulevard
- Intersection No. 17 – Indian Street/Cactus Avenue
- Intersection No. 19 – Perris Boulevard/Alessandro Boulevard
- Intersection No. 20 – Perris Boulevard/Cactus Avenue
- Intersection No. 21 – Perris Boulevard/Iris Avenue
- Intersection No. 27 – Kitching Street/ Cactus Avenue
- Intersection No. 28 – Kitching Street/Iris Avenue
- Intersection No. 30 – Lasselle Street/Cactus Avenue

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- Intersection No. 32 – Lasselle Street/Iris Avenue
- Intersection No. 33 – Lasselle Street/Krameria Avenue
- Intersection No. 38 – Lasselle Street/Via De Anza - Rancho Verde High School
- Intersection No. 39 – Evans Road/Ramona Expressway
- Intersection No. 45 – Nason Street/Eucalyptus Avenue
- Intersection No. 49 – Nason Street-Hillrose Lane/Iris Avenue
- Intersection No. 57 – Moreno Beach Drive/Eucalyptus Avenue

Roadway Segments

The following roadway segments would not be able to be fully mitigated and would continue to operate at a deficient level of service under General Plan Buildout (2040) conditions, and project cumulative impacts would also be significant and unavoidable.

- Perris Boulevard between Iris Avenue and Krameria Avenue (Roadway Segment No. 1)
- Perris Boulevard between Krameria Avenue and San Michele Road (Roadway Segment No. 2)
- Perris Boulevard between San Michele Road and Nandina Avenue (Roadway Segment No. 3)
- Perris Boulevard between Nandina Avenue and Harley Knox Boulevard (Roadway Segment No. 4)
- Lasselle Street between Iris Avenue and Krameria Avenue (Roadway Segment No. 6)
- Lasselle Street between Krameria Avenue and Via Xavier Lane (Roadway Segment No. 7)
- Lasselle Street between Via Xavier Lane and Lasselle Sports Park – Rojo Tierra (Roadway Segment No. 8)
- Lasselle Street between Lasselle Sports Park – Rojo Tierra and Cremello Way – Avenida De Plata (Roadway Segment No. 9)
- Lasselle Street between Cremello Way – Avenida De Plata and Avenida Classica – Kentucky Derby Drive (Roadway Segment No. 10)
- Lasselle Street between Avenida Classica - Kentucky Derby Drive and Via De Anza - Rancho Verde High School (Roadway Segment No. 11)
- Nason Street between Eucalyptus Avenue and Cottonwood Avenue (Roadway Segment No. 14)
- Alessandro Boulevard between I-215 Northbound Ramps and Day Street (Roadway Segment No. 27)
- Alessandro Boulevard between Graham Street and Heacock Street (Roadway Segment No. 31)
- Alessandro Boulevard between Heacock Street and Indian Street (Roadway Segment No. 32)
- Alessandro Boulevard between Indian Street and Perris Boulevard (Roadway Segment No. 33)
- Cactus Avenue between I-215 Northbound Ramps – Old Frontage Road and Elsworth Street (Roadway Segment No. 38)
- Cactus Avenue between Elsworth Street and Frederick Street (Roadway Segment No. 39)
- Cactus Avenue between Frederick Street and Graham Street - Riverside Drive 40)
- Iris Avenue between Perris Boulevard and Kitching Street (Roadway Segment No. 50)
- Iris Avenue between Lasselle Street and Camino Flores (Roadway Segment No. 52)
- Iris Avenue between Camino Flores and Coachlight Court - Avenida De Circo (Roadway Segment No. 53)

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- Iris Avenue between Coachlight Court - Avenida De Circo and Grande Vista Drive (Roadway Segment No. 54)
- Iris Avenue between Grande Vista Drive and Nason Street – Hillrose Lane (Roadway Segment No. 55)
- Iris Avenue between Nason Street – Hillrose Lane and Driveway 1 (Roadway Segment No. 56)

Overall, combined with other reasonably foreseeable projects and buildout of the General Plan, the project's contribution to the cumulative condition would remain cumulatively considerable even with implementation of mitigation, and cumulative impacts would be significant and unavoidable.

2.5.15 Tribal Cultural Resources

Cumulative impacts would result if related projects would result in impacts to tribal cultural resources (TCRs), in combination with impacts associated with the proposed project. No TCRs (pursuant to the criteria set forth in Public Resources Code Section 5024.1) were identified by California Native American tribes as part of Dudek's tribal outreach or as part of the City's AB 52 notification and consultation process. However, the AB 52 consultation between the City and Native American Representatives suggests that there is still some potential for unknown subsurface TCRs to be impacted by the proposed project. In the event that unknown subsurface TCRs are uncovered during ground disturbance associated with the proposed project, and such resources are not identified and avoided or properly treated, a potentially significant impact could result. However, with implementation of mitigation measures, impacts to TCRs would be reduced to less than significant.

Identified cumulative projects would be required to complete a similar evaluation of potential TCRs in the vicinity of their respective project sites. If required, these future foreseeable projects would also have to conduct AB 52 notification and consultation prior to initiating a project. This process would determine if mitigation measures need to be applied in order to reduce potential impacts, both directly, and cumulatively. Since all cumulative projects would be required to implement any necessary mitigation to prevent potential impacts to TRCs, impacts would not be cumulatively considerable and impacts would be less than significant.

2.5.16 Utilities and Service Systems

Eastern Municipal Water District (EMWD) has sufficient capacity to treat water and wastewater generated from the proposed project and no new or expanded infrastructure associated with treatment would be required for the additional flow generated by the proposed project. In addition, new stormwater drainage facilities that would be required to redirect flows across the site have been incorporated into the overall project description and design of the project. Therefore, impacts would be less than significant. The project's expansion of such facilities within the project site would not result in a cumulatively considerable impact. Cumulative impacts would be less than significant.

Cumulative impacts may result from water demand that exceeds pertinent requirements. The Water Supply Assessment (WSA) that was prepared for the proposed project evaluates EMWD's ability to meet the water demands of the proposed project in conjunction with all other cumulative projects including buildout of the General Plan. EMWD has determined that it would be able to provide adequate water supply to meet the potable water demand for the proposed project as part of its existing and future demands. Cumulative projects would be required to adhere to the City's current Urban Water Management Plan and, therefore, are not expected to result in significant cumulative impacts to the City's water supply. Cumulative impacts would be less than significant.

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Regarding wastewater, based on the remaining capacity, at buildout, the proposed project's average wet weather flows (greatest of the average flows) would only be approximately 1.7 AFY of water, or 0.002% of the remaining capacity available to EMWD. Therefore, the EMWD's regional water reclamation facilities would have adequate capacity to treat wastewater generated by the proposed project at buildout. Cumulative projects would be required to demonstrate that adequate wastewater capacity can be provided. As such, the project, in combination with other reasonably foreseeable projects, would not contribute to a significant cumulative impact related to wastewater. Cumulative impacts would be less than significant.

During operation, all non-hazardous solid waste generated from the project site (such as plastic and glass bottles and jars, paper, newspaper, metal containers, and cardboard) would be recycled per local and state regulations mentioned above, with a goal of 75%, in compliance with the Integrated Waste Management Act. Remaining non-hazardous solid waste would be disposed of at one of the Riverside County landfills (hazardous waste is managed and disposed of in compliance with all applicable federal, state, and local laws and is discussed in greater detail in Section 4.8 in the Draft EIR). The City will review building plans and ensure that proper space is set aside to allow for the collection and storage of recyclable materials prior to issuance of building permits to ensure that there is adequate space for recycling on the project site. Overall, impacts associated with solid waste disposal during operation would be less than significant. Furthermore, the project will comply with state and local statutes and regulations related to solid waste during construction and operation of all phases.

Identified cumulative projects would contribute to solid waste to local landfills and impact landfill capacity, waste management facilities, and waste management services. However, similar to the Medical Center's MWMP, which is being updated as part of this project, other projects may also be required to prepare a waste management plan in order to demonstrate compliance with state and local regulations governing solid waste disposal and recycling practices. The waste collection procedures and programs for all planned and proposed developments would be required to comply with the municipal requirements for recycling and collection of solid waste. In addition, all planned and proposed projects would be required to be consistent with all applicable statutes and regulations. Impacts associated with solid waste would not be cumulatively considerable based on the proposed project's projected generation and compliance with applicable laws and ordinances. Cumulative impacts would be less than significant.

3 Findings Regarding Alternatives

3.1 Alternatives Considered and Rejected During the Scoping/Project Planning Process

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the Draft EIR. Among the factors that are used to consider project alternatives for detailed consideration in an EIR are whether they would meet most of the basic project objectives, be feasible, and whether they would avoid or substantially reduce the significant environmental impacts of the project. (CEQA Guidelines Section 15126[c].) Several alternatives were eliminated during the scoping/planning process, either because they were deemed infeasible or because they were technologically or environmentally inferior as compared to the proposed project.

The following objectives have been established for the proposed project:

- Improve public health and safety and serve the existing and projected Kaiser membership base in Moreno Valley and the immediately surrounding communities by providing additional and expanded medical services on the Moreno Valley Medical Center campus.
- Reduce the need for Kaiser members to travel outside the City of Moreno Valley (City) for medical services by increasing the types and capacity of medical services available at the Moreno Valley Medical Center campus.
- Develop underutilized land located within the Medical Use Overlay district consistent with the City's objectives, as set forth in the general plan and zoning code, of maintaining a diversity of medical and supportive uses in the vicinity of the existing hospital and creating a medical corridor by limiting land uses to those that are supportive of and compatible with the existing hospital.
- Provide for the long-range development capacity on the project site's undeveloped area which would accommodate the future growth of Kaiser Permanente members requiring health care services, while also providing the flexibility for a range of shorter term interim and conveniently sited, complementary uses.
- Provide a comprehensive range of high quality health care services in seismically safe, state-of-the-art, advanced-care medical center facilities for Kaiser Permanente members throughout the Moreno Valley region.
- Replace, repair and upgrade existing hospital facilities and supporting infrastructure to address age, functionality and seismic safety.
- Create a comprehensively planned, advanced-care medical center campus that provides community vitality, economic growth, and a wide range of employment opportunities in Moreno Valley and the surrounding region.
- Foster the creation of employment opportunities within Moreno Valley to improve the jobs/housing balance within the City and the surrounding area.
- Maintain current services at the existing Moreno Valley Medical Center without interruption while simultaneously upgrading aging infrastructure and enhancing services available to Kaiser Members based on market demand.
- Provide parking sufficient to accommodate membership and patient demands, staff parking demands during shift changes, reduce delay and improve circulation throughout the campus by alleviating vehicle queuing.

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- Implement upgrades to the Medical Center's Energy Center to improve energy efficiency as well as implement green building features using the standards of the Green Guide for Healthcare, as such standards evolve over time, and Leadership in Energy and Environmental Design (LEED) Gold certification or equivalent, as well as Kaiser's existing sustainable building strategies.

Several alternatives to the proposed project were considered and rejected as infeasible. The alternatives considered and rejected for this EIR were: 1) Alternative Site, and 2) Underground Parking Alternative.

3.1.1 Alternative Site

Description

In accordance with CEQA Guidelines, Section 15126.6(f)(2), the applicant and the City attempted to identify a comparably-sized feasible alternative location within the project area and within the Medical Use Overlay district that could be available for the proposed Medical Center expansion project. Per CEQA Guidelines, Section 15126.6 (f)(2)(A), the key question and first step in analysis of the alternative location is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location.

Findings

The City rejects the Alternative Site, as undesirable as it fails to satisfy the proposed project's underlying purpose and to meet most project objectives, and because specific economic, legal, social, technological or other considerations, including provision of medical uses within the City's Medical Use Overlay District. The City finds that any of these grounds are independently sufficient to support rejection of this alternative.

Rationale

There are few if any similarly sized sites under single ownership in the project area. Kaiser could foreseeably assemble, lease, or purchase land for certain components of the proposed project, such as medical office space, in nearby office parks. However, unless the existing Medical Center campus were also relocated to an alternative site along with the proposed expansion, an alternative site would split the proposed medical center into two separate sites. This could result in greater automobile trips than the proposed project since this would force doctors to travel between the medical offices and main hospital campus. Additionally, while Kaiser owns the project site it does not own any alternative sites, and thus would have to acquire new land. It is not guaranteed that Kaiser could acquire an alternative site in the future; nor is there any guarantee that the hospital use would be allowed by the City on any acquired site. It does not appear that the applicant can reasonably acquire, control, or otherwise have access to other sites in the area that would meet the project objectives. Therefore, alternate sites capable of accommodating the entire project are considered infeasible, and no off-site location alternatives were carried forward in this analysis.

Regardless, the availability of an alternate site does not in and of itself reduce impact potential. It is expected that developing a similar project at an alternative site would result in a similar array, if not more, project impacts and would simply transfer the impact potential to areas surrounding the alternate site location. For these reasons, an alternative site location was rejected from further consideration.

3.1.2 Underground Parking Alternative

Description

In considering design options to reduce impacts to views, the project applicant and City considered constructing underground parking structures. For this Alternative, all new above-ground parking structures would be placed underground instead in order to reduce the heights of the proposed parking structures.

Findings

The City rejects the Underground Parking Alternative as undesirable as it would be financially infeasible and would require extensive excavation, export of earth materials thereby increasing construction air emissions and the amount of truck trips, and because specific economic, legal, social, technological or other considerations. The City finds that any of these grounds are independently sufficient to support rejection of this alternative.

Rationale

Construction associated with underground parking structures would require the removal and export of substantial quantities of earthen material, thereby resulting in a more intense construction period with increased air quality and noise impacts associated with equipment used to complete excavations and increased air quality, noise and transportation impacts associated with trucks hauling excavated material from the project site. Additionally, excavation activities would have the potential to result in new and more severe environmental impacts to archaeological, paleontological and tribal cultural resources. As such, while underground parking could result in reduced alterations of existing views in the project vicinity, increased impacts to air quality, cultural resources, noise, transportation and tribal cultural resources would occur. For these reasons, providing underground parking would increase more impacts than it would reduce and therefore this alternative is rejected from further consideration.

3.2 Alternatives Selected for Analysis

Section 15126.6(a) of the CEQA Guidelines requires the discussion of “a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the proposed project but would avoid or substantially lessen any of the significant effects of the proposed project and evaluate the comparative merits of the alternatives.” The EIR identified and considered the following reasonable range of feasible alternatives to the proposed project which would be capable, to varying degrees, of reducing identified impacts:

- Alternative 1: No Project Alternative
- Alternative 2: Medical Office Building Alternative
- Alternative 3: Reduced Project Alternative

These alternatives are evaluated for their ability to avoid or substantially lessen the impacts of the proposed project identified in the EIR, as well as consideration of their ability to meet most of the basic objectives of the proposed project as described in the EIR.

3.2.1 No Project Alternative

Description

Under Alternative 1, expansion and redevelopment of the existing Medical Center would not occur as discussed in Chapter 3 of the Draft EIR. The project site would remain unchanged. As no new development would occur on the project site, no discretionary actions would be triggered.

Findings

The City rejects the No Project (No Build) Alternative, as undesirable as it fails to satisfy the proposed project's underlying purpose and to meet most project objectives, and because specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make the alternative infeasible. The City finds that any of these grounds are independently sufficient to support rejection of this alternative.

Rationale

Under Alternative 1, the existing Medical Center, in its current condition, would remain at the project site. No new facilities or medical services would be provided for Kaiser Permanente members residing in Moreno Valley and the immediately surrounding communities. Kaiser members would need to continue to travel outside the City for medical services beyond those currently provided at the site. No new, complimentary medical services would be added to the project site. The existing out of date buildings would remain in place, no seismic upgrades would occur, and no new state-of-the-art advanced care medical facilities would be introduced to the Moreno Valley area. The existing aging buildings and infrastructure would not be upgraded and no new functional or seismic safety improvements would be implemented. No new employment opportunities in the City and surrounding region would be created. The existing, higher emission energy equipment would remain without upgrade. No new energy efficiency measures or LEED certification would be achieved, and the ability of the Medical Center to implement sustainable building strategies would be impaired. The existing development potential of the Medical Center site would remain underutilized, and there would be no approved plan for the future expansion of the Medical Center or the accommodation of existing and future demand of Kaiser members in the City and surrounding communities. The absence of such advanced planning could result in less efficient and effective planning, facilities and delivery of medical and hospital services. In addition, Alternative 1 would not further the policies of general plan and zoning code with respect to the Medical Use Overlay district.

3.2.2 Medical Office Building Alternative

Description

Under Alternative 2, improvements would occur at the existing Medical Center, however to a lesser degree than those outlined in Chapter 3 of the Draft EIR. Specifically, under Alternative 2, the existing hospital building would remain unchanged with 100 beds, the existing Medical Office Building (MOB) No. 1 would remain on the Medical Center site, and two new medical office buildings (MOB No. 3 and MOB No. 4) would be constructed. To accommodate the increased demand for parking associated with the four medical office buildings, three new above-

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ground parking structures would be constructed to provide a total of 1,510 parking spaces on the Medical Center site. One new parking structure would be located north of the existing hospital building, one new parking structure would be located in the western portion of the project site to provide access to MOB No. 2 and MOB No. 3, and the third new parking structure would be located in the southeastern corner of the project site adjacent to MOB No. 4.

Findings

The City rejects the Medical Office Building Alternative, as undesirable as it fails to satisfy the proposed project's underlying purpose and to meet several project objectives, and because specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make the alternative infeasible. The City finds that any of these grounds are independently sufficient to support rejection of this alternative.

Rationale

Under Alternative 2, the existing hospital building would remain in its current size and condition and two new medical office buildings and three new above-ground parking structures would be constructed. Kaiser members would be provided with two new medical office buildings, thereby increasing the number of medical office services that would be available to the Kaiser membership in the City and surrounding communities. Alternative 2 would develop new medical facilities on existing undeveloped portions of the project site in a manner that is compatible with the Medical Use Overlay district. However, Alternative 2 would not increase or enhance the existing hospital capacity, and would not allow for the full range of medical and hospital services that would be provided by the proposed project. The reduction in the scope and capacity of medical and hospital services as compared to the proposed project may limit Kaiser's ability to serve residents of the City and surrounding region, may increase emergency room wait times, and may require residents of the City and surrounding communities to travel to locations outside the City for services not provided at the project site. Because the existing hospital building would remain in place, it would not be replaced with a seismically sound, upgraded hospital building. If future seismic upgrades were to be made to the existing hospital building, such upgrades may interfere with or limit continuing hospital operations.

While new medical buildings and parking structures would be constructed, the new buildings would not be comprehensively planned and integrated into the existing medical office buildings and hospital. In addition, the project would not plan for the long-range development capacity of the existing Medical Center or the Medical Use Overlay Zone to the same extent as would the proposed project, which could result in less efficient and effective planning, facilities and delivery of medical and hospital services.

The provision of new medical office buildings would increase the range of employment opportunities in the City and surrounding communities. However, this alternative would not create as many temporary or permanent employment opportunities as the proposed project, and because it would not increase the capacity of hospital services, it would not provide the same diversity of employment opportunities, and would include fewer opportunities for highly trained workers.

The three new above-ground parking structures would provide additional parking sufficient to accommodate membership and patient demands, staff parking during shift changes, reduce delay and improve circulation throughout the campus.

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The new Energy Center would not be constructed and existing energy equipment would not be replaced with updated equipment that generates fewer emissions.

3.2.3 Reduced Project Alternative

Description

Under Alternative 3, improvements would occur at the existing Medical Center, however to a lesser degree than those outlined in Chapter 3 of the Draft EIR. New development would include some new hospital facilities but no new medical office buildings. Specifically, Alternative 3 would consist of the construction of a new 95,000 square foot Diagnostics and Treatment (D&T) Building, two new hospital towers (containing approximately 220 beds), a 30,000 square foot Energy Center, and one new parking structure. The existing hospital tower (with approximately 100 beds) would remain. No new medical office buildings would be constructed. Alternative 3 would be constructed in a total of two phases. Under Phase I, the following would be constructed:

- **D&T Building:** The proposed approximately 95,000 square foot expansion of the existing hospital would allow for a D&T Building wing, which would provide direct support to the hospital, including ambulatory surgery and outpatient clinical departments such as physician offices, exam and treatment rooms, imaging/radiology, pharmacies, and additional administrative offices. The D&T Building would be two stories in height, approximately 38 feet tall, and located east of the existing hospital and accessed via a new temporary entrance and covered drop-off canopy. Surface parking would be provided to the south and include seven new accessible surface parking spaces south of the new covered drop-off canopy.
- **Energy Center:** The hospital is currently serviced by an existing Central Utility Plant (CUP), located in the northwestern corner of the existing hospital building. As part of Phase I, an Energy Center, which would be approximately 22,000 square feet in size, would be constructed to replace the existing CUP. The Energy Center would include three emergency generators, bulk oxygen, and two cooling towers. The Energy Center would contain all of the major mechanical and electrical equipment for the existing hospital facility, which includes electric-centrifugal water cooler chillers, cooling towers, water boilers and steam boilers, and microturbines. Upon completion and operation of the Energy Center, the existing CUP would be decommissioned but remain on site until Phase II.
- **Temporary Parking:** During Phase I, a total 45 parking temporary surface parking spaces would be provided.

Under Phase II, the following would be constructed:

- **Hospital Towers:** North of the existing hospital, two new hospital tower wings, the North Tower and the East Tower (with approximately 220 new beds), would be constructed. The new towers would be connected to the D&T Expansion from Phase I, and together with the D&T Expansion would comprise approximately 380,000 square feet. The new towers would include seven stories and be approximately 137 feet in height. Access to the new hospital towers would be provided via the main Medical Center driveway accessed via Iris Avenue. A new main hospital entrance with a circular turnaround area would be constructed in the northern portion of the site adjacent to the new North Tower. Additionally, connected to, and north of, the North Tower would be a new hospital loading dock and service yard.
- **Energy Center Expansion:** The Energy Center constructed under Phase I would be expanded during Phase II to include the addition of approximately 8,000 square feet with an additional cooling tower and additional mechanical, electrical and plumbing equipment would be added.

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- **Parking Structure:** During Phase II, one new multilevel aboveground parking structures would be constructed. Parking Structure No. 2 would be located in the western most portion of the project site and be approximately 61.5 feet in height. This multilevel aboveground parking structure would include approximately 1,400 parking spaces. Internal access roads would be constructed throughout the Medical Center to connect the existing and new buildings to the existing surface parking lots and new parking structures.

At ultimate buildout of Alternative 3, the Medical Center would include a newly constructed approximately 380,000 square foot hospital building with two new towers, the existing hospital building, a new Emergency Department (within the new D&T Building) and a D&T Building, an Energy Center totaling approximately 30,000 square feet, and a total of 1,550 parking spaces provided in one multilevel aboveground parking structures and surface parking lots.

The new hospital would include full-service general acute care facilities and would accommodate approximately 320 beds. In addition to the inpatient nursing functions, the hospital buildings would include ancillary services, such as medical imaging/radiology, clinical laboratory and blood bank, operating rooms and associated recovery spaces, inpatient pharmacies, and an emergency department, which would have associated treatment rooms. The hospital buildings would also include administrative offices and conference rooms, as well as general building support departments such as environmental and material services, cafeteria and inpatient food services, communication, linen, and biomedical engineering.

The approximately 95,000 square foot D&T Building of the hospital would provide direct support to the hospital, including ambulatory surgery and outpatient clinical departments such as physician offices, exam and treatment rooms, imaging/radiology, pharmacies, and additional administrative offices. The D&T Building would also provide member services departments including a business office, health education, and conference rooms.

Findings

The City rejects the Reduced Project Alternative, as undesirable as it fails to satisfy the proposed project's underlying purpose and to meet several project objectives, and because specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make the alternative infeasible. The City finds that any of these grounds are independently sufficient to support rejection of this alternative.

Rationale

Under Alternative 3, the addition of hospital facilities, including an expanded emergency department, would improve public health and safety and provide new facilities for the existing and projected Kaiser membership base. However, the hospital expansion would include one less hospital tower than the project and would not replace the existing hospital tower, which would remain. Thus, while hospital facilities would be expanded, Alternative 3 would not provide the full range of medical services and capacity of the proposed project. In addition, because the existing hospital tower would remain, this older building would not be replaced with an updated facility and seismic upgrades would not occur to this portion of the hospital. Moreover, although the one existing medical office building would remain under Alternative 3, no new medical office buildings would be constructed. Thus, there would be limited medical office space to support the hospital, and doctors, surgeons, other personnel, and some patients would make more trips between the hospital and off-site offices. Because medical office uses tend to serve local patients, residents of Moreno Valley and adjacent communities would not be as well served as they would be by the project. While Alternative 3 would utilize a portion of the project site, much of the undeveloped and underutilized land on

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the project site, which lies within the Medical Use Overlay district, would remain undeveloped, and thus the goals and objectives of the City’s General Plan and Zoning Code with respect to the Medical Use Overlay District would not be achieved for these areas.

Alternative 3 would make a lesser contribution to the economic growth and employment opportunities in Moreno Valley. No new medical office buildings adjacent to the hospital would be constructed, and fewer hospital facilities would be built. As such, Alternative 3 would generate fewer new employment opportunities and would not make as significant a contribution to the improvement of the jobs/housing balance within the City.

Attachment: Attachment A to 2020-07 KPMV Findings and SOCs_Final (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser

4 Statement of Overriding Considerations

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines section 15093(a) and (b), the City is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project, including region-wide or statewide environmental benefits, outweigh the unavoidable adverse environmental effects, those effects may be considered “acceptable” (CEQA Guidelines, §15093 (a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines, §15093(b)).

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency’s economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs, See *Towards Responsibility in Planning v. City Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *City of Poway v City of San Diego* (1984) 155 Cal App. 3d 1037; *Markley v. City Council* (1982) 131 Cal App.3d 656. In accordance with the requirements of CEQA and the CEQA Guidelines, the City finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final EIR for the Kaiser Permanente Moreno Valley Medical Center (hereinafter, proposed project). However, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are to operational air quality during Phases II and III and transportation impacts at select intersections and street segments under Phases I, II, III and General Plan Buildout of the project. The Final EIR provides detailed information regarding these impacts (see also, Findings, Section 2.4 Potentially Significant Impacts that Cannot Be Mitigated Below a Level of Significance).

The City finds that all feasible mitigation measures identified in the Final EIR within the responsibility and jurisdiction of the City will be implemented, that all feasible mitigation measures identified in the Final EIR within the responsibility and jurisdiction of other public agencies can and should be implemented, and that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other considerations based upon the facts set forth above, in the Final EIR, and in the record. Each of the following overriding considerations separately and independently (i) outweighs the adverse environmental impacts of the project, and (ii) justifies adoption of the project and certification of the completed Final EIR. In particular, achieving the underlying purpose for the project will be sufficient to override the significant environmental impacts of the project.

1. The Project would improve public health and safety by providing additional, expanded and modernized hospital services and facilities that will serve the City of Moreno Valley and surrounding communities.
2. The Project would improve public health and safety by providing additional, expanded and modernized medical office services and facilities that will serve the City of Moreno Valley and surrounding communities.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

3. The Project would provide new medical facilities that would increase capacity for quality health care, increase the available number of inpatient beds, operating rooms and diagnostic and treatment facilities, provide additional capacity for emergency services to decrease emergency department visit wait times and provide better access to care.
4. The Project is projected to create a substantial number of new medical-related jobs in each phase (300 new employees in Phase I, 2,065 new employees in Phase II, and 1,640 new employees in Phase III), including skilled professional health care and administrative employment opportunities. The project would also provide temporary construction/trades jobs. By providing jobs in the City of Moreno Valley, including without limitation temporary and permanent jobs for highly trained and skilled workers, the project would help maintain and enhance the economic vitality of the City and surrounding region, contribute to the jobs/housing balance in the City and surrounding region.
5. Implementation of the Project would expanding medical office and hospital facilities and services while furthering the goals of the General Plan Conservation Element by incorporating increased energy efficiency and helping to GHG emissions by obtaining LEED Gold certification or its equivalent for the buildings developed on the project site, and by replacing older boiler and emergency generator equipment with equipment with lower emission rates.
6. The Project would further the goals of the General Plan and Medical Use Overlay District to create a medical corridor by limiting land uses to those that are supportive of and compatible with the existing Kaiser Medical Center and by creating and maintaining a diversity of medical and supportive uses in the vicinity of the existing Kaiser Medical Center.
7. The Project would further the economic development policies and land use policies as identified in the Land Use and Economic Development Sections of the General Plan and repeated below:
 - a. Goal 2.1 – A pattern of land uses, which organizes future growth, minimizes conflicts between land uses, and which promotes the rational utilization of presently underdeveloped and undeveloped parcels.
 - b. Goal 2.2 – An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.
 - c. Goal 2.10 – Ensure that all development within the City of Moreno Valley is of high quality, yields a pleasant living and working environment for existing and future residents, and attracts business as the result of consistent exemplary design.
8. The project would comply with applicable seismic safety requirements and provide seismic upgrades to existing hospital facilities without undue disruption or capacity limitation to patient care.
9. The project would reduce the vehicle miles traveled of project employees and would reduce the need for Kaiser members to travel outside the City for medical services.

Conclusion

1. Except as to those impacts stated above relating to air quality and transportation, all other significant environmental impacts from the implementation of the Project have been identified in the Final EIR and, with implementation of the mitigation measures identified, will be mitigated to a level of less than significant.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER

2. Alternatives to the proposed Kaiser Permanente Moreno Valley Medical Center Project, which could potentially achieve the basic objectives of the Project, have been considered and rejected in favor of the Project.
3. Economic, legal, social, technological and other considerations and benefits derived from the development of the proposed Kaiser Permanente Moreno Valley Medical Center Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

For the foregoing reasons, the City finds that the Project's adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh the significant and unavoidable environmental effects of the Project, and adopts these Findings and Statement of Overriding Considerations.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
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5 Certification of the Environmental Impact Report CEQA Guidelines § 15090

The City certifies that the Final EIR, dated March 2020, which it has reviewed and considered, has been completed in compliance with CEQA and the CEQA Guidelines, that the Final EIR was presented to the City, and that the members reviewed and considered the information contained therein before approving the project, and that the Final EIR reflects the independent judgment and analysis of the council members. (CEQA Guidelines § 15090.)

The City declares that no evidence of new significant impacts as defined by State CEQA Guidelines Section 15088.5 have been received by the City after circulation of the Draft EIR which would require recirculation.

Therefore, the City hereby certifies the Final EIR based on the entirety of the record of proceedings, including but not limited to the following findings and conclusions:

5.1 Findings

The following significant environmental impacts have been identified in the Final EIR and will require mitigation as set forth in Section 2 of this Resolution but cannot be mitigated to a level of less than significant: Air Quality impacts during Phase II and Phase III, and Transportation and Traffic impacts.

5.2 Conclusions

All significant environmental impacts from the implementation of the project have been identified in the Final EIR and, with implementation of mitigation measures identified, will be mitigated to a less than significant level, except impacts listed in Section 5.1 above.

Other reasonable alternatives to the project which could feasibly achieve the basic objectives of the project have been considered and rejected in favor of the project.

Environmental, economic, social and other considerations and benefits derived from the development of the project override the significant and unavoidable impacts of the project identified in Section 5.1 above.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
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6 Resolution Adopting a Mitigation Monitoring and Reporting Program

Based on the entire record before the Planning Commission and having considered the unavoidable significant impacts of the proposed project, the Planning Commission hereby determines that all feasible mitigation within the responsibility and jurisdiction of the City has been adopted to reduce or avoid the potentially significant impacts identified in the Final EIR, and that no additional feasible mitigation is available to further reduce significant impacts. The feasible mitigation measures are discussed in Sections 2.3 and 2.4, above, and are set forth in the Mitigation Monitoring and Reporting Program.

Section 21081.6 of the Public Resources Code requires the Planning Commission to adopt a monitoring or compliance program regarding the changes in the proposed project and mitigation measures imposed to lessen or avoid significant effects on the environment. The Mitigation Monitoring and Reporting Program for the project is hereby adopted by the Planning Commission because it fulfills the CEQA mitigation monitoring requirements:

- The Mitigation Monitoring and Reporting Program is designed to ensure compliance with the changes in the proposed project and mitigation measures imposed on the proposed project during project implementation; and
- Measures to mitigate or avoid significant effects on the environment are fully enforceable through conditions of approval, permit conditions, agreements or other measures.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
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7 Resolution Regarding Custodian of Record

The documents and materials that constitute the record of proceedings on which this resolution has been based are located at the City of Moreno Valley Community Development Department, as identified below. This information is provided in compliance with Public Resources Code Section 21081.6.

City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553
Contact: Julia Descoteaux, Associate Planner

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CHAPTER 4 MITIGATION MONITORING AND REPORTING PROGRAM

California Public Resources Code Section 21081.6 requires that, upon certification of an EIR, “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This chapter contains the mitigation monitoring and reporting program (MMRP) that has been developed for the Kaiser Moreno Valley Medical Center Project (project or proposed project). This MMRP has been developed in compliance with Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines. The mitigation measures in the table are coded by alphanumeric identification consistent with the EIR. The following items are identified for each mitigation measure:

- **Mitigation Monitoring.** This section of the MMRP lists the stage of the proposed project during which the mitigation measure would be implemented and the stage during which proper implementation would be monitored and verified. It also lists the agency that is responsible for ensuring that the mitigation measure is implemented and that it is implemented properly.
- **Verification of Compliance.** This section of the MMRP provides a location for the implementing party and/or enforcing agency to make notes and to record their initials and the compliance date for each mitigation measure.

The City of Moreno Valley must adopt this MMRP, or an equally effective program, if it approves the proposed project with the mitigation measures that were adopted or made conditions of project approval.

4 - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<i>Biological Resources</i>						
MM-BIO-1. To avoid potential direct impacts to burrowing owl, a burrowing owl preconstruction survey shall be conducted by a qualified biologist no more than 30 days prior to ground-disturbing project activities. If burrowing owls are present, occupied burrows shall be avoided. The preconstruction survey, avoidance, and any relocation of burrowing owls, if present, shall be conducted in accordance with current MSHCP survey guidelines and protocols.	Prior to construction	Qualified biologist surveys for burrowing owl	City of Moreno Valley			
MM-BIO-2. All vegetation removal and ground-disturbance activities shall be planned outside the nesting season for raptors (February 1 to August 15) and outside the peak nesting season for birds (March 1 to August 15) if practicable. If vegetation removal would occur during those time periods, a preconstruction survey for active nests shall be conducted by a qualified biologist no more than one week prior to the onset of ground-disturbance activities. If active nests are found on the site, disturbance or removal of the nest shall be avoided until the young have fledged and the nest is no longer active. Depending on the species, site conditions, and proposed construction activities near the active nest, a buffer distance may be prescribed, as determined by a qualified biologist.	Prior to construction	Schedule ground-disturbing activities outside nesting season; if not possible, conduct pre-construction surveys	City of Moreno Valley			
MM-BIO-3. Consultation with the resource agencies shall be conducted prior to implementing Phases II and III of the project to determine the Regional Water Quality Control Board (RWQCB) and/or California Department of Fish and Wildlife (CDFW) will indeed take jurisdiction over the existing detention basin. If jurisdiction is determined, the Applicant will mitigate for the loss of 0.51-acre of waters of the state subject to RWQCB and CDFW jurisdiction, and an additional 0.54-acre of streambed under CDFW jurisdiction only. The project applicant will apply for A Waste Discharge Requirement (WDR) from the RWQCB and a Streambed Alteration Agreement from CDFW prior to the start of construction of Phases II and III of the project. Mitigation required for these permits would include compensatory habitat-based mitigation at a minimum 2:1 ratio for impacts to non-wetland waters of the state and CDFW streambed. Mitigation may include on-site restoration of waters	Prior to Phase II and Phase III	Consultation with RWQCB and/or CDFW; apply for a Waste Discharge Requirement	City of Moreno Valley, RWQCB and/or CDFW			

4 - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
through implementation of an approved Habitat Mitigation Monitoring Plan or purchase of off-site credits through an agency-approved mitigation bank such as the Soquel Canyon Mitigation Bank. Coordination with the resource agencies will determine the final mitigation ratio and strategy. Documentation shall be provided to the City.						
<i>Cultural Resources</i>						
<p>MM-CUL-1. The applicant shall ensure that all ground-disturbing activities are ceased and treatment plans are implemented if archaeological resources are encountered. In the event that archaeological resources are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 100 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior’s Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be prehistoric, Native American Tribes/Individuals should be contacted and consulted and Native American construction monitoring should be initiated. The Applicant and City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.</p> <p>In the event that a cultural resource is encountered during ground-disturbing activities, the landowner(s) shall relinquish ownership of all such resources, including sacred items, burial goods, and all</p>	During construction	Construction contractor shall cease ground-disturbing activities in the event of the discovery of a possible archaeological resource	City of Moreno Valley			

4 - MITIGATION MONITORING AND REPORTING PROGRAM

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<p>archaeological artifacts and non-human remains. The artifacts shall be relinquished through one or more of the following methods and evidence of such shall be provided to the City of Moreno Valley Community Development Department, Planning Division:</p> <ol style="list-style-type: none"> 1. Accommodate the process for Preservation-In-Place/Onsite reburial of the discovered items with the consulting Native American tribes or bands, as detailed in the treatment plan prepared by the professional archaeologist. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; 2. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 Code of Federal Regulations (CFR) Part 79; therefore, the resources would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and/or 3. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center by default. <p>Once artifact analysis is completed, a final written report detailing the results of all research procedures and interpretation of the site shall be submitted to the lead agency for review and approval.</p>						
<p>MM-CUL-2. In the event that any human remains are unearthed during project construction, the City of Moreno Valley and the Applicant shall comply with State Health and Safety Code Section 7050.5. The City of Moreno Valley and the Applicant shall immediately notify the Riverside</p>	During construction	Contractor shall comply with State Health and Safety Code Section	City of Moreno Valley, NAHC			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<p>County Coroner's office and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition. If remains are determined to be of Native American descent, the coroner has 24-hours to notify the Native American Heritage Commission (NAHC). The NAHC shall identify the person(s) thought to be the Most Likely Descendant (MLD). After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment or disposal, with appropriate dignity, of the human remains and any associated funerary objects. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and cultural items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the MLD all reasonable options regarding the MLDs preferences for treatment.</p> <p>If the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.</p>		7050.5 in the event of discovery of human remains				

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<i>Geology and Soils</i>						
MM-GEO-1. Kaiser Permanente shall include in the Phase I project design all recommendations provided in the site-specific geotechnical investigations prepared for the proposed Diagnostic and Treatment Building and proposed Energy Center (Appendices E-1 and E-2). These recommendations include but are not limited to those related to ground improvements, drainage improvements, foundation design, and pavement design. Recommendations for remedial actions related to geotechnical concerns shall be implemented by Kaiser Permanente, to the satisfaction of the City of Moreno Valley.	Prior to and throughout construction	Kaiser shall integrate all design recommendations into project	City of Moreno Valley			
MM-GEO-2. A geotechnical study shall be prepared during the design phases for Phases II and III of the program. Recommendations for remedial actions related to geotechnical concerns, provided by the geotechnical consultant, shall be implemented by Kaiser Permanente, to the satisfaction of the City of Moreno Valley.	During design phases for Phase II and Phase III	Kaiser shall ensure preparation of geotechnical studies	City of Moreno Valley			
MM-GEO-3. The Office of Statewide Health Planning and Development's (OSHPD's) Facilities Development Division shall review and approve the plans and specifications of the proposed medical office building, hospital, and related hospital facilities.	Prior to construction	Kaiser shall submit plans to OSHPD for approval prior to construction	OSHPD's Facilities Development Division, City of Moreno Valley			
MM-GEO-4. Prior to the issuance of a grading permit, the Applicant shall retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology. Prior to commencement of excavation activities, the paleontologist shall conduct a Paleontological Sensitivity Training for all construction personnel that will conduct earthwork or grading activities. The training shall include a handout and shall focus on how to identify paleontological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event, including who to contact and the appropriate avoidance measures that need to be undertaken until the find(s) can be properly evaluated; the duties of paleontological monitors; notification and other procedures to follow upon discovery of resources; and the general steps a qualified	Prior to issuance of grading permit, Prior to construction	Kaiser shall retain a professional paleontologist, Paleontologist shall conduct sensitivity training	City of Moreno Valley			

4 - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
professional paleontologist would follow in conducting a salvage investigation if one is necessary. All new construction personnel that will conduct earthwork or grading activities must take the Paleontological Sensitivity Training prior to beginning work on the project and the professional paleontologist shall make themselves available to provide the training on an as-needed basis.						
MM-GEO-5. The applicant shall ensure the monitoring of construction excavations for paleontological resources is required for all excavations in older Quaternary alluvial fan deposits. Prior to the issuance of a grading permit, the Applicant shall retain a qualified paleontological monitor, who will work under the guidance and direction of a professional paleontologist, and who meets the qualifications set forth by the Society of Vertebrate Paleontology. The paleontological monitor shall have the authority to temporarily redirect earthmoving activities in the event that suspected paleontological resources are unearthed during project construction. The paleontological monitor shall be present during all construction excavations including, but not limited to grading, trenching, boring, and clearing/grubbing. Multiple earth-moving construction activities may require multiple paleontological monitors. The frequency of monitoring shall be based on the rate of excavation and grading. Monitoring may be reduced if potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the professional paleontologist to have a low potential to contain or yield fossil resources.	Prior to issuance of grading permit, During construction	Kaiser shall retain a professional paleontologist, Paleontologist shall halt construction near suspected paleontological resources	City of Moreno Valley			
MM-GEO-6. The applicant shall ensure that in the event that paleontological resources and/or unique geological features are unearthed during ground-disturbing activities, all ground-disturbing activities shall be halted or diverted away from the vicinity of the find in order to evaluate the resource. A buffer area of at least 100 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological treatment plan has been approved by the Applicant and the City of Moreno Valley. Work shall be allowed to continue outside of the buffer area. The Applicant and City of Moreno Valley shall coordinate with a	Prior to issuance of grading permit, During construction	Kaiser shall retain a professional paleontologist, Paleontologist shall halt construction near suspected paleontological resources	City of Moreno Valley			

4 - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing. Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage is required for significant discoveries.						
MM-GEO-7. The applicant shall ensure that a professional paleontologist prepares a report summarizing the results of the monitoring and any salvaging efforts, the methodology used in these efforts, as well as a description of any fossils collected and their significance, as well as any necessary maps and graphics to accurately record the original location of any such resources. The report shall be submitted to the Applicant, the City of Moreno Valley, the San Bernardino County Natural History Museum, Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the required mitigation measures.	During construction in the event paleontological resources are encountered	Paleontologist shall prepare summary report	City of Moreno Valley			
<i>Hydrology and Water Quality</i>						
M-HYD-1. Treatment control Best Management Practice (BMP) features proposed for the eastern project area, including underground storage vaults and a modular wetland system (Figure 4.9-4, Proposed Drainage), shall be constructed during Phase I of the project. These treatment control BMPs shall be constructed in accordance with the project Water Quality Management Plan (Appendix G-1) and approved by the City of Moreno Valley.	During construction of Phase I	Construction treatment control BMPs per the approved WQMP	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
MM-HYD-2. Treatment control BMP features proposed for the western project area, including multiple bioretention basins (Figure 4.9-4, Proposed Drainage), shall be constructed during Phase II of the project. These treatment control BMPs shall be constructed in accordance with the project Water Quality Management Plan (Appendix G-1) and approved by the City of Moreno Valley.	During construction of Phase II	Construction treatment control BMPs per the approved WQMP	City of Moreno Valley			
MM-HYD-3. Consistent with the Design Handbook for Low Impact Development Best Management Practices (Riverside County Flood Control Water Conservation District 2011), Section 3.5 – Bioretention Basins, Inspection and Maintenance Schedule, the following inspection and maintenance activities shall be implemented following basin construction: <ol style="list-style-type: none"> 1. Ongoing, the applicant shall: <ol style="list-style-type: none"> a. Keep adjacent landscape areas maintained. Remove clippings from landscape maintenance areas. b. Remove trash and debris. c. Replace damaged grass and/or plants. d. Replace surface mulch layer as needed to maintain a 2-3 inch soil cover. 2. After storm events, the applicant shall inspect areas for ponding. 3. Annually, the applicant shall inspect/clean inlets and outlets. 	Following basin construction in Phase II	Incorporate Low Impact Development BMPs	City of Moreno Valley, Riverside County Flood Control Water Conservation District			
<i>Noise</i>						
MM-NOI-1. Prior to grading permit issuance, and to help ensure construction noise levels at community noise-sensitive receptors (e.g., residences) are compliant with City of Moreno Valley (City) requirements and adopted Federal Transit Administration guidance, the applicant or its construction contractor(s) shall implement the following: <ul style="list-style-type: none"> • Construction noise reduction methods such as shutting off idling equipment, and usage of electric-driven air compressors and 	Prior to issuance of grading permit	Kaiser shall implement noise-reduction methods	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<p>similar power tools in lieu of diesel-powered equipment, shall be applied where feasible.</p> <ul style="list-style-type: none"> • During construction, stationary operating construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors. When increased distance cannot be used to help reduce noise exposure at a sensitive receptor due to loud operation of stationary equipment, apply feasible on-site noise attenuation measures that may include temporary noise barriers (e.g., acoustical blankets or field-erected wooden walls) or the placement of on-site tanks, containers, or trailers so that direct noise source-to-receptor path(s) are occluded. • During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors while being located on the project site or on existing developed areas. • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners and residents to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate response (that may include corrective actions, as warranted by investigation of the received complaint and determination of noise exceedance) shall be implemented and a report of the response and/or action provided to the reporting party in a reasonable timeframe. 						
<p>MM-NOI-2. The construction contractor shall require that all construction equipment be operated with original factory-installed or factory-approved noise control equipment (e.g., exhaust mufflers and silencers, intake filters, and engine shrouds as appropriate) that is properly installed and in good working order. Enforcement shall be accomplished via field inspections by applicant or third-party personnel during construction activities to the satisfaction of the City of Moreno Valley Public Works Department.</p>	During construction	The construction contractor shall ensure construction equipment is operated appropriately	City of Moreno Valley			

4 - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<p>MM-NOI-3. The applicant shall require that the combined outdoor noise emission from operation of the two emergency generators (i.e., 1 x 1-MW and 1 x 2-MW gensets), including sound attenuated exhaust and casing radiated (and any air intakes or heat discharge) would not exceed 55 dBA Leq at a distance of 200 feet. Achievement of this acoustical performance metric shall be demonstrated either by on-site field noise testing or via engineering specifications (e.g., expected sound pressure levels at a defined distance from the equipment) provided by the equipment supplier and/or manufacturer and disclosed as part of the final project design (and reviewed by a qualified acoustical consultant) prior to equipment submittal approval and project construction.</p>	During operation	Upon installation of emergency generators, Kaiser shall demonstrate that noise levels are achieved	City of Moreno Valley			
<p>MM-NOI-4. The applicant shall require that when project design details are finalized, and prior to submission of the final project design to the City, an acoustical analysis of aggregate project operation noise from expected stationary sources of sound emission (e.g., HVAC systems) shall be conducted or reviewed by a qualified acoustical consultant (e.g., Institute of Noise Control Engineering [INCE] Board Certified Member or as otherwise approved by the City of Moreno Valley). Using reference sound level data provided by (and thus the responsibility of) equipment suppliers as part of the modeling input parameters, this predictive analysis shall evaluate aggregate noise levels from these stationary sound sources at the same assessment positions per each of three project phases as appearing in Table 4.11-9. The results of this acoustical analysis shall be summarized in a concise report, and include descriptions of equipment noise control, sound transmission path abatement, and other conditions as reflected by the final project design submitted to the City that contribute to expected attainment of noise levels that are compliant with applicable daytime and nighttime thresholds at these positions. This analysis shall be performed to include two operation noise scenarios per phase: with and without operation of the proposed emergency generators.</p>	Prior to submission of final project design for Phase I, Phase II and Phase III	Have prepared and submit to City an acoustical analysis from expected stationary equipment	City of Moreno Valley			

Attachment: Attachment B to 2020-07 Final KPMV_MMRP (3973 : PEN18-0228, PEN18-0229, PEN18-0230 &

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<i>Transportation</i>						
<i>Phase I Completion Year (2023) with Project Traffic Conditions</i>						
Intersections						
MM-TRA-1. <u>Intersection No. 29 – Lasselle Street/Alessandro Boulevard</u> : Pay TUMF fee for the following improvements: add eastbound through (EBT) and westbound through (WBT) lanes.	Prior to construction – Phase I	Pay TUMF fee	City of Moreno Valley and Western Riverside Council of Governments (WRCOG)			
MM-TRA-2. <u>Intersection No. 39 – Evans Road/Ramona Expressway</u> : Pay fair-share (1.6%) for the following improvements: add right-turn overlap phasing for westbound right (WBR) and southbound right (SBR) turn lanes.	Prior to construction – Phase I	Pay fair-share fee	City of Perris			
MM-TRA-3. <u>Intersection No. 49 – Nason Street-Hillrose Lane/Iris Avenue</u> : Pay fair-share (26.8%) for the following improvements: add southbound left (SBL) turn lane.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
MM-TRA-4. <u>Intersection No. 50 – Pearl Lane - Oliver Street/Alessandro Boulevard</u> : Pay fair-share (1.9%) for the following improvement: install traffic signal.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
MM-TRA-5. <u>Intersection No. 56 – Pearl Lane - Moreno Beach Drive/SR-60 Eastbound Ramps</u> : Pay TUMF fee for the following improvements: add second southbound through (SBT) lane and eastbound right (EBR) turn lane.	Prior to construction – Phase I	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-6. <u>Intersection No. 59 – Moreno Beach Drive/Alessandro Boulevard</u> : Pay fair-share (8.0%) for the following improvements: add second southbound through (SBT) lane and northbound through (NBT) lane.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
MM-TRA-7. <u>Intersection No. 30 – Lasselle Street/Cactus Avenue</u> : Pay fair-share (16.3%) for the following improvement: add right-turn overlap phasing for westbound right (WBR) turn lane.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
MM-TRA-8. Intersection No. 33 – Lasselle Street/Krameria Avenue: Pay fair-share (9.66%) for the following improvements: restripe eastbound approach from eastbound left (EBL), eastbound through (EBT) and eastbound right (EBR) to two EBL, EBT, and EBTR, restripe westbound approach from westbound left (WBL), westbound through (WBT), and westbound right (WBR) to WBL, WBT and WBTR.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
MM-TRA-9. Intersection No. 27 – Kitching Street/Cactus Avenue: Pay fair share (29.6%) for the following improvements: restripe southbound right (SBR) to a southbound through right (SBTR), widen the south leg of the intersection for a second receiving lane.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
MM-TRA-54. Intersection No. 8 – Elsworth Street/Cactus Avenue: Pay fair share (6.24%) for the following improvement: widen the south leg of the intersection to add a northbound through lane (NBT).	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
Roadway Segments						
MM-TRA-10. Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard: Pay fair-share (17.3%) to improve the roadway segment to the classification of four-lane divided arterial.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
MM-TRA-11. Moreno Beach Drive between Alessandro Boulevard and Cactus Avenue: Pay fair-share (15.2%) to improve the roadway segment to the classification of four-lane divided arterial.	Prior to construction – Phase I	Pay fair-share fee	City of Moreno Valley			
MM-TRA-12. Alessandro Boulevard between Kitching Street and Lasselle Street: Pay TUMF fee to improve the roadway segment to the classification of four-lane divided arterial.	Prior to construction – Phase I	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-13. Alessandro Boulevard between Lasselle Street and Nason Street: Pay TUMF fee to improve the roadway segment to the classification of four-lane divided arterial.	Prior to construction – Phase I	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-14. Alessandro Boulevard between Nason Street and Moreno Beach Drive: Pay TUMF fee to improve the roadway segment to the classification of a four-lane divided arterial.	Prior to construction – Phase I	Pay TUMF fee	City of Moreno Valley and WRCOG			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
MM-TRA-15. Cactus Avenue between I-215 Northbound Ramps – Old Frontage Road and Elsworth Street: Pay TUMF/fair-share fee to widen roadway from four lanes to six lanes.	Prior to construction – Phase I	Pay TUMF fee and fair-share fee	City of Moreno Valley (proportional fair-share), March Joint Powers Authority (proportional fair-share) and WRCOG (TUMF)			
<i>Phase II Completion Year (2032) with Project Traffic Conditions</i>						
<u>Intersections</u>						
MM-TRA-16. Intersection No. 5 – I-215 northbound ramps - Old 215 Frontage Road/Cactus Avenue: Pay TUMF fee for the following improvements: interchange redesign and widening of the bridge to 6 lanes. Add second northbound left (NBL) and northbound through (NBT), second southbound left (SBL), dedicated southbound right (SBR) with overlap phasing, EBT, EBR, WBT and WBR with overlap phasing.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-17. Intersection No. 6 – Day Street/Alessandro Boulevard: Pay TUMF fee for the addition of a westbound through (WBT) lane. Pay fair-share (1.0%) for the following improvements: convert north-south movement to protected phasing, add southbound right, add second eastbound left (EBL) and second westbound left (WBL), add overlap phasing to westbound right (WBR).	Prior to construction – Phase II	Pay TUMF and fair-share fees	City of Moreno Valley and WRCOG			
MM-TRA-18. Intersection No. 11 – Graham Street/Alessandro Boulevard: Pay TUMF fee for the addition of an eastbound through (EBT) lane.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-19. Intersection No. 25 – Perris Boulevard/Harley Knox Boulevard: Pay fair-share (1.3%) for the following improvements: add right-turn overlap phasing for westbound right (WBR) and southbound right (SBR) movements.	Prior to construction – Phase II	Pay fair-share fee	City of Perris			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
MM-TRA-20. Intersection No. 29 – Lasselle Street/Alessandro Boulevard: Pay fair-share (4.3%) for the addition of a southbound through (SBT) lane.	Prior to construction – Phase II	Pay fair-share fee	City of Moreno Valley			
MM-TRA-21. Intersection No. 45 – Nason Street/Eucalyptus Avenue: Pay fair-share (6.1%) for the following improvements: add eastbound right (EBR) turn lane, northbound right (NBR) turn lane, and southbound right (SBR) turn lanes. Add right-turn overlap phasing for eastbound right (EBR), northbound right (NBR), and southbound right (SBR) movements.	Prior to construction – Phase II	Pay fair-share fee	City of Moreno Valley			
MM-TRA-22. Intersection No. 56 – Pearl Lane – Moreno Beach Drive/SR-60 Eastbound Ramps: Pay TUMF fee for the following improvements: add second northbound through (NBT), add second southbound through (SBT), restripe southbound through left to southbound left and restripe eastbound through left through to eastbound left-through-right.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-23. Intersection No. 59 – Moreno Beach Drive/Alessandro Boulevard: Pay TUMF fee for the addition of second eastbound through (EBT) lane and second westbound through (WBT) lane, second northbound through (NBT) lane, second southbound through (SBT) lane and northbound right (NBR) lane. Pay fair-share (8.0%) for northbound right overlap phasing.	Prior to construction – Phase II	Pay TUMF and fair-share fees	City of Moreno Valley and WRCOG			
MM-TRA-24. Intersection No. 19 – Perris Boulevard/Alessandro Boulevard: Pay fair-share (2.7%) for the following improvements: add eastbound through (EBT) by removing the center median along both east and west leg approaches and shifting the left-turn lanes to accommodate the through lane. Add right-turn overlap phasing for the NBR, SBR, and EBR. No further mitigations feasible due to right-of-way constraints.	Prior to construction – Phase II	Pay fair-share fee	City of Moreno Valley			
MM-TRA-25. Intersection No. 49 – Nason Street-Hillrose Lane/Iris Avenue: Pay fair-share (26.8%) for the following improvements: a second southbound right (SBR). No further mitigations feasible due to right-of-way constraints.	Prior to construction – Phase II	Pay fair-share fee	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<u>Roadway Segments</u>						
MM-TRA-26. <u>Lasselle Street-Evans Road between Via De Anza - Rancho Verde High School and Ramona Expressway:</u> Pay fair-share (4.0%) to improve the roadway segment to the classification of a six-lane arterial.	Prior to construction – Phase II	Pay fair-share fee	Cities of Moreno Valley and Perris			
MM-TRA-27. <u>Nason Street-Evans Road between Cottonwood Avenue and Alessandro Boulevard:</u> Pay fair-share (9.0%) to improve the roadway segment to the classification of a six-lane arterial.	Prior to construction – Phase II	Pay fair-share fee	City of Moreno Valley			
MM-TRA-28. <u>Moreno Beach Drive between SR-60 Eastbound Ramps and Eucalyptus Avenue:</u> Pay fair-share (7.4%) to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase II	Pay fair-share fee	City of Moreno Valley			
MM-TRA-29. <u>Alessandro Boulevard between Day Street and Elsworth Street:</u> Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-30. <u>Alessandro Boulevard between Frederick Street and Graham Street:</u> Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-31. <u>Alessandro Boulevard between Graham Street and Heacock Street:</u> Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-32. <u>Alessandro Boulevard between Kitching Street and Lasselle Street:</u> Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-33. <u>Alessandro Boulevard between I-215 northbound ramps and Day Street:</u> Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase II	Pay TUMF fee	City of Moreno Valley and WRCOG			
<i>Phase III Completion Year (2038) with Project Traffic Conditions</i>						
<u>Intersections</u>						
MM-TRA-34. <u>Intersection No. 9: Frederick Street/Alessandro Boulevard:</u> Pay TUMF fee for the addition of an eastbound through (EBT) lane.	Prior to construction – Phase III	Pay TUMF fee	City of Moreno Valley and WRCOG			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
MM-TRA-35. Intersection No. 11: Graham Street/Alessandro Boulevard: Pay TUMF fee for the addition of second eastbound through (EBT) lane and a second westbound through (WBT) lane.	Prior to construction – Phase III	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-36. Intersection No. 13: Heacock Street/Alessandro Boulevard: Pay fair-share (2.6%) for the following improvements: add second eastbound left (EBL) turn lane.	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-37. Intersection No. 22: Perris Boulevard/Krameria Avenue: Pay fair-share (1.5%) to restripe westbound approach to westbound left (WBL) and shared westbound through-right (WBTR).	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-38. Intersection No. 25: Perris Boulevard/Harley Knox Boulevard: Pay fair-share (1.3%) for the addition of an eastbound left (EBL) turn lane and add right-turn overlap phasing for westbound right (WBR) and southbound right (SBR) movements.	Prior to construction – Phase III	Pay fair-share fee	City of Perris			
MM-TRA-39. Intersection No. 29: Lasselle Street/Alessandro Boulevard: Pay TUMF fee for the addition of a second westbound through (WBT) and a second eastbound through (EBT) lane.	Prior to construction – Phase III	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-40. Intersection No. 47: Nason Street/Alessandro Boulevard: Pay TUMF fee for the addition of a westbound through (WBT) lane.	Prior to construction – Phase III	Pay TUMF fee	City of Moreno Valley and WRCOG			
MM-TRA-41. Intersection No. 49 – Nason Street-Hillrose Lane/Iris Avenue: pay fair-share (26.8%) for the addition of a southbound right (SBR) turn lane.	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-42. Intersection No. 50: Peal Lane-Oliver Street/Alessandro Boulevard: Pay fair-share (1.9%) for the addition of an eastbound left (EBL) turn lane.	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-43. Intersection No. 57: Moreno Beach Drive/Eucalyptus Avenue: Pay fair share (5.4%) for the following improvements: add southbound left (SBL) and southbound through (SBT).	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-44. Intersection No. 58: Moreno Beach Drive/Cottonwood Avenue: Pay fair-share (9.4%) for the following improvements: add westbound left (WBL), and restripe westbound approach as westbound	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
left (WBL) and shared westbound through-right (WBTR). Change the split phasing for the east-west approach to permitted phasing.						
MM-TRA-45. Intersection No. 59 – Moreno Beach Drive/Alessandro Boulevard: Pay fair-share (8.0%) for addition of second westbound left (WBL) turn-lane.	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-46. Intersection No. 21: Perris Boulevard/Iris Avenue: Pay fair-share (3.1%) to add overlap phasing to northbound right (NBR).	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-47. Intersection No. 39 – Evans Road/Ramona Expressway: Pay TUMF fee for addition of westbound through (WBT) lane.	Prior to construction – Phase III	Pay TUMF fee	City of Moreno Valley and WRCOG			
<u>Roadway Segments</u>						
MM-TRA-48. Alessandro Boulevard between Perris Boulevard and Kitching Street: Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase III	Pay TUMF fee	City of Moreno Valley and WRCOG			
<i>General Plan Buildout (2040) with Project Traffic Conditions</i>						
MM-TRA-49. Intersection No. 47: Nason Street/Alessandro Boulevard: Pay fair-share (9.6%) fee for the addition of a northbound left (NBL) turn-lane.	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
<u>Intersections</u>						
MM-TRA-50. Intersection No. 50: Pearl Lane-Oliver Street/Alessandro Boulevard: Pay fair-share (1.9%) for the addition of a westbound left (WBL) turn lane.	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
<u>Roadway Segments</u>						
MM-TRA-51 Moreno Beach Drive between Alessandro Boulevard and Cactus Avenue: Pay fair-share (15.18%) to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase III	Pay fair-share fee	City of Moreno Valley			
MM-TRA-52 Alessandro Boulevard between Lasselle Street and Nason Street: Pay TUMF fee to improve the roadway segment to the classification of a six-lane divided arterial.	Prior to construction – Phase III	Pay TUMF fee	City of Moreno Valley and WRCOG			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
MM-TRA-53. The project shall contribute a total fair share contribution of \$26,100 to the following Capital Improvement Plan (CIP) improvements: Heacock Street, between Nandina Avenue and Harley Knox Boulevard; and Indian Street, between Krameria Avenue and San Michele Road. As provided in the City's CIP, these improvements consist of extending Heacock Street's existing southern terminus to Harley Knox Boulevard and constructing a four-lane bridge on Indian Street over the Flood Control Channel Lateral A to connect to the existing terminus.	Prior to construction of Phase I	Pay fair-share fee	City of Moreno Valley			
Queuing Impacts						
MM-TRA-55. Prior to the completion of Phase I construction, the project shall extend the existing eastbound left-turn storage lane of Driveway 2 by 30 feet.	Prior to completion of Phase I construction	Complete Driveway 2 improvement	City of Moreno Valley			
MM-TRA-56. Prior to the completion of Phase II construction, the project shall remove the existing raised median on Iris Avenue for the eastbound approach to Driveway 2, stripe the eastbound approach to accommodate a second eastbound left-turn lane, and extend the dual left-turn pocket up to 400 feet. Additionally, the existing southbound left-turn storage at Driveway 2 shall be extended to 200 feet prior to the completion of Phase II construction.	Prior to completion of Phase II construction	Complete Driveway 2 improvement	City of Moreno Valley			
<i>Tribal Cultural Resources</i>						
MM-TCR-1. Prior to the issuance of a grading permit, the Applicant shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards. The project archaeologist, in consultation with the Soboba Band of Luiseno Indians, the construction manager, and any contractors will conduct an Archaeological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training session will include a handout and will focus on how to identify archaeological and Tribal Cultural Resources that may be encountered during earthmoving activities and the procedures to be followed in such	Prior to issuance of grading permit	Kaiser shall retain a qualified archaeologist; Archaeologist and representative from Soboba Band of Luiseno Indians shall	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
an event, including who to contact and the appropriate avoidance measures that need to be undertaken until the find(s) can be properly evaluated; the duties of archaeological and the Soboba Band of Luiseno Indians monitor; and the general steps a qualified professional archaeologist would follow in conducting a salvage investigation if one is necessary. All new construction personnel that will conduct earthwork or grading activities must take the Archaeological Sensitivity Training prior to beginning work on the project and the professional archaeologist shall make themselves available to provide the training on an as-needed basis. A sign-in sheet shall be compiled to track attendance and shall be submitted to the City of Moreno Valley with the Phase IV Archaeological Monitoring Report.		conduct training session				
MM-TCR-2. Preconstruction Notification of Soboba Band of Luiseno Indians Representatives. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that the Soboba Band of Luiseno Indians Representatives received a minimum of 30 days advance notice of all mass grading and trenching activities, and provide evidence of monitoring agreements between the Applicant and the Tribe. The Soboba Band of Luiseno Indians shall be notified a minimum of 48 hours in advance and allowed to attend the pre-grading meeting with the City and project construction contractors and/or monitor all project mass grading and trenching activities.	Prior to issuance of grading permit	Kaiser shall demonstrate to City that Native American Tribal Representatives (Soboba Band of Luiseno Indians) have received notification	City of Moreno Valley			
MM-TCR-3. Prior to grading permit issuance, the Applicant and the City of Moreno Valley 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 Soboba Band of Luiseno Indians 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 Soboba Band of Luiseno Indians to the site to assess the significance of the find."	Prior to issuance of grading permit	Kaiser and City shall verify required note is on grading plans	City of Moreno Valley			
MM-TCR-4. Prior to the issuance of a grading permit, the Applicant shall retain a qualified archaeological monitor as well as secure an	Prior to issuance of grading	Kaiser shall retain a qualified	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
agreement with the Soboba Band of Luiseno Indians for tribal monitoring. The archaeological monitor will work under the direction and guidance of the qualified professional archaeologist and will meet the U.S. Secretary of the Interior's Professional Qualifications and Standards. The archeological monitor and the Soboba Band of Luiseno Indians monitor shall have the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during project construction. Archaeological and tribal cultural monitoring is required at all depths and strata. The archaeological and tribal cultural monitors shall be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into non-fill younger Pleistocene alluvial sediments. Multiple earth-moving construction activities may require multiple archaeological monitors. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to any known archaeological resources, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the qualified professional archaeologist.	permit; During construction	archaeologist; Archaeologist shall halt work in vicinity of potential archaeological and/or tribal cultural resources				
MM-TCR-5. The applicant shall ensure that all ground-disturbing activities are ceased and treatment plans are implemented if tribal cultural resources (TCRs) are encountered. In the event that TCRs are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 100 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All TCRs unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards.	During construction	Ground-disturbing activities are ceased in vicinity a potential archaeological or tribal cultural resource	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<p>In the event that a TCR is encountered during ground-disturbing activities, the landowner(s) shall relinquish ownership of all such resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains. The artifacts shall be relinquished through one or more of the following methods and evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <ol style="list-style-type: none"> 1. Accommodate the process for Preservation-In-Place/Onsite reburial of the discovered items with the Soboba Band of Luiseno Indians, as detailed in the treatment plan prepared by the professional archaeologist. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed; 2. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 Code of Federal Regulations (CFR) Part 79; therefore, the resources would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and/or 3. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center by default. 						
<p>MM-TCR-6. Prior to the issuance of a grading permit, project archaeologist, in consultation with the Soboba Band of Luiseno Indians, the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all</p>	Prior to issuance of grading permit	Archaeologist, representative from Soboba Band of Luiseno Indians, and	City of Moreno Valley			

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Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<p>archaeological and cultural activities that will occur on the project site. Details in the CRMP shall include:</p> <ul style="list-style-type: none"> a. Project grading and development scheduling; b. The project archeologist and the Soboba Band of Luiseno Indians as defined in MM-TCR-1 shall attend the pre-grading meeting with the City, the construction manager and any contractors and shall conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training shall include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that shall conduct earthwork or grading activities that begin work on the project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the project archaeologist and Soboba Band of Luiseno Indians shall make themselves available to provide the training on an as-needed basis; c. The protocols and stipulations that the contractor, City, Soboba Band of Luiseno Indians, and project archaeologist shall follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. 		contractor shall develop a Cultural Resources Management Plan				
<p>MM-TCR-7. Prior to building permit issuance, the project archaeologist shall prepare a final Phase IV Monitoring Report as outlined in the Cultural Resources Management Plan (CRMP), which shall be submitted to the City of Moreno Valley Planning Division, the Soboba Band of Luiseno Indians, and the Eastern Information Center at the University of</p>	Prior to issuance of building permit	Archaeologist shall prepare a Phase IV Monitoring Report	City of Moreno Valley			

4 - MITIGATION MONITORING AND REPORTING PROGRAM

Attachment: Attachment B to 2020-07 Final KPMV_MMRP (3973 : PEN18-0228, PEN18-0229, PEN18-0230 &

Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
California, Riverside. The report shall include a description of resources unearthed, if any, evaluation of the resources with respect to the California Register and CEQA, and treatment of these resources. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated in a Riverside County repository according to the current professional repository standards and may include the Western Science Center or other federally approved repository.						
MM-TCR-8. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Soboba Band of Luiseno Indians Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and the Soboba Band of Luiseno Indians, as defined in the Cultural Resources Management Plan, prepared under MM-TCR-6, before any further work commences in the affected area.	During excavation or construction	Qualified person meeting Secretary of the Interior's standards shall consult with the City	City of Moreno Valley			
MM-TCR-9. In the event that any human remains are unearthed during project construction, the City of Moreno Valley and the Applicant shall comply with State Health and Safety Code Section 7050.5 The City of Moreno Valley and the Applicant shall immediately notify the Riverside County Coroner's office and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition. If remains are determined to be of Native American descent, the coroner has 24-hours to notify the Native American Heritage Commission (NAHC). The NAHC shall identify the person(s)	During construction	Contractor shall comply with State Health and Safety Code Section 7050.5 in the event of discovery of human remains	City of Moreno Valley, NAHC			

4 - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Mitigation Monitoring			Verification of Compliance		
	Monitoring Phase	Monitoring Method	Enforcing Agency & Responsible Agency	Initial	Date	Comments
<p>thought to be the Most Likely Descendant (MLD). After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment or disposal, with appropriate dignity, of the human remains and any associated funerary objects. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and cultural items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the MLD all reasonable options regarding the MLDs preferences for treatment.</p> <p>If the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.</p>						

Attachment: Attachment B to 2020-07 Final KPMV_MMRP (3973 : PEN18-0228, PEN18-0229, PEN18-0230 &

4 - MITIGATION MONITORING AND REPORTING PROGRAM

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Attachment: Attachment B to 2020-07 Final KPMV_MMRP (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente

PLANNING COMMISSION RESOLUTION NO. 2020-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING MASTER PLOT PLAN PEN18-0228 FOR THE KAISER PERMANENTE MORENO VALLEY MEDICAL CENTER EXPANSION PROJECT INCLUDING THE ENERGY CENTER EXPANSION, THE HOSPITAL EXPANSION, THE ADDITION OF MEDICAL OFFICE BUILDINGS, AND PARKING STRUCTURES TO BE COMPLETED IN THREE PHASES; PLOT PLAN PEN18-0229 FOR THE DIAGNOSTIC AND TREATMENT CENTER EXPANSION; AND PLOT PLAN PEN18-0230 FOR A NEW ENERGY CENTER; ALL FOR PROPERTY LOCATED ON THE NORTH SIDE OF IRIS AVENUE WEST OF OLIVER STREET, ASSESSORS PARCEL NUMBERS 486-310-033 AND 486-310-034.

WHEREAS, the applicant, Kaiser Foundation Hospitals, submitted applications for the approval of a Master Plot Plan PEN18-0228 for the overall Kaiser Permanente Moreno Valley Medical Center campus expansion to include an expansion of the existing energy center, addition of new medical buildings with parking structures to be completed in three phases; Plot Plan PEN18-0229 for a Diagnostic and Treatment Center expansion; and Plot Plan PEN18-0230 for a new Energy Center to replace the existing Central Utility Plan, all as described in the title of this Resolution; and

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

WHEREAS, upon completion of a thorough development review process, the project was appropriately agenzized and noticed in the Press Enterprise March 13, 2020, posted on the site on March 16, 2020, and mailed to property owners within 600 feet for a public hearing before the Planning Commission of March 26, 2020; and

WHEREAS, on March 26, 2020, the Planning Commission of the City of Moreno Valley conducted a meeting to consider the application; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby 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 meeting on March 26, 2020 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.

FACTS: The General Plan encourages a mix of uses in the Commercial and Residential Office land use designations to provide a diversified economic base and ample employment opportunities and when combined with the Medical Use Overlay district provides uses that are supportive of and are compatible with medical uses. The current General Plan designation for the project site is Commercial (C) and Residential Office (R/O) within the Medical Use Overlay District.

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

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

FACTS: The existing hospital site is located in the Community Commercial (CC) and Office Commercial (OC) zoning districts within the Medical Use Overlay District, which allows the existing use and the expansion of the site and supports the medical use development.

The project will include the expansion of the existing facilities, the construction of new medical offices with related parking and the overall campus design integrating all uses. The project conditions require landscaping, photometric and fence and wall plans throughout the project phases.

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

FACTS: The proposed project, an expansion to the existing energy center and hospital and the addition of new medical office buildings with associated parking structures would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

The proposed project as designed and conditioned will not result in a development that would be inconsistent with General Plan Objective 6.1 to minimize the potential for loss of life and protect residents, workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and secondary effects or General Plan Objective 6.2 to minimize the potential for loss of life and protect residents, workers, and visitors to the City from physical injury and property damage, and to minimize nuisances due to flooding.

The analysis presented in the Environmental Impact Report (EIR) indicates that the proposed project will have potentially significant impacts as a direct result of the proposed project in Air Quality and Transportation. The EIR includes proposed mitigation measures to reduce or eliminate all impacts, with the exception of Air Quality and Transportation, which have been mitigated to the extent feasible.

The Final EIR has been prepared to address the potential environmental impacts of the project and where impact occur, provide mitigation measures to reduce the levels to below significance. After careful consideration of the environmental risks, the Final EIR identified that even after application of feasible mitigation, two impacts would remain unavoidable, Air Quality for exceedance of NOx primarily due to mobile sources emissions and energy use at the Energy Center, and Transportation at selected intersections upon buildout during phases. The economic, employment and infrastructure benefits that are expected to result from development of the project have been reviewed by the Planning Commission as the approving body for the project, to outweigh the unavoidable adverse environmental effect, as articulated in the Facts, Findings and Statement of Overriding Considerations prepared for the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

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.

FACTS: The project is located on the north side of Iris Avenue west of Oliver Street. Land uses to the north, and west include vacant land zoned low to medium residential within the Specific Plan 217. To the south, existing single family within the Specific Plan 193, with medium to low density. Properties to the east include neighborhood commercial and office zoning with limited development. The project as designed and conditioned is compatible with existing and proposed land uses in the vicinity. The hospital and office uses are permitted in the Community Commercial and Office Commercial, which include the Medical Use Overlay. The proposed development will be compatible to the existing use with the site.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

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

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

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PEN18-0228, PEN18-0229 and PEN18-0230, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

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

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

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2020-08 as follows:

1. **APPROVE** PEN18-0228, PEN18-0229 and PEN18-0230 Plot Plans, subject to the attached conditions of approval attached as Exhibit A, Exhibit B, and Exhibit C, respectively.

APPROVED this 26th day of March, 2020

 Jeffrey Sims
 Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

 Patty Nevins, Planning Official

 City Attorney

Attachments: A, B, and C

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0228)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN18-0228)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
3. 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)
4. 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)
5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
7. 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), require separate application and approval by the Planning Division. No signs are

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0228)

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permitted in the public right of way. (MC 9.12)

8. 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.

Special Conditions

9. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
10. 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 shall remain in place until the project is completed or the above conditions no longer exist. (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).
11. The site is approved for the Kaiser Permanente Moreno Valley Medical Center Master Plan. The Master Plan includes the overall concept for development of the medical center campus in three phases including the overall site plan, structure locations, building elevations and all interior and exterior site improvements per the approved plans. With the grading and building plan approval, and construction of at least one component of Phase I, the requirements of Section 9.02.230 of the Municipal Code will be satisfied and further development of the phased project consistent with all City requirements can proceed without filing extensions of time. Separate Plot Plan (Administratively approved), plan check, grading plan review and/or improvement plan applications will be required for each structure, and/or design area consistent with this approval. A major change or modification to the site plan, building locations and/or elevations will require separate review and approval as determined by the Community Development Director.

Phase I

Diagnostic and Treatment (D&T) Building

Energy Center

Temporary Parking

Associated interior site and exterior site improvements as conditioned.

Phase II

North and East Patient Bed Tower and D&T Expansion

Medical Office Building No. 3

Energy Center Expansion

Parking Structure No. 1

Parking Structure No. 2

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0228)

Page 3

Associated interior site and exterior site improvements as conditioned.

Phase III

West and South Patient Bed Tower

Medical Office Building No. 4

Parking Structure No. 3

Associated interior site and exterior site improvements as conditioned.

12. The following Mitigation Measures in addition to the approved MMRP apply to this project:
MM-TCR-1 Prior to the issuance of a grading permit, the Applicant shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards. The project archaeologist, in consultation with the Soboba Band of Luiseno Indians, the construction manager, any contractors will conduct an Archaeological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training session will include a handout and will focus on how to identify archaeological and Tribal Cultural Resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, including who to contact and the appropriate avoidance measures that need to be undertaken until the find(s) can be properly evaluated; the duties of archaeological and Soboba Band of Luiseno Indians monitors; and the general steps a qualified professional archaeologist would follow in conducting a salvage investigation if one is necessary. All new construction personnel that will conduct earthwork or grading activities must take the Archaeological Sensitivity Training prior to beginning work on the project and the professional archaeologist shall make themselves available to provide the training on an as-needed basis. A sign-in sheet shall be compiled to track attendance and shall be submitted to the City of Moreno Valley with the Phase IV Archaeological Monitoring Report.
13. MM-TCR-2 Preconstruction Notification of Soboba Band of Luiseno Indians Representatives. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that the Soboba Band of Luiseno Indians Representatives received a minimum of 30 days advance notice of all mass grading and trenching activities, and provide evidence of monitoring agreements between the Applicant and the Tribes. The Native American Tribal Representatives shall be notified a minimum of 48 hours in advance and allowed to attend the pre-grading meeting with the City and project construction contractors and/or monitor all project mass grading and trenching activities.
14. MM-TCR-3 Prior to grading permit issuance, the Applicant and the City of Moreno Valley 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 Soboba Band of Luiseno Indians

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0228)

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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 Native American Tribal Representatives to the site to assess the significance of the find.”

15. MM-TCR-4 Prior to the issuance of a grading permit, the Applicant shall retain a qualified archaeological monitor as well as secure an agreement with the Soboba Band of Luiseno Indians for tribal monitoring. The archaeological monitor will work under the direction and guidance of the qualified professional archaeologist and will meet the U.S. Secretary of the Interior’s Professional Qualifications and Standards. The archeological monitor and the Soboba Band of Luiseno Indians monitor shall have the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during project construction. Archaeological and tribal cultural monitoring is required at all depths and strata. The archaeological and tribal cultural monitors shall be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into non-fill younger Pleistocene alluvial sediments. Multiple earth-moving construction activities may require multiple archaeological monitors. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to any known archaeological resources, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the qualified professional archaeologist.

16. MM-TCR-5 The applicant shall ensure that all ground-disturbing activities are ceased and treatment plans are implemented if tribal cultural resources (TCRs) are encountered. In the event that TCRs are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 100 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All TCRs unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior’s Professional Qualifications and Standards.

In the event that a TCR is encountered during ground-disturbing activities, the landowner(s) shall relinquish ownership of all such resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains. The artifacts shall be relinquished through one or more of the following methods and evidence of such shall be provided to the City of Moreno Valley Planning Department:

1. Accommodate the process for Preservation-In-Place/Onsite reburial of the

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0228)

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discovered items with the Soboba Band of Luiseno Indians, as detailed in the treatment plan prepared by the professional archaeologist. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;

2. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 Code of Federal Regulations (CFR) Part 79; therefore, the resources would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and/or

3. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center by default.

17. MM-TCR-6 Prior to the issuance of a grading permit, project archaeologist, in consultation with the Soboba Band of Luiseno Indians, the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the CRMP shall include:
- a. Project grading and development scheduling;
 - b. The Project archeologist and the Soboba Band of Luiseno Indians as defined in MM-TCR-1 shall attend the pre-grading meeting with the City, the construction manager and any contractors and shall conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training shall include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that shall conduct earthwork or grading activities that begin work on the project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the project archaeologist and Soboba Band of Luiseno Indians shall make themselves available to provide the training on an as-needed basis;
 - c. The protocols and stipulations that the contractor, City, Soboba Band of Luiseno Indians, and project archaeologist shall follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
18. MM-TCR-7 Prior to building permit issuance, the project archaeologist shall

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Plot Plan (PEN18-0228)

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prepare a final Phase IV Monitoring Report as outlined in the Cultural Resources Management Plan (CRMP), which shall be submitted to the City of Moreno Valley Planning Division, the Soboba Band of Luiseno Indians and the Eastern Information Center at the University of California, Riverside. The report shall include a description of resources unearthed, if any, evaluation of the resources with respect to the California Register and CEQA, and treatment of these resources. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated in a Riverside County repository according to the current professional repository standards and may include the Soboba Band of Luiseno Indians, the Western Science Center or other federally approved repository.

19. MM-TCR-8 If potential historic or cultural resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Soboba Band of Luiseno Indians Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and the Soboba Band of Luiseno Indians, as defined in the Cultural Resources Management Plan, prepared under MM-TCR-6, before any further work commences in the affected area.

20. MM-TCR-9 In the event that any human remains are unearthed during project construction, the City of Moreno Valley and the Applicant shall comply with State Health and Safety Code Section 7050.5 The City of Moreno Valley and the Applicant shall immediately notify the Riverside County Coroner's office and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition. If remains are determined to be of Native American descent, the coroner has 24-hours to notify the Native American Heritage Commission (NAHC). The NAHC shall identify the person(s) thought to be the Most Likely Descendant (MLD). After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment or disposal, with appropriate dignity, of the human remains and any associated funerary objects. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the landowner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and cultural items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0228)

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immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the MLD all reasonable options regarding the MLDs preferences for treatment.

If the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

Prior to Grading Permit

21. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.
22. Prior to approval of any grading permits, if required, 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.
23. Prior to issuance of any grading permits in each phase, mitigation measures contained in the Mitigation Monitoring and Reporting Program approved with this project shall be implemented as provided therein. 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) A Mitigation Monitoring and Reporting program application/fee is required for each phase.
24. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
25. 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. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0228)

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26. 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 solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
 - B. A 3-foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - C. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
 - D. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official. (DC 9.08.070)
27. 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 Requirements and shall include:
- A. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - B. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - C. Diamond planters shall be provided every 3 parking stalls where applicable.
 - D. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.
 - E. Street trees shall be provided every 40 feet on center in the right of way (if existing trees are compromised during construction).
 - F. 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.
 - G. Enhanced landscaping shall be provided at all driveway entries and street

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corner locations The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.

H. Landscaping on three sides of any trash enclosure.

I. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.

28. 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)
29. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
30. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
31. Prior to or at building plan check submittal, 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 prior to the issuance of a building permit. 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, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)
32. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. 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.

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33. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.

Building Division

34. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
35. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
36. Contact the Building Safety Division for permit application submittal requirements for construction elements and building outside the scope of OSHPD.
37. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
38. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
39. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
40. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
41. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2016 CBC.
42. The proposed non-residential project shall comply with 2016 California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).

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43. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
44. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

45. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
46. New Moreno Valley businesses may adopt a "First Source" approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.
47. New Moreno Valley businesses are encouraged to hire local residents.
48. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center ("ERC").

The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

49. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[1])
50. Prior to issuance of Certificate of Occupancy, approval shall be required from the

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County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)

51. 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)
52. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
53. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler 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, MVMC 8.36.100[D])
54. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
55. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
56. 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)
57. 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 501.4)
58. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)

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59. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
60. 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, 501.3) a - 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.
61. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
62. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
63. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
64. 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, CFC 501.4)
65. 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 Code Official. 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)
66. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6” x 4” x 2 ½” x 2 ½”) (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)

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67. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
68. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
69. 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)
70. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
71. 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 said waterflow for 2 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)
72. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
73. 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)
74. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
 - a. Be signed by a registered civil engineer or a certified fire protection engineer;
 - b. Contain a Fire Prevention Bureau approval signature block; and
 - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

PUBLIC WORKS DEPARTMENT

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Land Development

75. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. 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.
76. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
77. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
78. The developer shall monitor, supervise and control all construction related 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.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
- Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in 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.
79. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows.

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Secondary emergency escape shall also be provided.

80. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
81. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - c. Public improvement plans (e.g., street/storm drain w/ striping, sewer/water, etc.) (prior to encroachment permit issuance);
 - e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. Legal Documents (e.g., Easement(s), Dedication(s), Vacation(s), etc.) (prior to Building Permit Issuance);
 - h. As-Built revision for all plans (prior to Occupancy release);

Prior to Grading Plan Approval

82. Resolution of all drainage issues shall be as approved by the City Engineer.
83. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
84. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
85. For developments required to submit a CLOMR(-F) / LOMR(-F), the following items (prepared by a licensed civil engineer or land surveyor) shall be submitted:
- a. Prior to plan approval, a Floodplain Development Permit (application available at the City).
 - b. Prior to issuance of the first building permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the

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City Engineer and FEMA.

c. Prior to issuance of the certificate of occupancy, a Letter of Map Revision (LOMR) package with appropriate fees shall be submitted and approved by the City Engineer and FEMA.

d. Prior to 90% reduction of public improvement securities, a Letter of Map Revision (LOMR) approved by FEMA shall be submitted to the City.

The developer shall comply with the rules and regulations of FEMA and City Municipal Code 8.12 for development within a flood hazard area (defined as Zones A, AE and AH).

86. 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. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
87. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
88. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
89. The developer shall pay all remaining plan check fees.
90. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
91. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.

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92. 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) which shall be noted on the grading plans.
93. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, 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. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
- a. The Applicant has proposed to incorporate the use of Bio-retention as well as Modular Wetland Systems. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. 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.
 - b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP, if applicable.
 - c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
 - d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
 - e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
 - f. Post-construction treatment control 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.
 - g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.

Prior to Grading Permit

94. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]

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95. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
96. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
97. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
98. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
99. The developer shall pay all applicable inspection fees.

Prior to Improvement Plan Approval

100. 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, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
101. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
102. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
103. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
104. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
105. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the

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City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer.

106. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

107. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
108. All applicable inspection fees shall be paid.
109. Any work performed within public right-of-way requires an encroachment permit.
110. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

111. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
112. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
113. The southerly half of Filaree Avenue along the project frontage shall be vacated prior to Building Permit Issuance of the perimeter wall that runs parallel to Filaree Avenue.

Prior to Occupancy

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114. All outstanding fees shall be paid.
115. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
116. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
117. For commercial, industrial and multi-family projects, 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. 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, this project is subject to the following 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 option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
118. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (SCE: LS-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

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- e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
119. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific 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.
120. 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 for review and approved by the City Engineer.
121. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

122. Commercial (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at

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951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

123. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
124. If the Iris median is conditioned to be extended then, the ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
125. If the Iris median is conditioned to be extended then, any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
126. The parcel associated with this project is located within the boundaries of Zone 04 of Moreno Valley Community Services District Landscape Maintenance District 2014-02 and is subject to an assessment in connection therewith. An annual assessment is levied on all taxable parcels in connection with Zone 04 to fund landscape maintenance services associated with parkway and median landscaping.

When preparing the assessment roll for a given fiscal year, the assessment administrator calculates the assessment against each parcel in Zone 04 based

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upon its actual land use as of March 1 prior to that fiscal year. If a building permit is issued for any part of the Phase 1 work prior to March 1, then the parcel associated with this project will be classified as "Developed Non-Residential" for assessment purposes. Property owner will execute a document acknowledging the Zone 04 assessment will be levied on future property tax bills.

127. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
128. This project has been identified to potentially be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but will retain the right to object any eventual assessment that is not equitable should the financial burden of the assessment not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a 90 day process in compliance with the provisions of Article 13C of the California Constitution. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100).
129. If the Iris median is conditioned to be extended then, for those areas to be maintained by the City and prior to the issuance of the first Building Permit, Planning Division (Community Development Department), Special Districts Division (the Public Works Department) and Transportation Division (the Public Works Department) shall review and approve the final median, parkway, slope, and/or open space landscape/irrigation plans as designated on the tentative map or in these Conditions of Approval prior to the issuance of the first Building Permit.
130. If the Iris median is conditioned to be extended then, plans for parkway, median, slope, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at www.moval.org/sd or from the Special Districts Division (951.413.3480 or specialdistricts@moval.org).

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131. If the Iris median is conditioned to be extended then, modification of existing irrigation systems for parkway improvements may be required per the direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.
132. If the Iris median is conditioned to be extended then, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)
133. If the Iris median is conditioned to be extended then, the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced, at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)
134. If the Iris median is conditioned to be extended then, parkway, open space, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the approved landscape plans and completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.
135. If the Iris median is conditioned to be extended then, landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated to be maintained by the City 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.

Transportation Engineering Division

136. Conditions of approval may be modified and/or added if the project is phased or altered from any approved plans.
137. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
138. The project driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches. Access at the project driveways on Iris Avenue shall be as follows:
 - West driveway (1st driveway): right-turn in/out only (all 3 phases).
 - Main driveway (2nd driveway, currently signalized): full access (all 3 phases).
 - East driveway (3rd driveway): left-turn in + right-turn in/out (Phase 1), right-turn in/out only (Phase 2 & 3).

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139. Prior to the final approval of the street improvement plans for Phase 1, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 to restrict the southbound left-turn out traffic movement at the project eastern most driveway (3rd driveway) on Iris Avenue. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered Civil or Traffic Engineer.
140. Prior to the final approval of the street improvement plans for Phase 1, a median improvement plan shall be prepared by a registered civil engineer for the existing landscaped median on Iris Avenue, west of the Kaiser Hospital signalized main driveway. The median shall be designed per current City Standards to extend the existing east bound left-turn lane storage length to a minimum of 225 feet at Iris Avenue/Kaiser Hospital intersection. Median construction shall include but not be limited to: paving, concrete curbs, median landscape, signing and striping. Exact requirements will be determined during the plan check process.
141. Prior to the final approval of the street improvement plans for Phase 2, a bus stop/ bus turnout construction plan shall be designed per the latest City of Moreno Valley Standard Plans, or as approved by the City Engineer, to relocate the existing bus stop/ bus turnout on the north side of Iris Avenue near the project east driveway (3rd driveway) to the new location on the north side of Iris Avenue approximately 25 feet west of Iris Avenue/Kaiser Hospital signalized main driveway. Bus turnout/ bus stop construction shall include but not be limited to: paving, concrete curbs, gutter, sidewalk, landscape, bus stop shelter/furniture, and signs. Exact requirements will be determined during the plan check process.
142. Prior to the final approval of the street improvement plans for Phase 2, a median improvement plan shall be prepared by a registered Civil Engineer for the existing landscaped median on Iris Avenue along the project frontage. The median shall be designed per current City Standards to accommodate a second east bound left-turn lane (375 feet storage length) at Iris Avenue/Kaiser Hospital intersection. The median shall also be modified to restrict left-turn in/out movements at the project east driveway (3rd driveway) on Iris Avenue. Median construction shall include but not be limited to: paving, concrete curbs, median landscape, signing and striping. Exact requirements will be determined during the plan check process.
143. Prior to the final approval of the street improvement plans for Phase 2, a traffic signal modification plan shall be prepared to add a second east bound left-turn lane for the existing traffic signal at Iris Avenue/Kaiser Hospital intersection. Traffic signal modification plan shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered Civil Engineer. Specific modifications shall

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be determined during plan check process.

144. Prior to the final approval of the street improvement plans for Phase 2, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 to add a second east bound left-turn lane for the existing traffic signal at Iris Avenue/Kaiser Hospital intersection. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered Civil or Traffic Engineer.
145. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval by the City Traffic Engineer.
146. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at the project driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fence and monument sign shall not be located in an area that obstructs the drivers' line-of-sight.
147. Prior to the issuance of Building Permit for Phase 1, the project applicant shall make all fair-share payments per the Mitigation Monitoring and Reporting Program to the City of Moreno Valley and / or provide evidence of payment to any agency with an intersection outside of the City's jurisdiction.
148. Prior to the issuance of Building Permit for Phase 2, the project applicant shall make all fair-share payments per the Mitigation Monitoring and Reporting Program to the City of Moreno Valley and / or provide evidence of payment to any agency with an intersection outside of the City's jurisdiction.
149. Prior to the issuance of Building Permit for Phase 3, the project applicant shall make all fair-share payments per the Mitigation Monitoring and Reporting Program to the City of Moreno Valley and / or provide evidence of payment to any agency with an intersection outside of the City's jurisdiction.
150. Prior to issuance of Certificate of Occupancy for Phase 1 of this project, all required signing and striping for Phase 1 shall be installed per current City Standards and the approved plans.
151. Prior to issuance of Certificate of Occupancy for Phase 1 of this project, median improvements for Phase 1 to extend the east bound left-turn lane at Iris Avenue/Kaiser Hospital signalized intersection shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.
152. Prior to issuance of Certificate of Occupancy for Phase 2 of this project, the existing

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bus stop and bus turnout on the north side of Iris Avenue near the project east driveway (3rd driveway) shall be relocated to the new location on the north side of Iris Avenue approximately 25 feet west of Iris Avenue/Kaiser Hospital signalized main driveway per the approved plans to the satisfaction of the City Engineer.

153. Prior to issuance of Certificate of Occupancy for Phase 2 of this project, median improvements for Phase 2 along the project frontage shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.
154. Prior to issuance of Certificate of Occupancy for Phase 2 of this project, all Phase 2 modification work for the existing traffic signal at the intersection of Iris Avenue and Kaiser Hospital main driveway shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.
155. Prior to issuance of Certificate of Occupancy for Phase 2 of this project, all required signing and striping for Phase 2 shall be installed per current City Standards and the approved plans.

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
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EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
3. 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)
4. 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)
5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
7. 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), require separate application and approval by the Planning Division. No signs are

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permitted in the public right of way. (MC 9.12)

8. 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.

Special Conditions

9. The Mitigated Monitoring and Reporting Program adopted with PEN18-0217 applies to this project. A Mitigation Monitoring and Reporting Program fee shall be paid to the Planning Division for each phase, prior to any building or grading permits reviewed and/or issued.
10. The site has been approved for the Diagnostic and Treatment Center Expansion increasing the hospital 95,000 square feet (two story) with associated site modifications per Phase I of the approved plans. A change or modification shall require separate approval.

Prior to Grading Permit

11. Prior to issuance of any grading permit or building permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading and building plans.
12. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must 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 immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community 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 during grading and other construction excavation, 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 notified within 5-days of the published finding to be given a reasonable opportunity to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the

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- treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).
13. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
 14. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress/egress locations of the project. [apply to commercial and multi-family project, and major entry driveways for industrial]
 15. 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 solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
 - B. 3-foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - C. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
 - D. Walls and fences for visual screening are required when there are adjacent residential uses or residential zoned property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official. (DC 9.08.070)
 16. 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 Requirements MC 9.17.
 17. 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

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- incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30)
18. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
 19. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
 20. Prior to or at building plan check submittal, the elevation plans shall include decorative lighting sconces on all sides of the buildings of the complex facing a parking lot, courtyard or plaza, or public right of way or open space to provide up-lighting and shadowing on the structures. Include drawings of the sconce details for each building within the elevation plans, approved by the Planning Division prior to building permit issuance.
 21. Prior to or at building plan check submittal, 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 prior to the issuance of a building permit. 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, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)
 22. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. 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.

Prior to Building Final or Occupancy

23. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
24. Prior to building final, Planning approved/stamped landscape plans shall be

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provided to the Community Development Department – Planning Division on a CD disk.

25. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

26. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
27. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.
28. New Moreno Valley businesses are encouraged to hire local residents.
29. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
30. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”).

The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

31. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
32. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention

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- Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
33. 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)
 34. 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 501.4)
 35. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
 36. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
 37. Prior to issuance of building permits, plans specifying the required structural materials for building construction in high fire hazard severity zones shall be submitted to the Fire Prevention Bureau for approval. (CFC, 4905)
 38. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[!])
 39. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
 40. 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, 501.3) a - 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

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accessible.

41. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
42. 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)
43. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
44. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
45. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
46. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler 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, MVMC 8.36.100[D])
47. 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, CFC 501.4)
48. 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 Code Official. 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)
49. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located

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within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)

50. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
51. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
52. 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)
53. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
54. 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 said waterflow for 2 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)
55. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
56. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
 - a. Be signed by a registered civil engineer or a certified fire protection engineer;
 - b. Contain a Fire Prevention Bureau approval signature block; and
 - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be

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maintained accessible.

PUBLIC WORKS DEPARTMENT**Land Development**

57. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. 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.
58. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
59. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
60. The developer shall monitor, supervise and control all construction related 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.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
- Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in 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

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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.

61. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
62. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
63. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
 - a. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - c. Public improvement plans (e.g., street/storm drain w/ striping, sewer/water, etc.) (prior to encroachment permit issuance);
 - e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. Legal Documents (e.g., Easement(s), Dedication(s), Vacation(s), etc.) (prior to Building Permit Issuance);
 - h. As-Built revision for all plans (prior to Occupancy release);

Prior to Grading Plan Approval

64. Resolution of all drainage issues shall be as approved by the City Engineer.
65. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
66. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
67. The developer shall comply with the rules and regulations of FEMA and City

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Municipal Code 8.12 for development within a flood hazard area (defined as Zones A, AE and AH).

For developments required to submit a CLOMR(-F) / LOMR(-F), the following items (prepared by a licensed civil engineer or land surveyor) shall be submitted:

a. Prior to plan approval, a Floodplain Development Permit (application available at the City).

b. Prior to issuance of the first building permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City Engineer and FEMA.

c. Prior to issuance of the certificate of occupancy, a Letter of Map Revision (LOMR) package with appropriate fees shall be submitted and approved by the City Engineer and FEMA.

d. Prior to 90% reduction of public improvement securities, a Letter of Map Revision (LOMR) approved by FEMA shall be submitted to the City.

68. 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. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.

d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.

69. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

70. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.

71. The developer shall pay all remaining plan check fees.

72. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be

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available for review upon request.

73. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
74. 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) which shall be noted on the grading plans.
75. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, 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. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
 - a. The Applicant has proposed to incorporate the use of Bio-retention as well as Modular Wetland systems. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. 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.
 - b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP, if applicable.
 - c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
 - d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
 - e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
 - f. Post-construction treatment control 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.
 - g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.

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Prior to Grading Permit

76. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
77. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
78. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
79. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
80. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
81. The developer shall pay all applicable inspection fees.

Prior to Improvement Plan Approval

82. 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, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
83. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
84. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
85. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
86. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate

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structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.

87. 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer.
88. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

89. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
90. All applicable inspection fees shall be paid.
91. Any work performed within public right-of-way requires an encroachment permit.
92. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

93. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
94. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

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95. The southerly half of Filaree Avenue along the project frontage shall be vacated prior to Building Permit Issuance.

Prior to Occupancy

96. All outstanding fees shall be paid.
97. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
98. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
99. For commercial, industrial and multi-family projects, 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. 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, this project is subject to the following 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 option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
100. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (SCE: LS-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
101. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific 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.
102. 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 for review and approved by the City Engineer.
103. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

104. Commercial (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not

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limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

105. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
106. If the Iris median is conditioned to be extended then, the ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
107. If the Iris median is conditioned to be extended then, any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
108. The parcel associated with this project is located within the boundaries of Zone 04 of Moreno Valley Community Services District Landscape Maintenance District 2014-02 and is subject to an assessment in connection therewith. An annual assessment is levied on all taxable parcels in connection with Zone 04 to fund

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landscape maintenance services associated with parkway and median landscaping.

When preparing the assessment roll for a given fiscal year, the assessment administrator calculates the assessment against each parcel in Zone 04 based upon its actual land use as of March 1 prior to that fiscal year. If a building permit is issued for any part of the Phase 1 work prior to March 1, then the parcel associated with this project will be classified as "Developed Non-Residential" for assessment purposes. Property owner will execute a document acknowledging the Zone 04 assessment will be levied on future property tax bills.

109. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
110. This project has been identified to potentially be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but will retain the right to object any eventual assessment that is not equitable should the financial burden of the assessment not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a 90 day process in compliance with the provisions of Article 13C of the California Constitution. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100).
111. If the Iris median is conditioned to be extended then, for those areas to be maintained by the City and prior to the issuance of the first Building Permit, Planning Division (Community Development Department), Special Districts Division (the Public Works Department) and Transportation Division (the Public Works Department) shall review and approve the final median, parkway, slope, and/or open space landscape/irrigation plans as designated on the tentative map or in these Conditions of Approval prior to the issuance of the first Building Permit.
112. If the Iris median is conditioned to be extended then, plans for parkway, median, slope, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance

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program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at www.moval.org/sd or from the Special Districts Division (951.413.3480 or specialdistricts@moval.org).

113. If the Iris median is conditioned to be extended then, modification of existing irrigation systems for parkway improvements may be required per the direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.
114. If the Iris median is conditioned to be extended then, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)
115. If the Iris median is conditioned to be extended then, the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced, at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)
116. If the Iris median is conditioned to be extended then, parkway, open space, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the approved landscape plans and completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.
117. If the Iris median is conditioned to be extended then, landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated to be maintained by the City 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.

Transportation Engineering Division

118. Conditions of approval may be modified and/or added if the project is phased or altered from any approved plans.
119. The project driveways shall conform to City of Moreno Valley Standard No. MVS1-112C-0 for Commercial Driveway Approaches. Access at the project driveways on Iris Avenue shall be as follows:
 - West driveway (1st driveway): right-turn in/out only.
 - Main driveway (2nd driveway, currently signalized): full access.

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- East driveway (3rd driveway): left-turn in + right-turn in/out
120. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
 121. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at the project driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fence and monument sign shall not be located in an area that obstructs the drivers' line-of-sight.
 122. Prior to the final approval of the street improvement plans, a median improvement plan shall be prepared by a registered civil engineer for the existing landscaped median on Iris Avenue, west of the Kaiser Hospital signalized main driveway. The median shall be designed per current City Standards to extend the existing east bound left-turn lane storage length to a minimum of 225 feet at Iris Avenue/Kaiser Hospital intersection. Median construction shall include but not be limited to: paving, concrete curbs, median landscape, signing and striping. Exact requirements will be determined during the plan check process.
 123. 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 to restrict the southbound left-turn out traffic movement at the project eastern most driveway (3rd driveway) on Iris Avenue. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered Civil or Traffic Engineer.
 124. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval by the City Traffic Engineer.
 125. Prior to the issuance of Building Permit, the project applicant shall make all fair-share payments per the Mitigation Monitoring and Reporting Program to the City of Moreno Valley and / or provide evidence of payment to any agency with an intersection outside of the City's jurisdiction.
 126. Prior to issuance of Certificate of Occupancy for this project, all required signing and striping shall be installed per current City Standards and the approved plans.
 127. Prior to issuance of Certificate of Occupancy for this project, median improvements to extend the east bound left-turn lane at Iris Avenue/Kaiser Hospital signalized intersection shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
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EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
3. 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)
4. 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)
5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
7. 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), require separate application and approval by the Planning Division. No signs are

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permitted in the public right of way. (MC 9.12)

8. 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.

Special Conditions

9. The Mitigated Monitoring and Reporting Program adopted with PEN18-0217 applies to this project. A Mitigation Monitoring and Reporting Program fee shall be paid to the Planning Division for each phase, prior to any building or grading permits reviewed and/or issued.
10. The site has been approved for a 22,000 square foot Energy Center to contain all major mechanical equipment to run the existing hospital facility designed with associated site modifications per Phase I of the approved plans. A change or modification shall require separate review and approval.

Prior to Grading Permit

11. Prior to issuance of any grading permit or building permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading and building plans.
12. 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. 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)
13. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
14. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress/egress locations of the project.
15. 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 solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.

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- B. 3-foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
- C. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
- D. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official.
16. 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 Requirements MC 9.17.
 17. 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)
 18. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
 19. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
 20. Prior to or at building plan check submittal, the elevation plans shall include decorative lighting sconces on all sides of the buildings of the complex facing a parking lot, courtyard or plaza, or public right of way or open space to provide up-lighting and shadowing on the structures. Include drawings of the sconce details for each building within the elevation plans, approved by the Planning Division prior to building permit issuance.

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21. Prior to or at building plan check submittal, 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 prior to the issuance of a building permit. 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, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)
22. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. 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.
23. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must 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 immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community 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 during grading and other construction excavation, 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 notified within 5-days of the published finding to be given a reasonable opportunity 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).

Prior to Building Final or Occupancy

24. Prior to building final, all required landscaping and irrigation shall be installed per

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plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).

25. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
26. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

27. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
28. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.
29. New Moreno Valley businesses are encouraged to hire local residents.
30. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
31. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”).

The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

32. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

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33. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
34. 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)
35. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
36. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
37. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[1])
38. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
39. 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, 501.3) a - 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.
40. 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,

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- California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
41. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
 42. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
 43. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
 44. 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, CFC 501.4)
 45. 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 Code Official. 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)
 46. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 1/2" x 2 1/2") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
 47. 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)
 48. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
 49. 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 said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval

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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)

50. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)

PUBLIC WORKS DEPARTMENT**Land Development**

51. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. 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.
52. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
53. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
54. The developer shall monitor, supervise and control all construction related 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.

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(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

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

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in 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.

55. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
56. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
57. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
 - a. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - c. Public improvement plans (e.g., street/storm drain w/ striping, sewer/water, etc.) (prior to encroachment permit issuance);
 - e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. Legal Documents (e.g., Easement(s), Dedication(s), Vacation(s), etc.) (prior to Building Permit Issuance);
 - h. As-Built revision for all plans (prior to Occupancy release);

Prior to Grading Plan Approval

58. Resolution of all drainage issues shall be as approved by the City Engineer.
59. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The

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study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.

60. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
61. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, 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. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
- a. The Applicant has proposed to incorporate the use of Bio-retention as well as Modular Wetland Systems. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. 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.
 - b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP, if applicable.
 - c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
 - d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
 - e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
 - f. Post-construction treatment control 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.
 - g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.
62. The developer shall comply with the rules and regulations of FEMA and City Municipal Code 8.12 for development within a flood hazard area (defined as Zones A, AE and AH). For developments required to submit a CLOMR(-F) / LOMR(-F), the following items (prepared by a licensed civil engineer or land surveyor) shall be submitted:
- a. Prior to plan approval, a Floodplain Development Permit (application

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- available at the City).
- b. Prior to issuance of the first building permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City Engineer and FEMA.
 - c. Prior to issuance of the certificate of occupancy, a Letter of Map Revision (LOMR) package with appropriate fees shall be submitted and approved by the City Engineer and FEMA.
 - d. Prior to 90% reduction of public improvement securities, a Letter of Map Revision (LOMR) approved by FEMA shall be submitted to the City.
63. 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. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
64. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
65. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
66. The developer shall pay all remaining plan check fees.
67. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
68. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.

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69. 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) which shall be noted on the grading plans.

Prior to Grading Permit

70. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
71. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
72. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
73. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
74. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
75. The developer shall pay all applicable inspection fees.

Prior to Improvement Plan Approval

76. 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, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
77. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
78. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.

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79. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
80. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
81. 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer.
82. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

83. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
84. All applicable inspection fees shall be paid.
85. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]
86. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

87. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted

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by the setting of “blue-top” markers installed by a registered land surveyor or licensed civil engineer.

88. For Commercial/Industrial projects, the owner may have to secure coverage under the State’s General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
89. The southerly half of Filaree Avenue along the project frontage shall be vacated prior to Building Permit Issuance.

Prior to Occupancy

90. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
91. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
92. For commercial, industrial and multi-family projects, 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. 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, this project is subject to the following 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 option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
93. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:

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- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (SCE: LS-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
94. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific 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.
95. 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 for review and approved by the City Engineer.
96. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

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Special Districts Division

97. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
98. If the Iris median is conditioned to be extended then, the ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
99. If the Iris median is conditioned to be extended then, any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
100. The parcel associated with this project is located within the boundaries of Zone 04 of Moreno Valley Community Services District Landscape Maintenance District 2014-02 and is subject to an assessment in connection therewith. An annual assessment is levied on all taxable parcels in connection with Zone 04 to fund landscape maintenance services associated with parkway and median landscaping.

When preparing the assessment roll for a given fiscal year, the assessment administrator calculates the assessment against each parcel in Zone 04 based upon its actual land use as of March 1 prior to that fiscal year. If a building permit is issued for any part of the Phase 1 work prior to March 1, then the parcel associated with this project will be classified as "Developed Non-Residential" for assessment purposes. Property owner will execute a document acknowledging the Zone 04 assessment will be levied on future property tax bills.

101. Commercial (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process

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requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

102. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
103. This project has been identified to potentially be included in the formation of a Map Act Area of Benefit Special District for the construction of major thoroughfares and/or freeway improvements. The property owner(s) shall participate in such District and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but will retain the right to object any eventual assessment that is not equitable should the financial burden of the assessment not be reasonably proportionate to the benefit the affected property obtains from the improvements to be installed. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a 90 day process in compliance with the provisions of Article 13C of the California Constitution. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100).
104. If the Iris median is conditioned to be extended then, for those areas to be maintained by the City and prior to the issuance of the first Building Permit, Planning Division (Community Development Department), Special Districts Division (the Public Works Department) and Transportation Division (the Public Works Department) shall review and approve the final median, parkway, slope, and/or open space landscape/irrigation plans as designated on the tentative map or in

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0230)

Page 18

these Conditions of Approval prior to the issuance of the first Building Permit.

105. If the Iris median is conditioned to be extended then, plans for parkway, median, slope, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at www.moval.org/sd or from the Special Districts Division (951.413.3480 or specialdistricts@moval.org).
106. If the Iris median is conditioned to be extended then, modification of existing irrigation systems for parkway improvements may be required per the direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.
107. If the Iris median is conditioned to be extended then, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)
108. If the Iris median is conditioned to be extended then, the removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced, at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)
109. If the Iris median is conditioned to be extended then, parkway, open space, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the approved landscape plans and completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.
110. If the Iris median is conditioned to be extended then, landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated to be maintained by the City 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.

Transportation Engineering Division

111. Conditions of approval may be modified and/or added if the project is phased or altered from any approved plans.
112. The project driveways shall conform to City of Moreno Valley Standard No.

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0230)

Page 19

MVSI-112C-0 for Commercial Driveway Approaches. Access at the project driveways on Iris Avenue shall be as follows:

- West driveway (1st driveway): right-turn in/out only.
 - Main driveway (2nd driveway, currently signalized): full access.
 - East driveway (3rd driveway): left-turn in + right-turn in/out
113. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
114. Prior to the final approval of the street improvement plans, a median improvement plan shall be prepared by a registered civil engineer for the existing landscaped median on Iris Avenue, west of the Kaiser Hospital signalized main driveway. The median shall be designed per current City Standards to extend the existing east bound left-turn lane storage length to a minimum of 225 feet at Iris Avenue/Kaiser Hospital intersection. Median construction shall include but not be limited to: paving, concrete curbs, median landscape, signing and striping. Exact requirements will be determined during the plan check process.
115. 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 to restrict the southbound left-turn out traffic movement at the project eastern most driveway (3rd driveway) on Iris Avenue. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered civil or traffic engineer.
116. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at the project driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fence and monument sign shall not be located in an area that obstructs the drivers' line-of-sight.
117. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval by the City Traffic Engineer.
118. Prior to the issuance of Building Permit, the project applicant shall make all fair-share payments per the Mitigation Monitoring and Reporting Program to the City of Moreno Valley and / or provide evidence of payment to any agency with an intersection outside of the City's jurisdiction.
119. Prior to issuance of Certificate of Occupancy of this project, all required signing and striping shall be installed per current City Standards and the approved plans.

CONDITIONS OF APPROVAL

Plot Plan (PEN18-0230)

Page 20

120. Prior to issuance of Certificate of Occupancy for this project, median improvements to extend the east bound left-turn lane at Iris Avenue/Kaiser Hospital signalized intersection shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.



Attachment: Color Elevations (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley Medical Center)

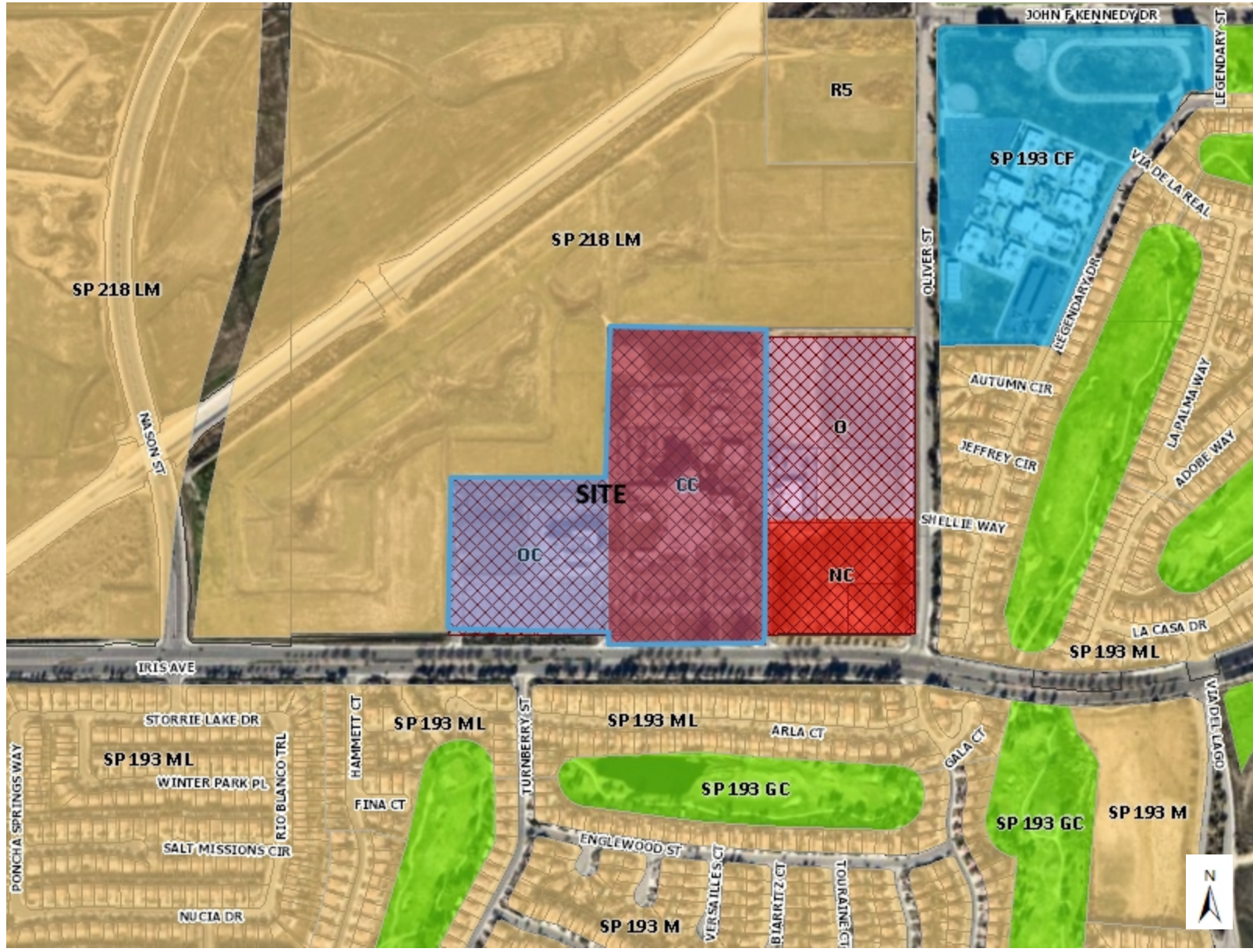


Attachment: Color Elevations (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley Medical Center)



Attachment: Color Elevations (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley Medical Center)

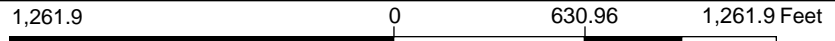
Zoning with Medical Use Overlay Kaiser



Legend

- Medical Overlay
- Zoning**
- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park
- Master Plan of Trails**
- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State
- Road Labels**
- Parcels
- City Boundary
- Sphere of Influence

Image Source: Nearmap



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

Notes:

Attachment: Zoning w-MUO (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser

General Plan Kaiser



Legend

Land Use

- Residential: Max. 1 du/ac
 - Mixed Use
 - Residential: Max. 2 du/ac
 - Rural Residential: Max 2.5 du/ac
 - Residential: Max. 3 du/ac
 - Residential: Max. 5 du/ac
 - Residential: Max. 5 or 15 du/ac
 - Residential: Max. 10 du/ac
 - Residential: Max. 15 du/ac
 - Residential: Max. 20 du/ac
 - Residential: Max. 30 du/ac
 - Hillside Residential
 - Planned Residential
 - Residential/Office
 - Office
 - Commercial
 - Business Park/Light Industrial
 - Open Space
 - Public Facilities
 - Floodplain
- #### Master Plan of Trails
- Bridge
 - Improved
 - Multiuse

Image Source: Nearmap

Notes:

1,261.9 0 630.96 1,261.9 Feet

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

Attachment: General Plan (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser



City of Moreno Valley
 Community Development Department
 Planning Division
 City Hall Council Chamber
 14177 Frederick Street
 Moreno Valley, CA 92553

NOTICE OF PUBLIC HEARING



Notice of Public Hearing before the Planning Commission of the City of Moreno Valley for the following item(s):

MEETING INFORMATION: March 26, 2020 7:00 P.M.

Moreno Valley Council Chamber, 14177 Frederick Street

PROJECT LOCATION: 27200 – 27300 Iris Avenue Ka
 Permanente Moreno Valley Medical Center District 4.

CASE NUMBER(s): PEN18-0228, PEN18-0229,
 PEN18-0230, and PEN18-0217

CASE PLANNER: Julia Descoteaux, Associate Planner
 (951) 413-3209 or juliad@moval.org

<APN>

<Property Owner>

<Street Address>

<City, State, Zip>

Attachment: PC Public Hearing Notice (3973 : PEN18-0228,

NOTICE OF PUBLIC HEARING

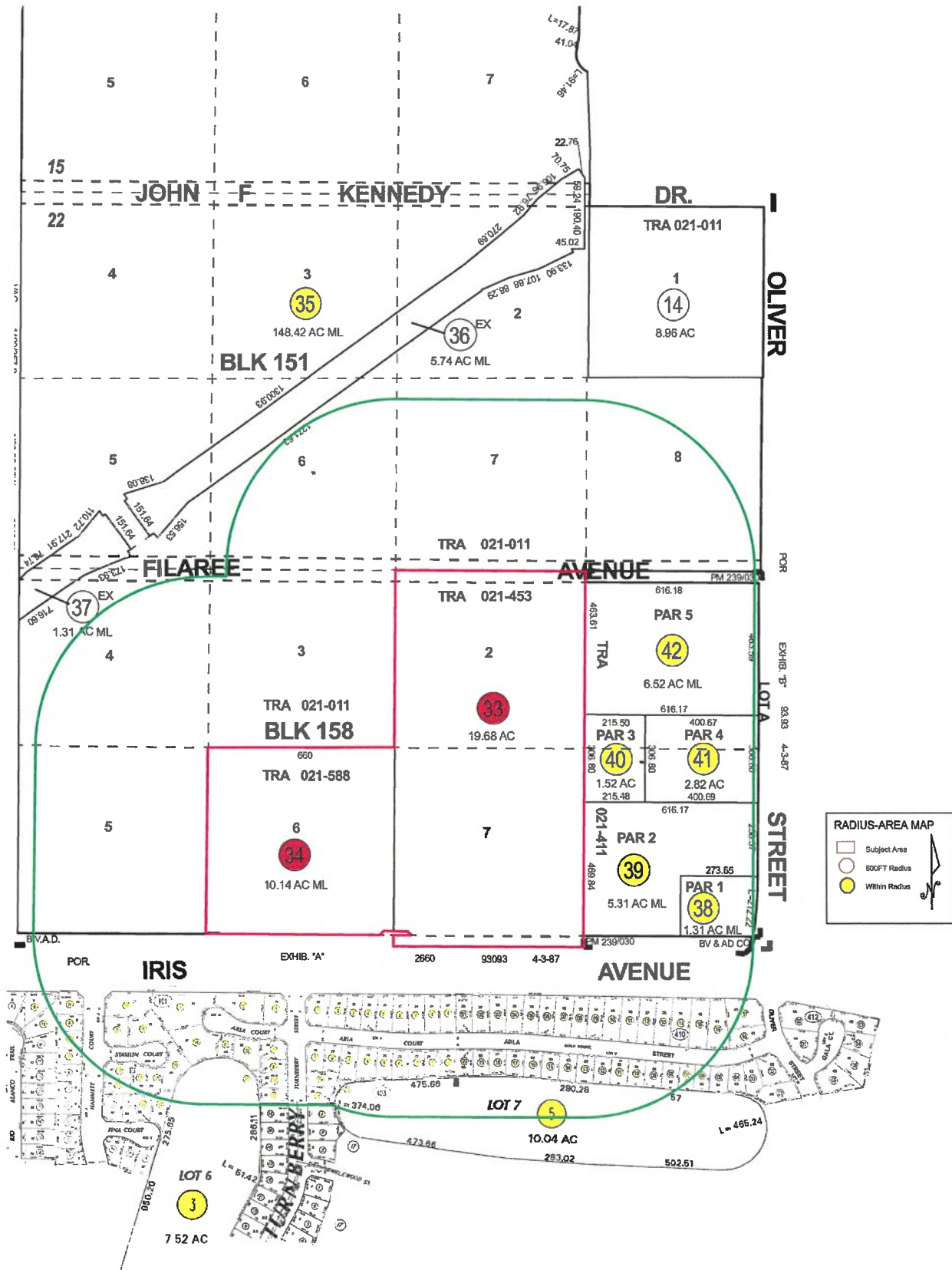
PROPOSAL: A Master Plot/Site Plan providing for the overall development and expansion of the existing Kaiser Permanente hospital facility consisting of 1,125,000 square feet of medical service facilities and ancillary uses to be constructed over three phases. Phase I included with this application is the expansion of the Diagnostic and Treatment center at the existing hospital and the construction of the new energy center to contain all major mechanical equipment to run the hospital facility.

ENVIRONMENTAL DETERMINATION: The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guidelines. An Environmental Impact Report (PEN18-0217), Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program have been prepared for this project (SCH2018111051). A Draft Environmental Impact Report was circulated to the public (including interested parties/responsible agencies) for review from October 11, 2019 ending November 25, 2019. The final document is available online at www.moval.org.

HEARING: Any person interested in the proposal may speak at the hearing or provide written testimony at or prior to the hearing. The application file and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m. on Fridays), or you may telephone (951) 413-3206 for further information.

The Planning Commission, at the Hearing or during deliberations, could also consider and approve changes to the project or the environmental determination. If you challenge this project, including any modifications considered for the project, 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 on or before the public hearing.

Upon request and in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at (951)413-3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility.



Attachment: 600 Foot Radius (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley Medical Center)

Julia Descoteaux

From: Carlos Rivas [REDACTED]
Sent: Thursday, March 19, 2020 1:56 PM
To: Planning Email_DG; Julia Descoteaux
Subject: Planning Commission Agenda Item - Kaiser Permanente

Warning: External Email – Watch for Email Red Flags!

Dear MoVal Planning Commission,

I am a resident at the Moreno Valley Ranch HOA in support of KP's expansion at the Moreno Valley Medical Center. Please accept this email in support for them to start their expansion as soon as possible. I attended a townhall meeting where residents of my community voiced their opinion and actively participated in a discussion of what this expansion will mean to us. The overall census was that it was NOT going to happen soon enough. At the time of the meeting, I was most concerned about natural disasters (i.e. earthquake, fire, etc...) our city is prone to. I couldn't help to think that my current healthcare provider will not be able to deliver sufficient healthcare services like emergency services and ICU beds. Now, I am most concerned about the current times. I am alarmed about the increasing cases of COVID-19 in my county, which will rise. It is medical centers like this one, that should have resources to save our citizens from this very unknown, but deadly pandemic. Please accept this email in lieu of my public comment that would have been scheduled for March 26th.

Thank you,
 Carlos Rivas
 Resident of Moreno Valley Ranch Association

Attachment: Comment Letter (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley Medical Center)

Julia Descoteaux

From: Carlos Rivas [REDACTED]
Sent: Thursday, March 19, 2020 1:56 PM
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Thank you,
Carlos Rivas
Resident of Moreno Valley Ranch Association

Attachment: Received Public Comments (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley

Julia Descoteaux

From: Josh Torres [REDACTED]
Sent: Friday, March 20, 2020 2:14 PM
To: Planning Email_DG; Julia Descoteaux
Subject: Kaiser Permanente expansion support

Warning: External Email – Watch for Email Red Flags!

Dear MoVal Planning Commission,
I hope this email finds you in good health.

I am a resident in the Moreno Valley Ranch association supporting the Kaiser Permanente expansion at the Moreno Valley Medical Center. Please accept this email showing my support for the start of the expansion as soon as possible. This email is written in lieu of my public comment that would have been scheduled for March 26th.

Thank you,
Josh Torres
Resident of Moreno Valley Ranch Association

Attachment: Received Public Comments (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley

Julia Descoteaux

From: Barbara and Ron [REDACTED]
Sent: Friday, March 20, 2020 4:18 PM
To: Planning Email_DG; Julia Descoteaux
Cc: Ulises Cabrera; rchevez@westboundcommunications.com
Subject: Planning Commission Agenda Item - Kaiser Permanente

Warning: External Email – Watch for Email Red Flags!

Good Evening Commissioners, City planner:

Just wanted you all to know that we support 100% the planned expansion of our Kaiser Hospital and look forward to the time when in Moreno Valley we could have an "Urgent Care" staffed by Kaiser employees on Kaiser Hospital property.

Presently, a Kaiser Urgent Care trip requires a drive from 25 to 35 miles in any direction from our home in Moreno Valley while the hospital ER or clinic is within 2 miles. Would be beneficial to all to have an Urgent Care planned in this project.

Please consider favorably the Kaiser plans for expansion and approve those plans so the project might move forward with a speed that perhaps will increase to final build out prior to 2024.

Sincerely,

**Ron and Barbara Dudeck
 24 year citizens of Moreno Valley**

Attachment: Received Public Comments (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley

Julia Descoteaux

From: Julia Descoteaux
Sent: Monday, March 23, 2020 8:11 AM
To: Julia Descoteaux
Subject: FW: Kaiser Hospital Expansion Dottie Smith

From: Dottie Smith [REDACTED]
Sent: Friday, March 20, 2020 6:24 PM
To: Planning Email_DG <PlanningEmail@moval.org>
Subject: Kaiser Hospital Expansion

Warning: External Email – Watch for Email Red Flags!

Please support the expansion of the Kaiser Hospital. They are great neighbors now and with expansion will provide additional good paying jobs for, the citizens of Moreno Valley.

Thank you,

Dottie Smith
[REDACTED]

Julia Descoteaux
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3209 | e: juliad@moval.org W: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553

Attachment: Received Public Comments (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley

Julia Descoteaux

From: Sharon Davis [REDACTED]
Sent: Monday, March 23, 2020 9:43 AM
To: Planning Email_DG; Julia Descoteaux
Subject: Planning commission agenda item Kaiser Permanente

Warning: External Email – Watch for Email Red Flags!

PLEASE! We need a urgent care at this facility. The closest ones are too far, Riverside or Fontana I've been considering changing from Kaiser to a plan that uses Riverside medical clinic, since that have urgent care on Day st

Sent from my iPad

Attachment: Received Public Comments (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley

Julia Descoteaux

From: Julia Descoteaux
Sent: Monday, March 23, 2020 9:46 AM
To: Julia Descoteaux
Subject: FW: New Kaiser facility expansion

From: [REDACTED]
Sent: Monday, March 23, 2020 8:39 AM
To: Planning Email_DG <PlanningEmail@moval.org>
Subject: New Kaiser facility expansion

Warning: External Email – Watch for Email Red Flags!

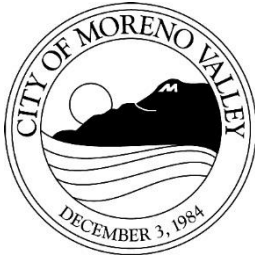
Please ask Kaiser why there is no urgent care in these plans. It only list emergency services and treatment rooms.

Thanks

Doug Cook
[REDACTED]

Julia Descoteaux
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3209 | e: juliad@moval.org W: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553

Attachment: Received Public Comments (3973 : PEN18-0228, PEN18-0229, PEN18-0230 & PEN18-0218 Kaiser Permanente Moreno Valley



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 23, 2020

CONDITIONAL USE PERMIT FOR A 7,063 SQUARE FOOT DAYCARE CENTER IN AN EXISTING BUILDING ON A 1.09 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF IRONWOOD AVENUE AVENUE AND KILGORE STREET (24693 IRONWOOD AVENUE)

Case: PEN19-0122 – Conditional Use Permit

Applicant: Charles Brown Architect

Property Owner: Family Service Association

Representative: Family Service Association

Location: 24693 Ironwood Avenue, Moreno Valley, CA

Case Planner: Jeff Bradshaw

Council District: 1

Proposal: Conditional Use Permit for a 7,063 daycare center in an existing building in the Residential 5 (R5) District.

SUMMARY

The applicant, Charles Brown on behalf of Family Service Association, is requesting approval of a Conditional Use Permit for a new daycare center to occupy an existing 7,063 square foot building located at 24693 Ironwood Avenue within the Residential 5 (R5) District.

BACKGROUND

Kindercare Learning Center, a daycare center, occupied the building located at 24693 Ironwood Avenue from 1987 to 2012. The site was developed under Riverside County

zoning. Site improvements include a 7,063 square foot daycare building, two driveways, parking lot, outdoor play areas and a swimming pool. The site has remained vacant since 2012.

PROJECT DESCRIPTION

Project

The applicant, Charles Brown on behalf of Family Service Association, is proposing to renovate and occupy the building located at 24693 Ironwood Avenue for use as a California State Preschool and Early Learning Center.

The daycare center will include six classrooms to accommodate children ages 0 to five years old (Preschool) with a student capacity of 120 children. Staffing at the daycare will include a Center Director, Assistant Director, teachers, assistant teachers and cooks, with staffing on any day from 10 to 15 employees.

Family Service Association is a direct contractor with the State of California Department of Education to provide early care and education services to families who are working and/or attending school and working towards a degree or in training programs leading to a certificate. The proposed daycare center will provide these services to eligible families who qualify for free or reduced services.

Hours of operation are from 6:30 am to 6:00 pm Monday through Friday (excluding weekends and observed holidays).

The applicant proposes no expansion to the building but minor exterior renovations to the building and landscape. Limited site improvements include the relocation of the trash enclosure, removal of a swimming pool, and the addition of three new outdoor play areas along with on and off-site improvements to satisfy current water quality and accessibility requirements.

Site / Surrounding Area

The 1.09-acre project site is located at the southeast corner of Ironwood Avenue and Kilgore Street at 24693 Ironwood Avenue. The site has been developed with improvements that include a 7,063 square foot daycare building, two driveways, parking lot, and outdoor play areas.

The project is surrounded by single-family residences within the Residential 5 (R5) District to the north, south and west and vacant land to the east. Overall, the proposed daycare center is compatible with existing and planned land uses in the project area.

Access/Parking

Access to the project site will be from Ironwood Avenue. Entry to the project site will be via two driveways taking access from Ironwood Avenue with one driveway dedicated to entry only and the other to exit only.

The project site currently provides a total of 28 parking spaces. Based on current City of Moreno Valley Municipal Code parking requirements, the center requires a maximum of 29 parking spaces.

Municipal Code Section 9.11.070.C allows for consideration of a reduction in parking of up to 20% with the approval of a Transportation Management Plan. The applicant submitted an Operations Summary to serve as a Transportation Management Plan, which describes hours of operation for the project, staffing requirements and anticipated pick and drop off times for students. Based on the content of this plan, the Community Development Director has determined that the existing 28 spaces (a reduction of one parking space) is adequate for the operation of the proposed daycare center. Therefore, the project as designed and conditioned satisfies City parking requirements.

Landscaping

The site has been previously developed. The proposed daycare center has been conditioned to renovate the on-site landscape to meet City requirements.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this project and met with the applicant on July 2, 2019. The applicant has worked with staff, and modified the plans to be consistent with current water quality and accessibility standards. Based on staff's review, it was determined that the project will be consistent with the General Plan and City requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

City staff has completed an independent review of the potential environmental impacts of the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines and has determined the project does not have the potential for a significant effect on the environment, and qualifies for a Class 1 Categorical Exemption (Section 15301, Existing Facilities).

NOTIFICATION

Public notice was sent to all property owners of record within 600' of the project on April 9, 2020. The public hearing notice for this project was also posted on the project site on April 10, 2020, and a notice was published in the local newspaper on April 10, 2020.

REVIEW AGENCY COMMENTS

The project application materials were circulated for review by all appropriate City departments and divisions as well as applicable outside agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2020-17, and thereby:

1. **CERTIFY** that Conditional Use Permit (PEN19-0122) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Exemption (Section 15301, Existing Facilities); and
2. **APPROVE** Conditional Use Permit (PEN19-0122) subject to the attached Conditions of Approval included as Exhibit A to this Resolution.

Prepared by:
Jeffrey Bradshaw
Associate Planner

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. Resolution 2020-17
2. Exhibit A to Resolution 2020-17 - Conditions of Approval
3. Site Plan
4. Preliminary Grading Plan
5. Daycare Operations Summary
6. Location Map
7. Zoning Map
8. Radius Map
9. Public Hearing Notice

PLANNING COMMISSION RESOLUTION NO. 2020-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING CONDITIONAL USE PERMIT APPLICATION NO. PEN19-0122, FOR A NEW DAYCARE CENTER TO OCCUPY AN EXISTING 7,063 SQUARE FOOT BUILDING ON A 1.09 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF IRONWOOD AVENUE AND KILGORE STREET (24693 IRONWOOD AVENUE)

WHEREAS, on May 31, 2019, Charles Brown Architects on behalf of Family Service Association, filed an application for the approval of Conditional Use Permit application PEN19-0122 for the occupancy of a new daycare center in an existing 7,063 square foot building that was previously utilized as a daycare center as described in the title above; and

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

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

WHEREAS, the public hearing notice for this project was published in the local newspaper on April 10, 2020 and public notice was sent to all property owners of record within 600 feet of the project site on April 9, 2020. The public hearing notice for this project was also posted on the project site on April 10, 2020; and

WHEREAS, on April 23, 2020, the Planning Commission held a Public Hearing to consider the application; and

WHEREAS, on April 23, 2020, the Planning Commission of the City of Moreno Valley determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under CEQA Guideline Section 15301, Class 1; Existing Facilities; and

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

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

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

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on April 23, 2020, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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

FACT: The General Plan Land Use designation for the project site is Residential 5. General Plan Policy 2.2.7 states that the primary purpose of areas designated Residential 5 is to provide for single-family detached housing on standard sized suburban lots. The maximum allowable density shall be 5.0 dwelling units per acre. The proposed daycare use is allowed within the all zoning districts in the City, including Residential 5, subject to approval of a Conditional Use Permit. This category of land use provides a necessary service to local working residents and is therefore complementary to the intent of the Residential 5 designation.

The project as designed and conditioned will achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and with its goals, objectives, policies, and programs established within the Plan.

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

FACT: The project proposes to occupy an existing building in the Residential 5 (R5) district that was previously operated as a daycare center with no expansion of the use. The project has been conditioned to meet current water quality and accessibility requirements.

As designed and conditioned, the project would be consistent with the purposes and intent of Title 9.

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 Conditional Use Permit as designed and conditioned will provide acceptable levels of protection from natural and man-made hazards to life, health, and property consistent with General Goal 9.6.1. The project site is located less than one mile from Fire Station No. 2 located to the south on Hemlock Avenue near Perris Boulevard. Therefore, adequate emergency services can be provided to the site consistent with General Plan Goal 9.6.2.

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under CEQA Guidelines Section 15301, Class 1: Existing Facilities.

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

FACT: The project is located at the southeast corner of Ironwood Avenue and Kilgore Street at 24693 Ironwood Avenue. Daycare centers are a conditionally permitted land use within the Residential 5 (R5) district that the site is located within.

The project is adjacent to single-family residential to the south, vacant land is adjacent to the east, and single family residences are located across Ironwood Avenue to the north and Kilgore Street to the west. . Daycare as a land use category provides a necessary service to local working residents and is therefore complementary to the intent of the Residential 5 (R5) district. The project as designed and conditioned is compatible with existing and proposed land uses in the vicinity.

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

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

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

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PEN19-0122, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

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

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

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the applicable statute of limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission HEREBY APPROVES Resolution No. 2020-17, and:

1. **CERTIFIES** that Conditional Use Permit PEN19-0122 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 1 Exemption, (Section 15301, Existing Facilities); and
2. **APPROVES** Conditional Use Permit PEN19-0122, subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

APPROVED this 23rd day of April, 2020.

Patricia Korzec
Chair, Planning Commission

ATTEST:

APPROVED AS TO FORM:

Patty Nevins, Planning Official
Secretary to the Planning Commission

City Attorney

Attachments:

Exhibit A: Conditions of Approval

Attachment: Resolution 2020-17 [Revision 4] (4003 : PEN19-0122 - FSA Ironwood Child Development Center)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0122)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0122)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. Conditional Use Permit PEN19-0122 is approved for a daycare use at the existing facility located at 24693 Ironwood Avenue.
2. 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)
3. 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)
4. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (applicable to CUP's)
5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
7. 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), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0122)

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8. 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.
9. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.

Prior to Building Permit

10. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan or separate Planning submittal. The trash enclosure(s), including the roof materials, shall be compatible with the architecture, color and materials of the building(s) design. Trash enclosure areas shall include landscaping on three sides. Approved design plans shall be included in a Building submittal (Fence and Wall or building design plans). (GP Objective 43.6, DG)
11. 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 Requirements, shall address renovation of any missing or unmaintained landscape areas and shall include:
 - A. Replacement of missing shade trees in the parking area.
 - B. Replacement of missing street trees along the site's street frontage planted 40 feet on center.
 - C. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas and recreational areas.
 - 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. Landscaping on three sides of any trash enclosure.
 - F. All site perimeter, on-site and parking lot landscape and irrigation shall be installed prior to building final or the release of certificate of any occupancy permit.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0122)

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12. Prior to or at building plan check submittal, 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 prior to the issuance of a building permit. 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, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)
13. If the developer proposes to construct new fences or walls, prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval.

Prior to Building Final or Occupancy

14. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
15. Prior to building final, all fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

16. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
17. Contact the Building Safety Division for permit application submittal requirements.
18. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
19. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
20. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0122)

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building application is submitted or prior to the issuance of permits as determined by the City.

21. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
22. The proposed non-residential project shall comply with 2019 California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
23. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2019 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
24. All remodeled structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2019 CBC.
25. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

FIRE DEPARTMENT**Fire Prevention Bureau**

26. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[!])
27. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
28. 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

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0122)

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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)

29. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler 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, MVMC 8.36.100[D])
30. 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 Code Official. 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)

PUBLIC WORKS DEPARTMENT**Land Development**

31. The developer shall comply with all applicable City ordinances and resolutions including the City’s Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
32. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
33. The developer shall monitor, supervise and control all construction related 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.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
 Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0122)

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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.

34. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
35. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
36. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
37. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
 - a. Precise grading w/ erosion control plan (prior to precise permit issuance);
 - b. Final WQMP (prior to grading plan approval);
 - c. Offer of Dedication (prior to grading plan approval);
 - d. As-Built revision for all plans (prior to Occupancy release)

Prior to Grading Plan Approval

38. Resolution of all drainage issues shall be as approved by the City Engineer.
39. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to and overflow structure or emergency spillway within the proposed bioretention basins.
40. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
 - a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;

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b. Incorporates Source Control BMPs and provides a detailed description of their implementation;

c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

d. 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. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

41. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, 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. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

a. 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. 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.

b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP. The HCOC designates that the project will be exempt from mitigation requirements based on Exemption 1.

c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.

d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.

e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.

f. Post-construction treatment control 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.

g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and

42. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

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- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
 - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
 - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
- 43. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
 - 44. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
 - 45. The developer shall pay all remaining plan check fees.
 - 46. 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) which shall be noted on the grading plans.

Prior to Grading Permit

- 47. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
- 48. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
- 49. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]

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Conditional Use Permit (PEN19-0122)

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50. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
51. The developer shall pay all applicable inspection fees.

Prior to Improvement Plan Approval

52. 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, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
53. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
54. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project. This project may show minor public improvements on the precise grading plans.
55. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
56. Any missing or deficient existing improvements along the project frontage within Ironwood Avenue and Kilgore Street shall be constructed or secured for construction.
57. This project shall remove and replace the existing ADA accessible ramps at the southwest and southeast corners of Ironwood Avenue and Kilgore Street. The ramps shall be constructed to meet ADA requirements per City Standard MVSI-114A-2. The reconstruction of the ramps may require the cross gutter and spandrel to be reconstructed, as needed, per City Standard MVSI-127-1.
58. For non-subdivision projects, all street dedications shall be free of encumbrances, 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.
59. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear

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all costs of any utility relocation.

60. This project shall reconstruct the two (2) existing driveway approaches along Ironwood Avenue per City Standard MVSI-112A-0.
61. This project shall submit a 4-foot minimum width right of way dedication behind each driveway approach per City Standard MVSI-112A-0.

Prior to Encroachment Permit

62. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
63. All applicable inspection fees shall be paid.
64. 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
65. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

66. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
67. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
68. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

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Prior to Occupancy

69. All outstanding fees shall be paid.
70. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
71. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
72. For commercial, industrial and multi-family projects, 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. 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, this project is subject to the following 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 option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
73. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (<MVU: SL-2 / SCE: LS-2>), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

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Conditional Use Permit (PEN19-0122)

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- c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
74. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
75. 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 for review and approved by the City Engineer.
76. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Transportation Engineering Division

77. All proposed on-site traffic signing and striping should be accordance with the California Manual on Uniform Traffic Control Devices (CAMUTCD), latest revision.
78. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at

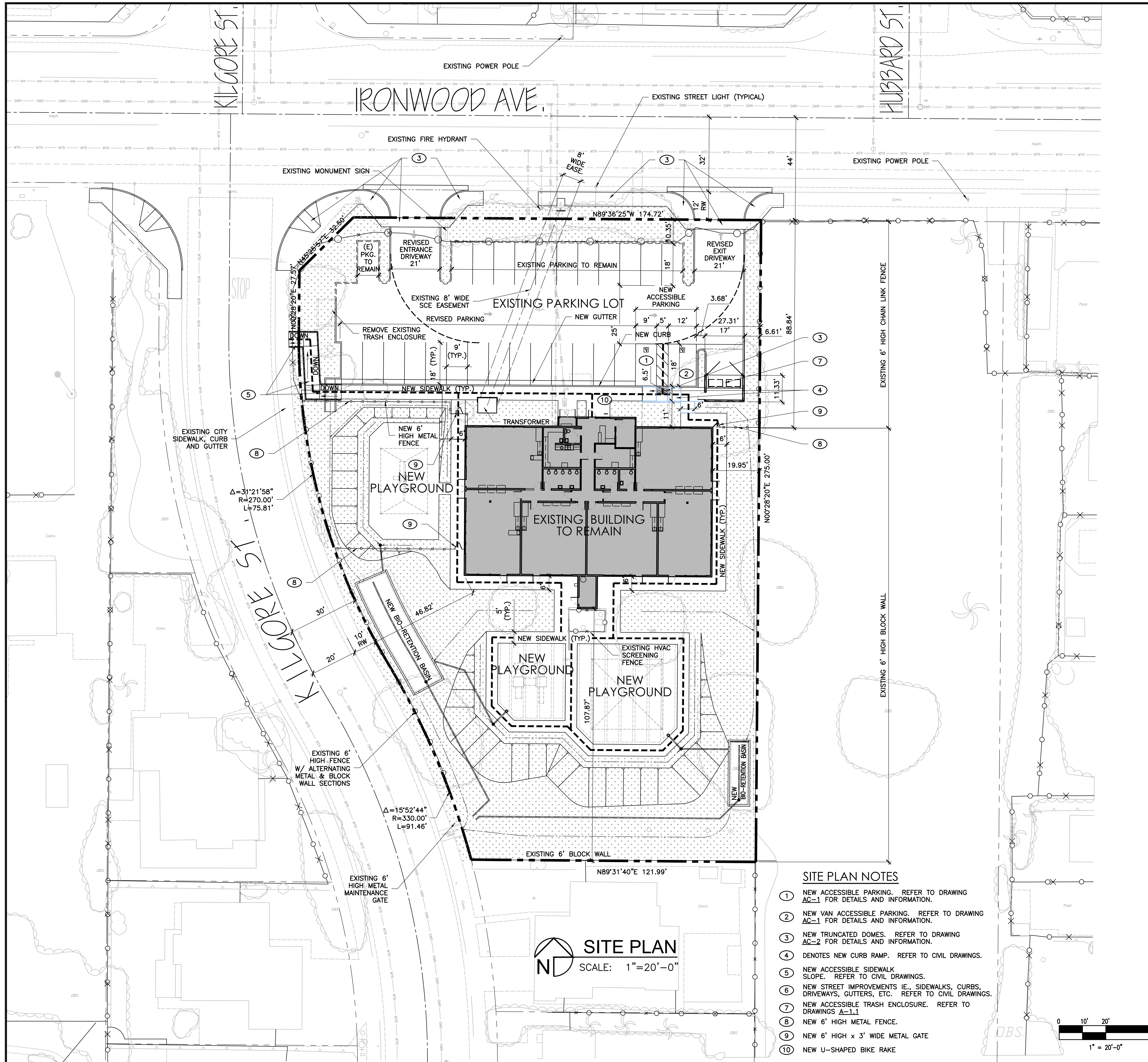
CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0122)

Page 13

the project street intersections and driveways conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fence and monument sign shall not be located in an area that obstructs the drivers' line-of-sight.

79. Applicant shall provide bicycle parking near the main entrance of the business. Bicycle racks should be U-shaped and be installed per City guidelines (U-shaped racks can accommodate two bicycles).
80. The driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches. Access at the driveways shall be as follows:
 - West driveway shall be restricted to entrance only.
 - East driveway shall be restricted to exit only.



SITE PLAN NOTES

- 1 NEW ACCESSIBLE PARKING. REFER TO DRAWING AC-1 FOR DETAILS AND INFORMATION.
- 2 NEW VAN ACCESSIBLE PARKING. REFER TO DRAWING AC-1 FOR DETAILS AND INFORMATION.
- 3 NEW TRUNCATED DOMES. REFER TO DRAWING AC-2 FOR DETAILS AND INFORMATION.
- 4 DENOTES NEW CURB RAMP. REFER TO CIVIL DRAWINGS.
- 5 NEW ACCESSIBLE SIDEWALK SLOPE. REFER TO CIVIL DRAWINGS.
- 6 NEW STREET IMPROVEMENTS IE, SIDEWALKS, CURBS, DRIVEWAYS, GUTTERS, ETC. REFER TO CIVIL DRAWINGS.
- 7 NEW ACCESSIBLE TRASH ENCLOSURE. REFER TO DRAWINGS A-1.1
- 8 NEW 6' HIGH METAL FENCE.
- 9 NEW 6' HIGH x 3' WIDE METAL GATE
- 10 NEW U-SHAPED BIKE RAKE

SITE PLAN
SCALE: 1"=20'-0"

<p>OWNER / APPLICANT FAMILY SERVICES ASSOCIATION ATTENTION: BILL BROWN 21250 BOX SPRINGS ROAD MORENO VALLEY, CA 92557 TEL. NO. (951) 878-9833 EMAIL: Bill.Brown@fsoca.org</p> <p>GENERAL INFORMATION A.P.N.: 481-342-026 OCCUPANCY: E OCCUPANCY SEPARATION: NONE CONSTRUCTION TYPE: V-B ZONING: R5 SPECIAL PLAN: N/A GENERAL LAND USE: SUBURBAN RESIDENTIAL EXISTING USE: ADULT DAYCARE FACILITY PROPOSED USE: CHILD DAYCARE FACILITY OUTSIDE 0.2% ANNUAL CHANCE FLOOD PLAIN FIRE SPRINKLER SYSTEM & FIRE ALARM: YES ALLOWABLE BUILDING HEIGHT: 60' ACTUAL BUILDING HEIGHT: 22'-2" NUMBER OF STORIES: 2 SITE AREA: 47,480.4 S.F. (1.09 ACRES)</p> <p>SITE ADDRESS 24693 IRONWOOD AVE., MORENO VALLEY, CA 92557</p> <p>LEGAL DESCRIPTION PARCEL 1 OF PARCEL MAP NO. 20964, AS SHOWN BY MAP ON FILE IN BOOK 137 OF MAPS, PAGES 0 AND 31 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.</p> <p>PROJECT DESCRIPTION TENANT IMPROVEMENT FOR A 7,063 S.F. CHILD DAYCARE. NEW PLAYGROUNDS, UPDATE ACCESSIBLE PATH OF TRAVEL FROM CITY SIDEWALK TO BUILDING AND PARKING, NEW METAL FENCING TO SEPARATE PLAYGROUNDS, REVISED PARKING AND DRIVE ENTRANCES / EXIT, NEW ACCESSIBLE TRASH ENCLOSURE.</p> <p>SITE AREA TABULATION TOTAL SITE AREA: 47,480.4 S.F. (1.09 ACRES) BUILDING COVERAGE: 7,063 S.F.14.9% HARDSCAPE: 5,285 S.F.11.1% LANDSCAPE: 19,424.4 S.F.40.9% PLAYGROUNDS: 4,195 S.F.8.8% INFILTRATION BASIN: 900 S.F.1.9% PARKING LOT / PAVING: 10,613 S.F.22.4%</p> <p>PARKING ANALYSIS 28 EXISTING PARKING SPACES PARKING REQUIREMENTS: 1 PER EMPLOYEE + 1 PER 500 S.F. OF GROSS FLOOR AREA PARKING REQUIRED: 15 EMPLOYEES + 500/7,063 S.F. = 29 TOTAL PARKING PROVIDED: 28 (2 OF WHICH ARE ACCESSIBLE)</p> <p>UTILITY PROVIDERS ELECTRIC: SOUTHERN CALIFORNIA EDISON GAS: SOUTHERN CALIFORNIA GAS COMPANY WATER: EASTERN MUNICIPAL WATER DISTRICT SEWER: EASTERN MUNICIPAL WATER DISTRICT TELEPHONE: AT&T TELEPHONE</p> <p>ADOPTED CODES 2019 CALIFORNIA BUILDING CODE 2019 CALIFORNIA MECHANICAL CODE 2019 CALIFORNIA PLUMBING CODE 2019 CALIFORNIA ELECTRICAL CODE 2019 CALIFORNIA FIRE CODE 2019 CALIFORNIA REFERENCED STANDARDS CODE 2019 CALIFORNIA ADMINISTRATIVE CODE 2019 CALIFORNIA ENERGY CODE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE STATE OF CALIFORNIA TITLE 24 AMERICAN DISABILITIES ACT CALIFORNIA CODE OF REGULATIONS TITLE 24 AC-1 ACCESSIBILITY COMPLIANCE AC-2 ACCESSIBILITY COMPLIANCE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)</p> <p>NOTES --- DENOTES PATH OF TRAVEL</p> <p>PATH OF TRAVEL NOTES: THE PATH OF TRAVEL SHALL NOT EXCEED 5%. THE PATH OF TRAVEL CROSS SLOPE SHALL NOT EXCEED 2%. THE ACCESSIBLE PATH OF TRAVEL CONSTRUCTION TYPE IS 4" THICK CONCRETE SIDEWALK W/ MEDIUM BROOM FINISH. ALL CURB RAMP ARE A 6" RISE MAXIMUM. REFER TO CIVIL DRAWINGS FOR LENGTH OF CURB RAMP. ALL LEVEL LANDING AREAS AT ALL ENTRANCES & EGRESS POINTS SHALL HAVE A MAXIMUM SLOPE & CROSS SLOPE OF 2% WITHIN THE FIRST 5' OF THE DOOR.</p> <p>LEGEND: SITE LOCATION IRONWOOD AVE. HEMLOCK AVE. 60 FREEWAY SUNNYMEAD BLVD. HEACOCK ST. FIR AVE. INDIAN ST. PERRIS AVE.</p> <p>VICINITY MAP SCALE: N.T.S.</p>	<p>ARCHITECT CHARLES J. BROWN ARCHITECT ATTENTION: CHARLES BROWN ARCHITECT 4049 ALMOND ST. STE. 201 RIVERSIDE, CA 92501 TEL. NO. (951) 683-6222 EMAIL: cbrown@cbarchitect.org</p> <p>CIVIL ENGINEER GABEL, COOK & ASSOCIATES INC. ATTENTION: BILL GABEL 7177 BROCKTON AVE. SUITE 339 RIVERSIDE, CA 92506 TEL. NO. (951) 788-8092 EMAIL: GABELSC@aol.com</p> <p>MECH. & PLUMBING ENGINEER DESIGN WEST ENGINEERING ATTENTION: JOSH LUKACS 275 WEST HOSPITALITY LANE, STE 100 SAN BERNARDINO CA 92408 TEL. NO. (909) 890-3700 FAX. NO. (909) 890-3770 EMAIL: JLUKACS@DesignWesteng.com</p> <p>ELECTRICAL ENGINEER JCA ELECTRICAL ENGINEERING COMPANY ATTENTION: JIM CORNS 8048 PALM AVENUE HIGHLAND CA 92346 TEL. NO. (909) 864-0223 FAX. NO. (909) 864-0200 EMAIL: James.Corns@jcaeng.com</p> <p>DEFERRED SUBMITTALS NFPA 13 FIRE SPRINKLER SYSTEM FIRE ALARM SYSTEM</p> <p>RELATED PROJECT NUMBERS CUP #PEN1919-0122</p> <p>DRAWING INDEX ARCHITECTURAL: A-1.0 SITE PLAN A-1.1 TRASH ENCLOSURE A-2.0 EXISTING FLOOR PLAN/DEMO PLAN A-2.1 FLOOR PLAN A-3 EXTERIOR ELEVATIONS A-4 SCHEDULES A-5.1 ACCESSIBLE R.R. REQUIREMENTS FOR ADULTS A-5.2 ACCESSIBLE R.R. REQUIREMENTS FOR CHILDREN AC-1 ACCESSIBILITY COMPLIANCE AC-2 ACCESSIBILITY COMPLIANCE MECHANICAL: M-1 MECH. LEGEND, NOTES & SCHEDULES M-2 MECHANICAL DEMOLITION PLAN M-3 MECHANICAL REMODEL FLOOR PLAN M-4 MECHANICAL REMODEL FLOOR PLAN M-5 MECHANICAL DETAILS M-6 MECHANICAL SPECIFICATIONS PLUMBING: P-1 LEGEND, NOTES & SCHEDULES P-2 PLUMBING DEMOLITION PLAN P-3 PLUMBING REMODEL FLOOR PLAN P-4 PLUMBING FLOOR PLAN - DOMESTIC WATER P-5 PLUMBING FLOOR PLAN - WASTE & VENT P-6 PLUMBING DETAILS P-7 PLUMBING SPECIFICATIONS P-8 PLUMBING SPECIFICATIONS ELECTRICAL: E-1.0 SITE PLAN ELECTRICAL AND F.A. NOTES E-2.0 LIGHTING & DEMOLITION PLAN E-2.1 POWER, L.A., F.A., HVAC PLAN E-3.0 SYMBOLS, SINGLE LINE, FIX. SCHED. E-4.0 SPECIFICATIONS, FIRE STOP DETAIL CIVIL: SHEET 1 OF 4 - CONCEPTUAL GRADING PLAN SHEET 2 OF 4 - CONCEPTUAL GRADING PLAN SHEET 3 OF 4 - CONCEPTUAL GRADING PLAN SHEET 4 OF 4 - CONCEPTUAL GRADING PLAN</p> <p>SCOPE OF WORK TENANT IMPROVEMENT EXTERIOR: REWORK DRIVE APPROACH, PARKING LOT, ON SITE SIDEWALKS, FENCING, PLAY AREAS, WATER QUALITY STRUCTURES, PATCH BUILDING STUCCO & TRIM, REPAIR, BUILDING STUCCO & TRIM, REPAIR. INTERIOR: REPAIR/REPLACE ELECTRICAL, MECHANICAL, & PLUMBING AS NEEDED TO MEET CURRENT CODES REPLACE T-BAR CEILING, INSULATION, PATCH AND REPAIR DRYWALL, REPAIR/REPLACE DOORS, WINDOWS, CABINETRY, & FLOORING.</p>
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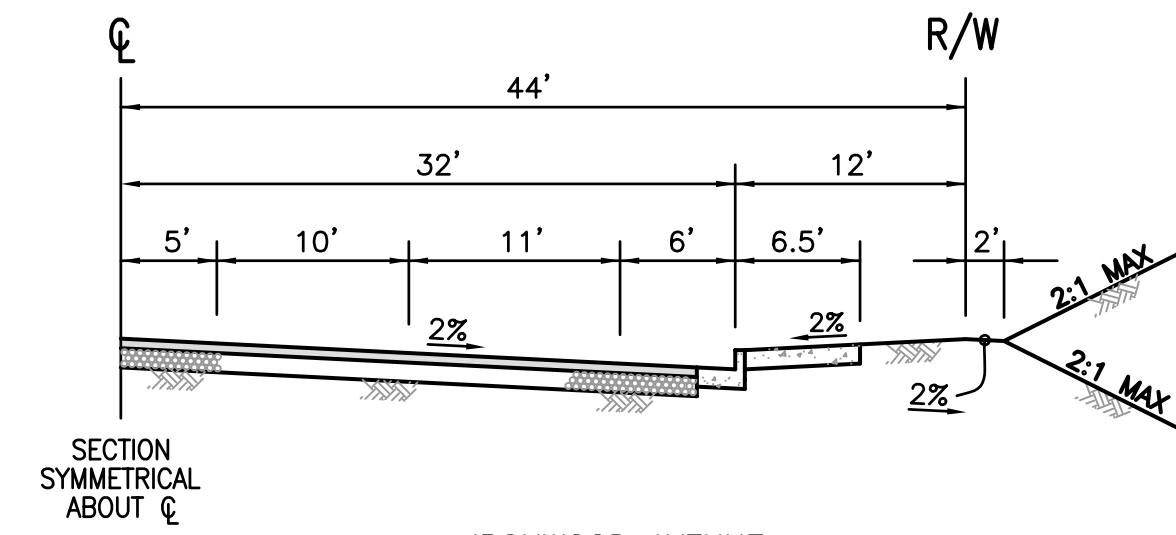
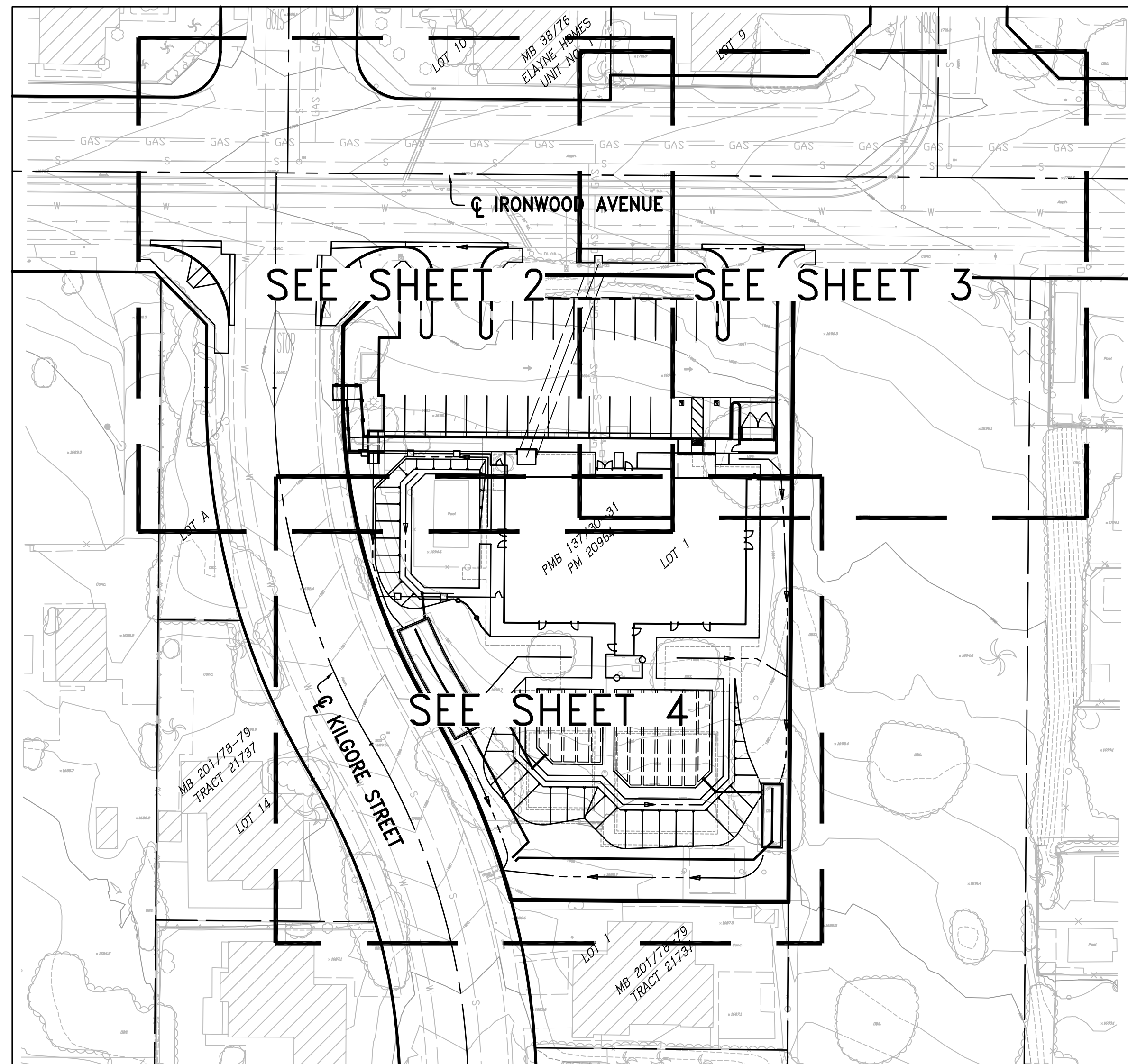
CHARLES BROWN ARCHITECT
5140 Victoria Ave., Riverside, CA 92506
951-683-6222 / cbrown@cbarchitect.org

FSA IRONWOOD CHILD DAYCARE TENANT IMPROVEMENT
24693 IRONWOOD AVE., MORENO VALLEY, CA 92557

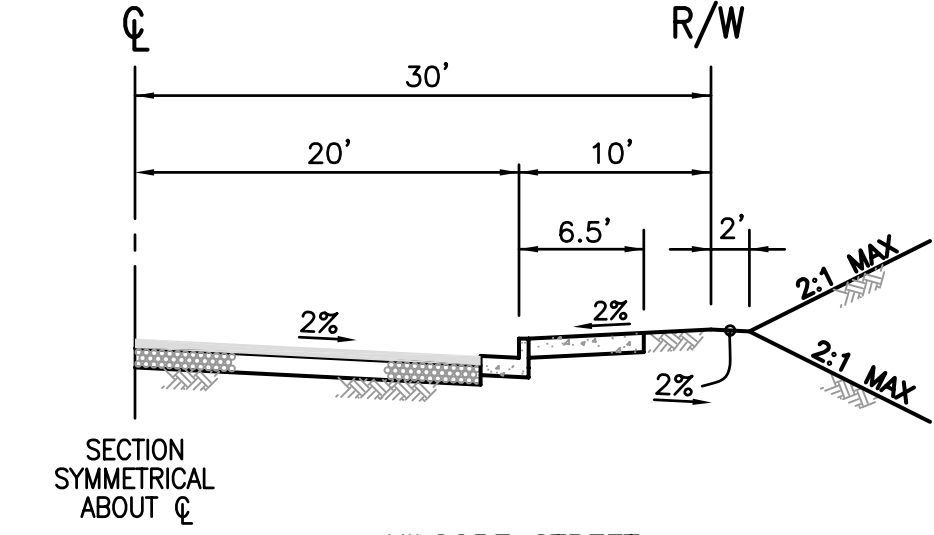
SITE PLAN
DRAWING 1 OF

A-1.0

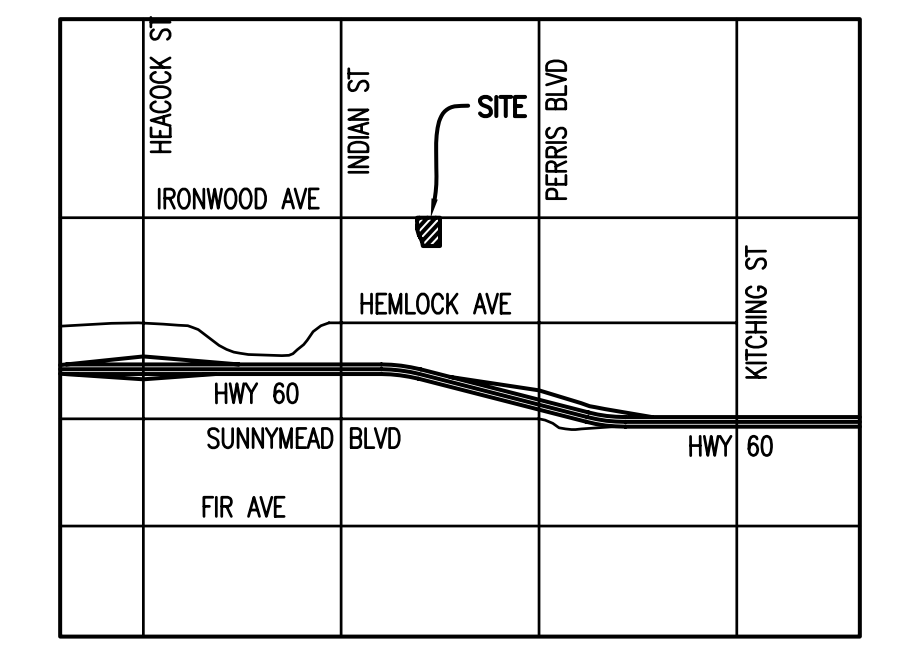
Attachment: Site Plan (4003) : PEN19-0122 - FSA Ironwood Child Development Center



IRONWOOD AVENUE
MINOR ARTERIAL
STD. PLAN MVS1-105A-1
T.I. = 9.0
SCALE: 1"=10'



KILGORE STREET
LOCAL STREET
2 FEET OF ADDITIONAL
HALF WIDTH PAVEMENT OVER
STD. PLAN MVS1-105A-1
T.I. = 6.0
SCALE: 1"=10'



VICINITY MAP
NOT TO SCALE

LEGEND

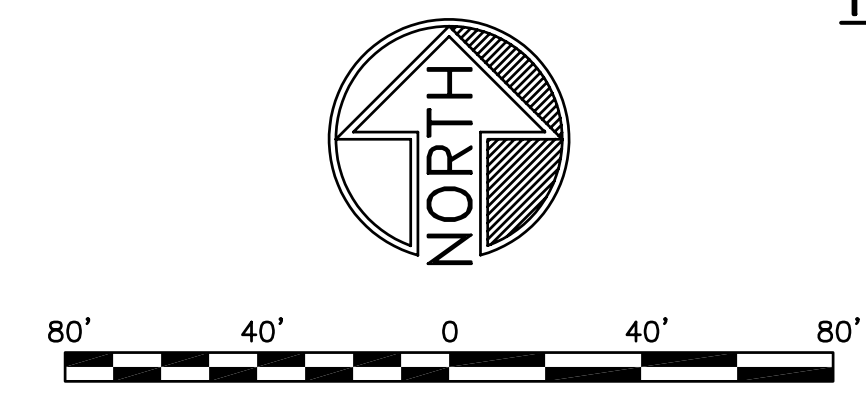
-1650-	EXISTING CONTOURS
-1650-	FINISH CONTOURS
FF	FINISH FLOOR
(6.02)	EXISTING ELEVATION
6.02	PROPOSED ELEVATION
GB	GRADE BREAK
FL	FLOW LINE
FG	FINISHED GRADE
FS	FINISHED SURFACE
HP	HIGH POINT
TG	TOP OF GRATE
⊕	CENTERLINE
LA	LANDSCAPED AREA
PL	PROPERTY LINE
R/W	RIGHT OF WAY
S/W	SIDEWALK
---	PROPERTY LINE
- - - -	ADJACENT PROPERTY LINE
- · - · -	CENTER LINE
---	RIGHT OF WAY
[Pattern]	INDICATES NEW AC PAVEMENT
[Pattern]	INDICATES NEW CONCRETE PAVEMENT
[Pattern]	INDICATES BIORETENTION BASIN WALLS
[Pattern]	INDICATES BIORETENTION BASIN SURFACE
[Pattern]	INDICATES ENGINEERED WOOD FIBER SURFACE
[Pattern]	INDICATES TERRA FLOW DRAINS

NOTES

1. PROTECT EXISTING CURBS.
2. REMOVE AND REPLACE EXISTING A.C. PAVEMENT.
3. REMOVE EXISTING A.C. PAVEMENT AND CONSTRUCT NEW CONCRETE PAVEMENT.
4. CONSTRUCT NEW 6" CURB AND GUTTER.
5. CONSTRUCT NEW 6" PLANTER CURB.
6. REMOVE AND REPLACE EX. CONCRETE SIDEWALKS PER CITY OF MORENO VALLEY STD. MVS1-115A-0.
7. CONSTRUCT NEW UNDER SIDEWALK DRAIN.
8. CONSTRUCT A.D.A. CURBED RAMP WITH HANDRAILS.
9. REMOVE EXISTING DRIVEWAY APPROACH AND CONSTRUCT DRIVEWAY APPROACH, TYPE III, OPTION 1, PER CITY OF MORENO VALLEY STD. MVS1-112C-0.
10. PROTECT EXISTING CROSSGUTTER SPANDREL.
11. REMOVE AND REPLACE EX. CONCRETE SPANDREL PER CITY OF MORENO VALLEY STD. MVS1-127-0.
12. REMOVE EXISTING SIDEWALK AND ACCESS RAMPS, AND CONSTRUCT SIDEWALK AND ACCESS RAMP, TYPE 1, PER CITY OF MORENO VALLEY STD. MVS1-114A-1.
13. CONSTRUCT BIORETENTION BASIN, WIDTH AND LENGTH PER PLAN, AND PER SECTION A ON SHEET 4.
14. CONSTRUCT 12" Ø BASIN DRAIN INLET WITH STANDARD 12" Ø GRATE.
15. CONSTRUCT 6" N-12 STORM DRAIN LINE WITH FITTINGS, SIZE AND GRADES PER PLAN.
16. INSTALL 12" WIDE TERRA FLOW DRAINS, DIRECTLY ON COMPACTED SUBGRADE, AT 6' O.C., AND ALONG LOW EDGE OF PLAY YARDS.
17. CONNECTED 12" WIDE TERRA FLOW DRAINS TO 6" N-12 OUTLET DRAIN.
18. INSTALL 9 1/2" THICKNESS OF ENGINEERED WOOD FIBER, OVER TERRAFIX 270R GEOTEXTILE FABRIC, OVER TERRA FLOW DRAINS, OVER COMPACTED SUBGRADE.
19. REMOVE EXISTING TRASH ENCLOSURE.
20. REMOVE EXISTING CONCRETE SLAB.
21. REMOVE EXISTING POOL AND POOL EQUIPMENT.
22. CONSTRUCT TRASH ENCLOSURE PER ARCHITECTURAL PLANS.

INDEX MAP

SCALE: 1"=40'



EASEMENT NOTES

1. AN ACCESS EASEMENT IN FAVOR OF THE RIVERSIDE CANAL COMPANY AND THE RIVERSIDE WATER COMPANY, THEIR SUCCESSORS OR ASSIGNS, FOR RIGHT OF WAY OVER SAID LAND FOR THE CONSTRUCTION AND MAINTENANCE OF ALL NECESSARY WATERDITCHES, PIPES, FLUMES FOR IRRIGATION OR DOMESTIC PURPOSES PER DEEDS RECORDED APRIL 26, 1882 IN BOOK 28, PAGE 615, AND AUGUST 14, 1885, IN BOOK 42, PAGES 294 AND 296, RESPECTIVELY, OF DEEDS, RECORDS OF RIVERSIDE COUNTY CALIFORNIA. THE EXACT LOCATION IS NOT DISCLOSED BY THE RECORDS.
2. AN EASEMENT IN FAVOR OF CHARLES N. BRINGS FOR WATER PIPELINES OR CONDUITS AND INCIDENTAL PURPOSES PER INSTRUMENT RECORDED JUNE 24, 1929, IN BOOK 818, PAGE 525 OF DEEDS, RECORDS OF RIVERSIDE CALIFORNIA. SAID EASEMENT CANNOT BE LOCATED FROM THE RECORD.
3. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY FOR A RIGHT OF WAY TO CONSTRUCT, USE, MAINTAIN, OPERATE AND FOR OTHER INCIDENTAL PURPOSES, ELECTRICAL AND COMMUNICATION FACILITIES, OVER AND ACROSS SAID LAND, PER INSTRUMENT 237234 RECORDED SEPTEMBER 26, 1986.

SITE INFORMATION

LEGAL DESCRIPTION: PARCEL 1 OF PARCEL MAP NO. 20964, AS SHOWN BY MAP ON FILE IN BOOK 137 OF MAPS, PAGES 0 AND 31 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

OWNER: FAMILY SERVICES ASSOCIATION
ATTN: BILL BROWN
ADDRESS: 21250 BOX SPRINGS ROAD, #212
MORENO VALLEY, CA 92557
TEL. NO. 951-878-9833
EMAIL: Bill.Brown@fsaca.org

BUILDING DIMENSIONS: REFER TO ARCHITECT PLANS FOR BUILDING DIMENSIONS

SITE ACREAGE: 1.085 ACRES

TOTAL PROJECT DISTURBANCE AREA: 0.791 ACRES

PRE-REDEVELOPMENT SITE IMPERVIOUS SURFACE AREA: 28,450 S.F.

POST-REDEVELOPMENT SITE PERVIOUS SURFACE AREA: 24,368 S.F.

APN: 481-342-032

BENCHMARK: BRASS CAP SET IN CONCRETE, MARKED "M-34 RESET MARCH 1967", LOCATED IN SOUTHEAST QUADRANT OF INTERSECTION OF PERRIS BOULEVARD AND IRONWOOD AVENUE, NEAR NORTHEAST CORNER OF E.M.W.D. BOOSTER BUILDING. ELEVATION = 1736.722.

BASIS OF BEARING: BASIS OF BEARINGS FOR THIS MAP IS THE CALIFORNIA COORDINATE SYSTEM, ZONE 6, NAD 83 (EPOCH 2010), AS DETERMINED LOCALLY BY THE LINE BETWEEN N.G.S. CORE STATIONS "FAULT L DX3746" AND "435 DX5442" BEING N29°41'17"E, AND DISTANCE OF 55,508.62' (GRID). ALL DISTANCES SHOWN HEREON ARE GROUND.

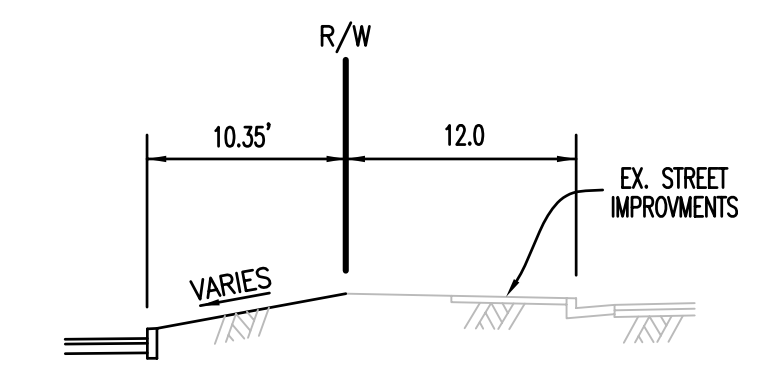
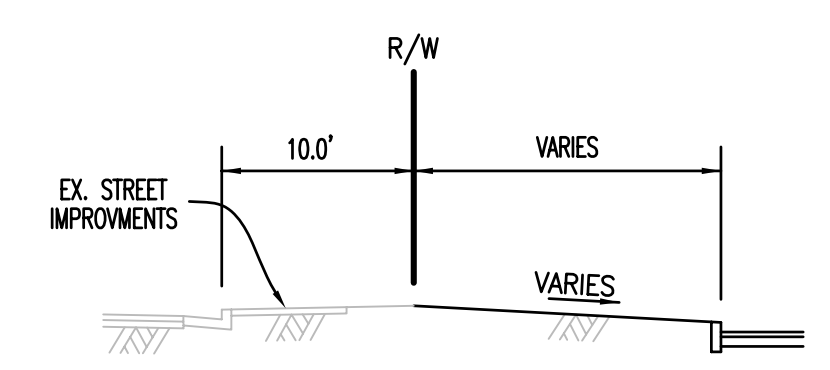
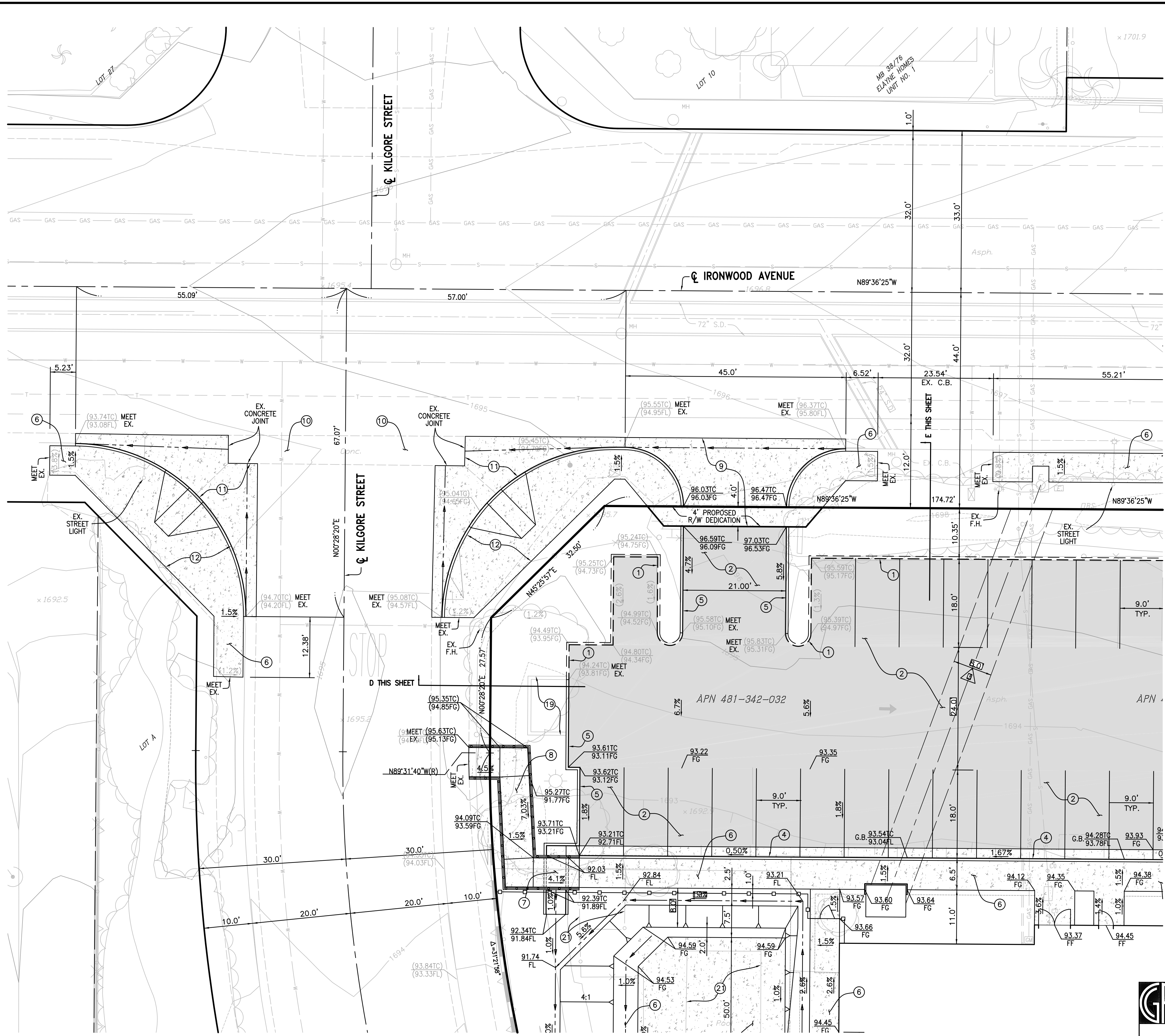
TOPOGRAPHIC MAP: TOPOGRAPHY MAP IS BASED UPON AERIAL SURVEY PREPARED BY INLAND AERIAL SURVEYS, INC. DATED JANUARY 14, 2019 AND SUPPLEMENTED BY FIELD SURVEYS MADE BY GABEL, COOK & ASSOCIATES, INC. IN JANUARY 2019.

FLOOD ZONE: FLOOD INSURANCE MAP NUMBER 06065C0753G, AUGUST 28, 2008, ZONE X, AREA DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN.

UTILITY PROVIDERS:
ELECTRIC: SOUTHERN CALIFORNIA EDISON
GAS: SOUTHERN CALIFORNIA GAS COMPANY
WATER: EASTERN MUNICIPAL WATER DISTRICT
SEWER: EASTERN MUNICIPAL WATER DISTRICT
TELEPHONE: AT&T TELEPHONE

EARTHWORK QUANTITY ESTIMATES:
TOTAL CUT: 210 C.Y. FILL: 525 C.Y.
THESE QUANTITIES DO NOT INCLUDE ANY LOSSES DUE TO SHRINKAGE, SUBSIDENCE, OVEREXCAVATION OR CONDITIONS OR REQUIREMENTS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT. THESE QUANTITIES ARE FOR PERMIT ISSUANCE ONLY.

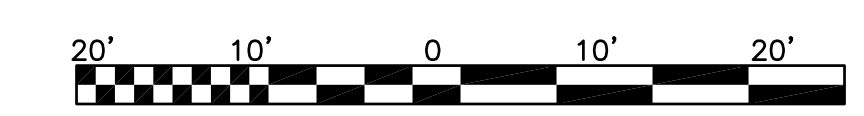
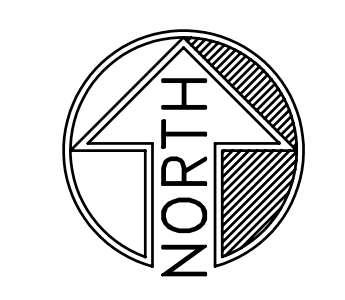
<p>GABEL, COOK & ASSOCIATES INC. CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS 5965 Maybrook Circle, Riverside, CA 92506 Telephone 951-788-8092</p>	<p>IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA</p> <p>PEN19-0122</p> <p>CONCEPTUAL GRADING PLAN SITE REDEVELOPMENT 24693 IRONWOOD AVENUE</p>	<p>SHEET 1 OF 4 SHEETS</p>	
			<p>SCALE: 1"=40'</p>



SEE SHEET 3

NOTES

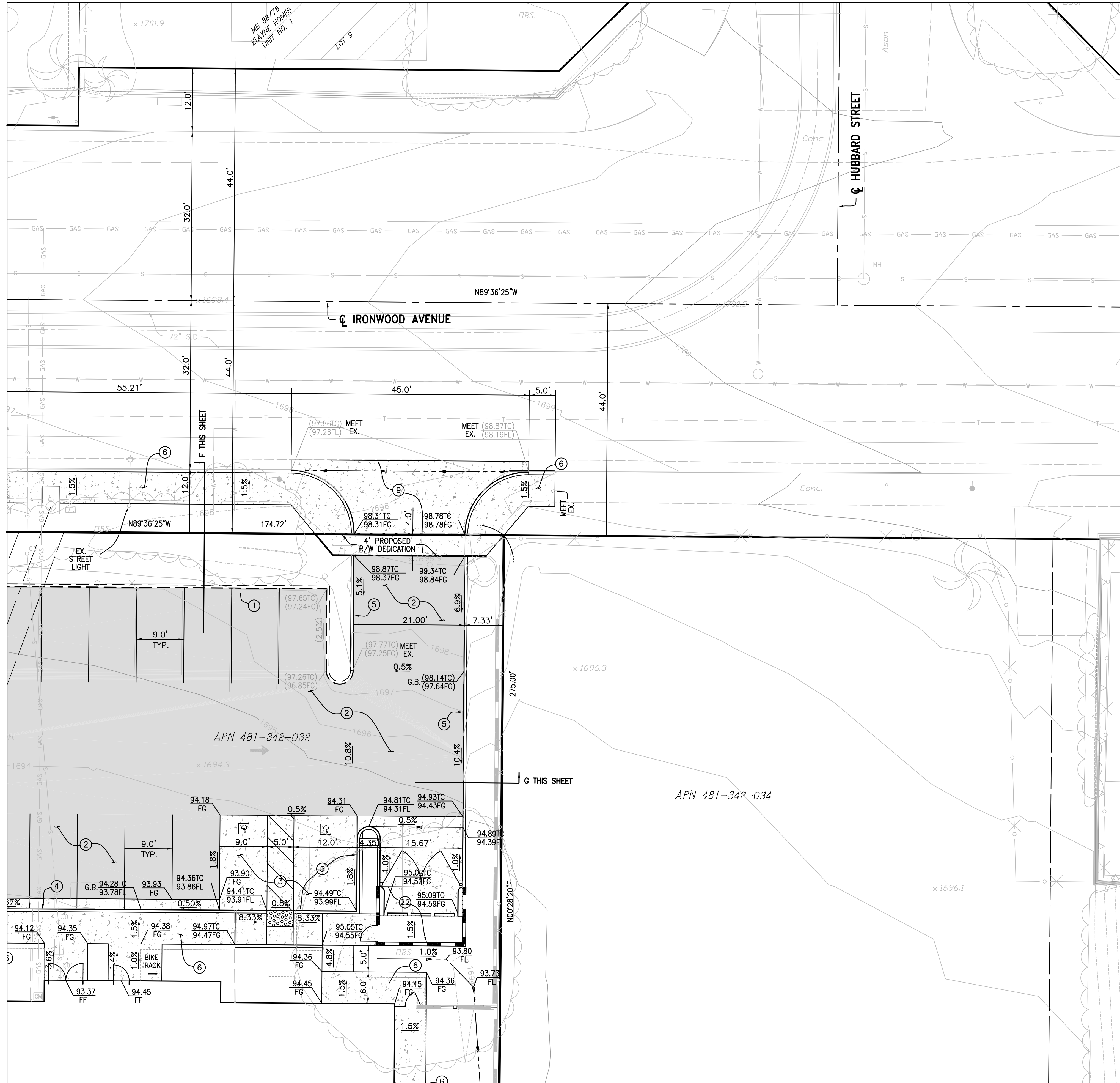
- 1 PROTECT EXISTING CURBS.
- 2 REMOVE AND REPLACE EXISTING A.C. PAVEMENT.
- 4 CONSTRUCT NEW 6" CURB AND GUTTER.
- 5 CONSTRUCT NEW 6" PLANTER CURB.
- 6 REMOVE AND REPLACE EX. CONCRETE SIDEWALKS PER CITY OF MORENO VALLEY STD. MVS1-115A-0.
- 7 CONSTRUCT NEW UNDER SIDEWALK DRAIN.
- 8 CONSTRUCT A.D.A. CURBED RAMP WITH HANDRAILS.
- 9 REMOVE EXISTING DRIVEWAY APPROACH AND CONSTRUCT DRIVEWAY APPROACH, TYPE III, OPTION 1, PER CITY MORENO VALLEY STD. MVS1-112C-0.
- 10 PROTECT EXISTING CROSSGUTTER SPANDRAL.
- 11 REMOVE AND REPLACE EX. CONCRETE SPANDREL PER CITY OF MORENO VALLEY STD. MVS1-127-0.
- 12 REMOVE EXISTING SIDEWALK AND ACCESS RAMPS, AND CONSTRUCT SIDEWALK AND ACCESS RAMP, TYPE 1, PER CITY OF MORENO VALLEY STD. MVS1-114A-1.
- 19 REMOVE EXISTING TRASH ENCLOSURE.
- 21 REMOVE EXISTING POOL AND POOL EQUIPMENT.



1" = 10'

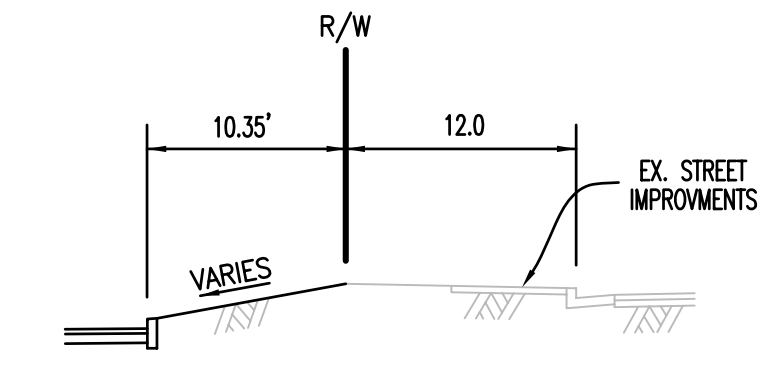
SEE SHEET 4

<p>GABEL, COOK & ASSOCIATES INC. CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS 5965 Maybrook Circle, Riverside, CA 92506 Telephone 951-788-8092</p>	<p>IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA PEN19-0122 CONCEPTUAL GRADING PLAN SITE REDEVELOPMENT 24693 IRONWOOD AVENUE</p>	SHEET
		2
		OF
		4
		SHEETS
SCALE: 1"=10'	DATE: MARCH 2020	FOR: FAMILY SERVICES ASSOCIATION
		WO: 2606

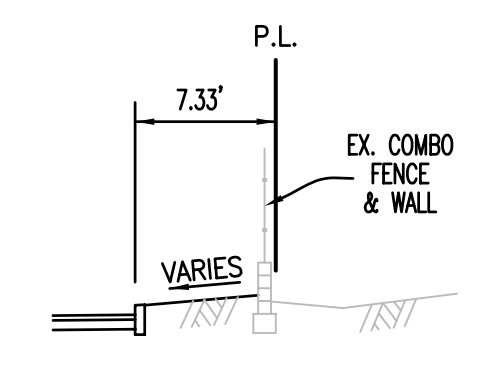


SEE SHEET 2

SEE SHEET 4



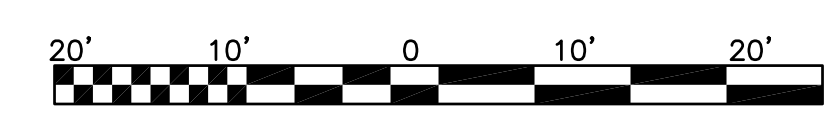
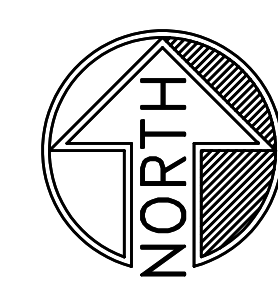
SECTION F



SECTION G

NOTES

- ① PROTECT EXISTING CURBS.
- ② REMOVE AND REPLACE EXISTING A.C. PAVEMENT.
- ③ REMOVE EXISTING A.C. PAVEMENT AND CONSTRUCT NEW CONCRETE PAVEMENT.
- ④ CONSTRUCT NEW 6" CURB AND GUTTER.
- ⑤ CONSTRUCT NEW 6" PLANTER CURB.
- ⑥ REMOVE AND REPLACE EX. CONCRETE SIDEWALKS PER CITY OF MORENO VALLEY STD. MVS1-115A-0.
- ⑨ REMOVE EXISTING DRIVEWAY APPROACH AND CONSTRUCT DRIVEWAY APPROACH, TYPE III, OPTION 1, PER CITY MORENO VALLEY STD. MVS1-112C-0.
- ⑫ CONSTRUCT TRASH ENCLOSURE PER ARCHITECTURAL PLANS.

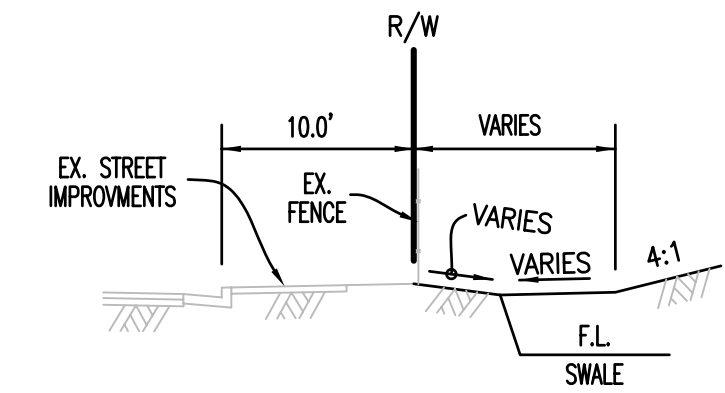
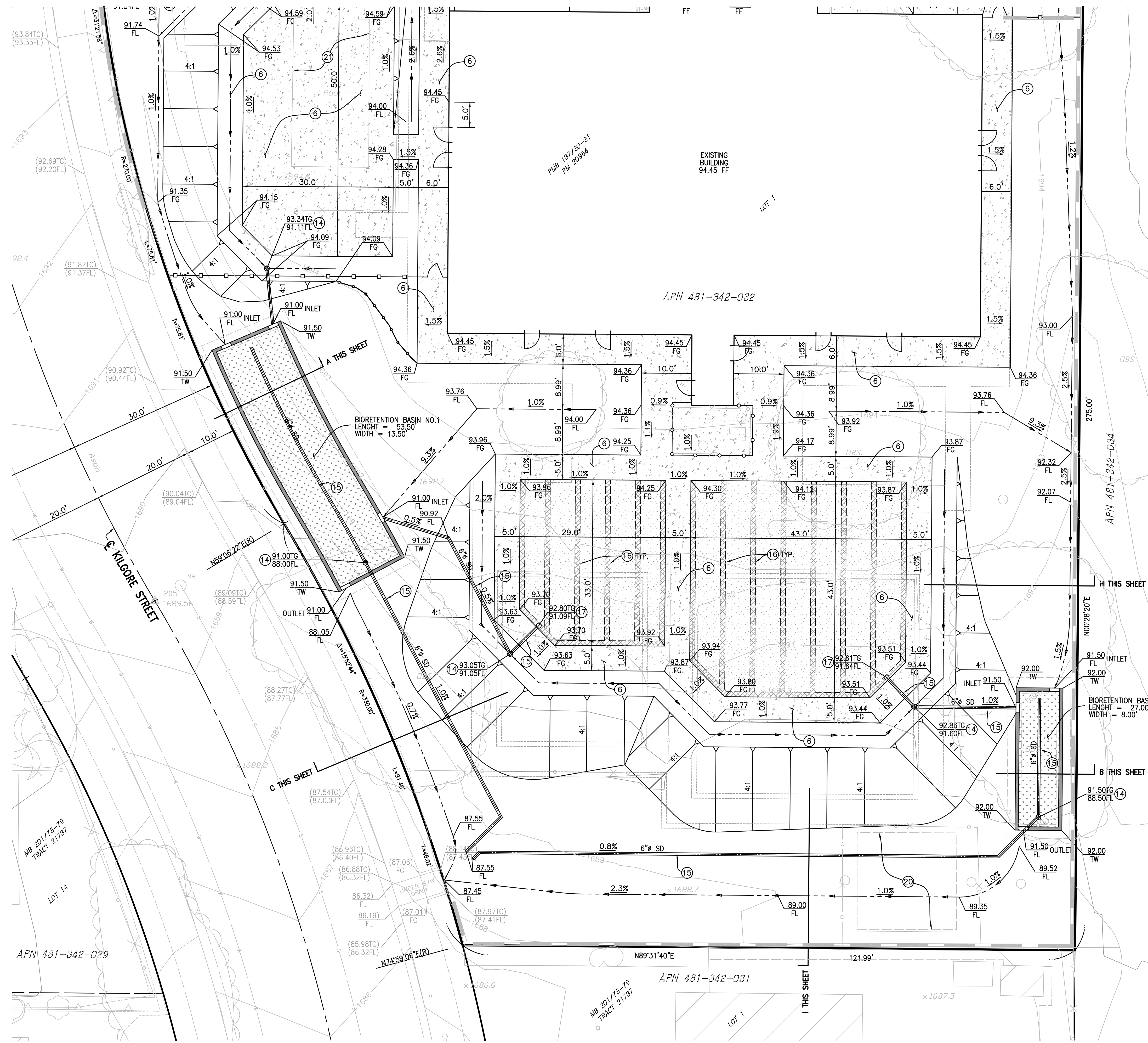


1" = 10'

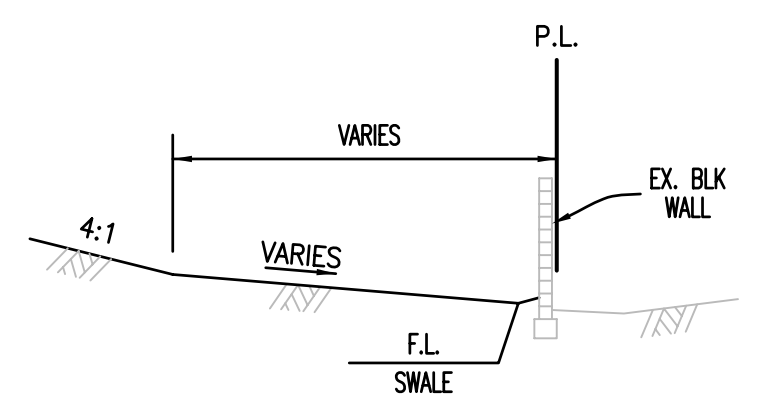
<p>GABEL, COOK & ASSOCIATES INC. CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS 5965 Maybrook Circle, Riverside, CA 92506 Telephone 951-788-8092</p>	<p>IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA</p> <p>PEN19-0122</p> <p>CONCEPTUAL GRADING PLAN SITE REDEVELOPMENT 24693 IRONWOOD AVENUE</p>	<p>SHEET 3 OF 4 SHEETS</p>
	<p>SCALE: 1"=10'</p>	<p>DATE: MARCH 2020</p>

SEE SHEET 2

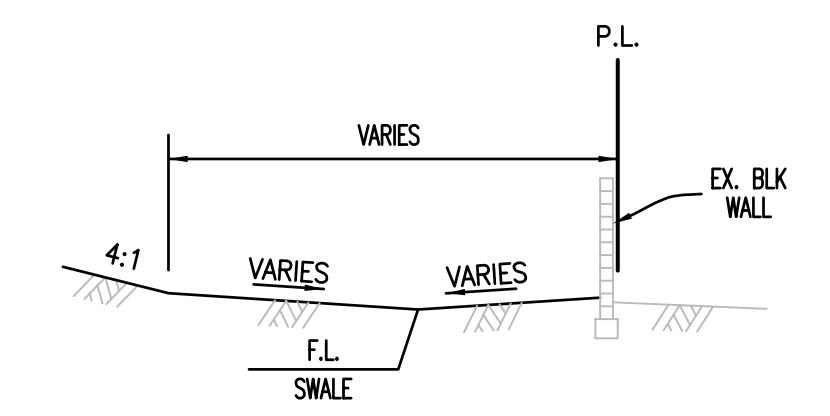
SEE SHEET 3



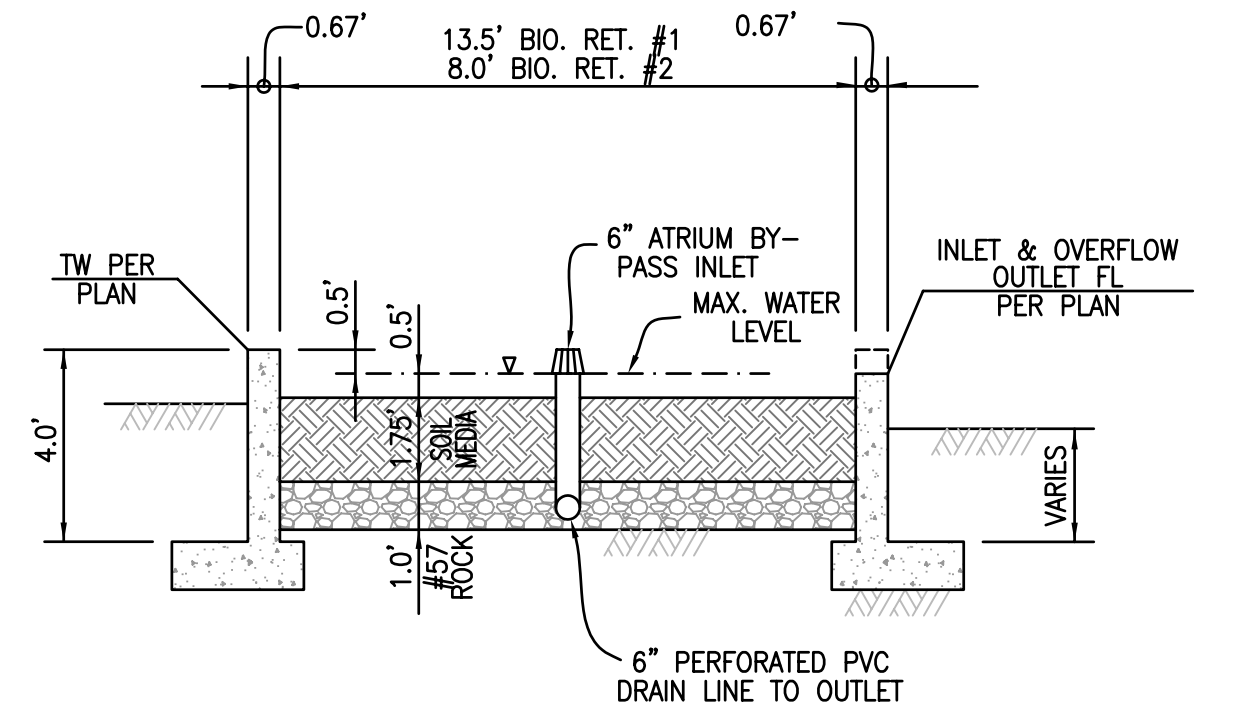
SECTION C
 1"=10' HORIZ. SCALE
 1"=10' VERT. SCALE



SECTION H
 1"=10' HORIZ. SCALE
 1"=10' VERT. SCALE



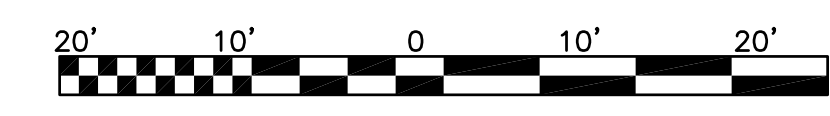
SECTION I
 1"=10' HORIZ. SCALE
 1"=10' VERT. SCALE



SECTION A - BIORETENTION BASIN # 1 AND #2
 NO SCALE

NOTES

- ⑥ REMOVE AND REPLACE EX. CONCRETE SIDEWALKS PER CITY OF MORENO VALLEY STD. MVSJ-115A-0.
- ⑬ CONSTRUCT BIORETENTION BASIN, WIDTH AND LENGTH PER PLAN, AND PER SECTION 4. ON SHEET 4.
- ⑭ CONSTRUCT 12" Ø BASIN DRAIN INLET WITH STANDARD 12" Ø GRATE.
- ⑮ CONSTRUCT 6" Ø N-12 STORM DRAIN LINE WITH FITTINGS, SIZE AND GRADES PER PLAN.
- ⑯ INSTALL 12" WIDE TERRA FLOW DRAINS, DIRECTLY ON COMPACTED SUBGRADE, AT 6" O.C., AND ALONG LOW EDGE OF PLAY YARDS.
- ⑰ CONNECTED 12" WIDE TERRA FLOW DRAINS TO 6" Ø N-12 OUTLET DRAIN.
- ⑱ INSTALL 9 1/2" THICKNESS OF ENGINEERED WOOD FIBER, OVER TERRAFIX 270R GEOTEXTILE FABRIC, OVER TERRA FLOW DRAINS, OVER COMPACTED SUBGRADE.
- ⑳ REMOVE EXISTING CONCRETE SLAB.
- ㉑ REMOVE EXISTING POOL AND POOL EQUIPMENT.
- ㉒ CONSTRUCT TRASH ENCLOSURE PER ARCHITECTURAL PLANS.



1" = 10'

GABEL, COOK & ASSOCIATES INC.
 CIVIL ENGINEERS LAND SURVEYORS
 LAND PLANNERS
 5965 Maybrook Circle, Riverside, CA 92506
 Telephone 951-788-8092

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
PEN19-0122
 CONCEPTUAL GRADING PLAN
 SITE REDEVELOPMENT
 24693 IRONWOOD AVENUE

SHEET
4
 OF
4
 SHEETS

SCALE: 1"=10'

DATE: MARCH 2020

FOR: FAMILY SERVICES ASSOCIATION

WO: 2606

FAMILY SERVICE ASSOCIATION OPERATIONS SUMMARY

IRONWOOD CHILD DEVELOPMENT CENTER 24793 IRONWOOD AVENUE, MORENO VALLEY, CA. 92557

Student Capacity: 120 children

Employees: 15 with 10 onsite at the same time

Classrooms: 6

Hours of Operation: 6:00am – 6:00pm

Operating Days: Monday – Friday, closed for State and Federal Holidays

Staffing: Center Director, Asst Director, Teachers (6) , Asst Teachers (6), Cook

Employees arrive between 6:00am and 12:00pm including part-time and full-time staff.

Shifts: Full-time employees work 8-hours a day. Part-time employees work 4-hours a day.

Drop Off:

Children are typically dropped off in a four (4) hour window between 6:00am and 10:00am with approximately 3-4 parents at the facility at the same time. Staff have staggered arrival times based on when children are expected to be dropped off.

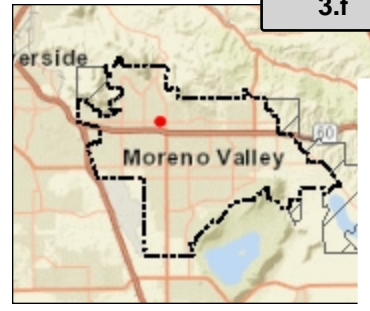
Pick Up:

Children are typically picked up in a three (3) hour window between 3:00pm and 6:00pm with approximately 4-5 parents at the facility at the same time. By this time, many of the staff have left for the day including the Asst Director, some teachers and assistants, and the cook. In the afternoon children are consolidated into fewer classrooms which require less staff.

Parking:

Based on typical operations we anticipate having a maximum of 20 cars in the parking lot at any one time. The window for dropping off children is four (4) hours each morning and the window for picking up children is three (3) hours each afternoon which greatly lessens traffic congestion at any given time.

PEN19-0122 - CUP for daycare



Legend

- Public Facilities
 - Public Facilities
 - ★ Fire Stations
- Parcels
- ⊞ City Boundary
- ⊞ Sphere of Influence

157.7 0 78.87 157.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 6/25/2019

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

Notes

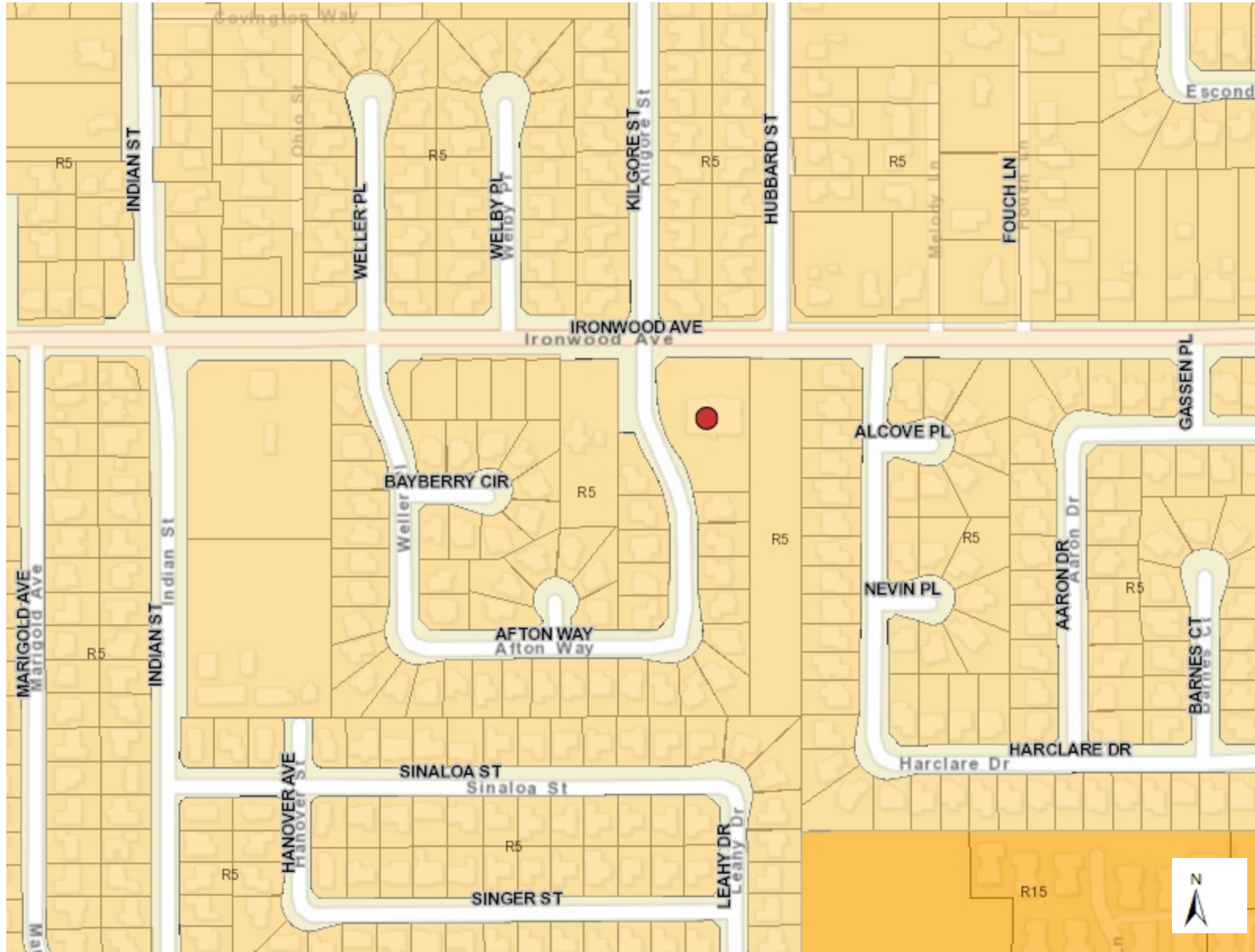
24693 Ironwood Avenue
APN: 481-342-026

Attachment: Location Map (4003 : PEN19-0122 - FSA Ironwood Child Development Center)



PEN19-0122 - CUP for daycare Zoning Map

3.g



Legend

Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Master Plan of Trails

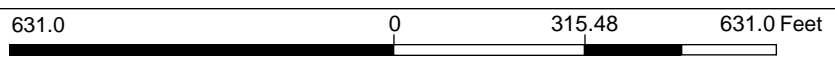
- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

Road Labels

- Parcels
- City Boundary
- Sphere of Influence
- World Street Map

Notes

24693 Ironwood Avenue
APN: 481-342-026

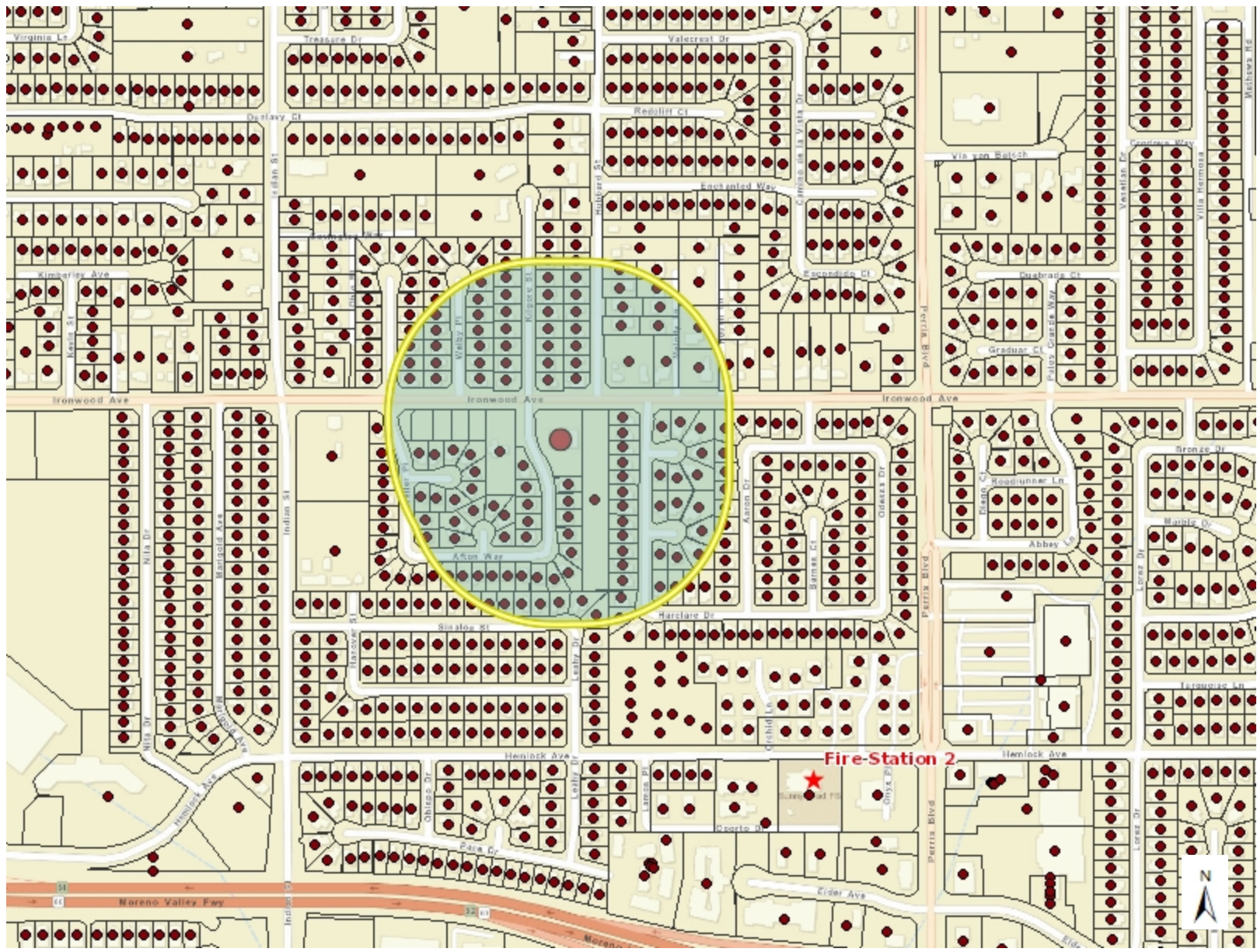


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Attachment: Zoning Map (4003 : PEN19-0122 - FSA Ironwood Child Development Center)



600 Radius Map 24693 Ironwood Ave

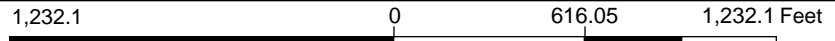


Legend

- Address Points
- Public Facilities
 - Public Facilities
 - ★ Fire Stations
- Parcels
- ⬜ City Boundary
- ⊘ Sphere of Influence

Attachment: Radius Map (4003 : PEN19-0122 - FSA Ironwood Child Development Center)

Notes:



WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 4/7/2020

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



City of Moreno Valley
Community Development Department
Planning Division
City Hall Council Chamber
14177 Frederick Street
Moreno Valley, CA 92553

NOTICE OF PUBLIC HEARING



Notice of Public Hearing before the Planning Commission of the City of Moreno Valley for the following item(s):

MEETING INFORMATION: April 23, 2020, 7:00 P.M.
Moreno Valley Council Chamber, **For Teleconference Meeting public participation instructions, please see agenda at <http://morenovalleyca.igm2.com/Citizens/default.asp>**

PROJECT LOCATION: 24693 Ironwood Avenue, Moreno Valley, CA (APN: 481-341-032), in District 1.

CASE NUMBER(s): PEN19-0122

CASE PLANNER: Jeff Bradshaw, Associate Planner
(951) 413-3224 or jeffreyb@moval.ca

- <APN>
- <Property Owner>
- <Street Address>
- <City, State, Zip>

Attachment: Public Hearing Notice (4003 : PEN19-0122 -

NOTICE OF PUBLIC HEARING

PROPOSAL:

Conditional Use Permit for a new daycare center to occupy an existing 7,063 square foot building that was previously utilized as a daycare center.

ENVIRONMENTAL DETERMINATION:

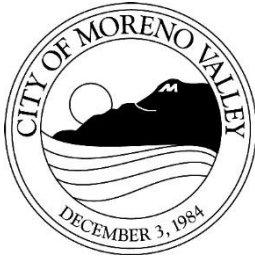
The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guidelines and it was determined that the project is exempt from the provisions of CEQA as a Class 1 Categorical Exemption in accordance with CEQA Guidelines Section 15301 for Existing Facilities.

HEARING:

Any person interested in the proposal may speak at the hearing or provide written testimony at or prior to the hearing. The application file and environmental documents may be inspected by appointment at the Community Development Department at 14177 Frederick Street, Moreno Valley, California by calling (951) 413-3206 during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m. on Fridays).

The Planning Commission, at the Hearing or during deliberations, could also consider and approve changes to the project or the environmental determination. If you challenge this project, including any modifications considered for the project, 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 on or before the public hearing.

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



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 23, 2020

A MASTER PLOT PLAN PEN19-0067 FOR A 9,900 SQUARE FOOT MULTI-TENANT COMMERCIAL/MEDICAL OFFICE DEVELOPMENT AND A CONDITIONAL USE PERMIT PEN19-0066 FOR A RETAIL CANNABIS DISPENSARY, MINDFULNESS, IN A 4,275 SQUARE FOOT BUILDING LOCATED ON THE SOUTH SIDE OF SUNNYMEAD BOULEVARD BETWEEN HEACOCK STREET AND BACK WAY.

Case: Master Plot Plan (PEN19-0067) and Conditional Use Permit (PEN19-0066)

Applicant: Rajan Patel / Taro LLC

Property Owner: Taro LLC

Representative: Richard Corsini, Corsini Stark Architects, LLP

Location: 24155 Sunnymead Boulevard
(APN 481-120-007)

Case Planner: Sean P. Kelleher

Council District: 1

Proposal: A Master Plot Plan PEN19-0067 for a 9,900 square foot multi-tenant commercial/medical office development and a conditional use permit for a retail cannabis dispensary, "Mindfulness", Conditional Use Permit PEN19-0066 in a 4,275 square building located in the Village Specific Plan, SP 204, Village Commercial/Residential (VCR) district.

SUMMARY

The Applicant, Rajan Patel on behalf of Taro LLC, is requesting approval of a Master Plot Plan PEN19-0067 to construct a 9,900 square foot multi-tenant commercial/medical office development with two buildings on 0.88-acres located in the Specific Plan 204, Village Specific Plan, Village Commercial/Residential (VCR) District. It should be noted that the VCR district references the Neighborhood Commercial District (NC) District for permitted uses.

The Applicant has also submitted a Conditional Use Permit PEN19-0066 to allow the operation of a retail cannabis dispensary “Mindfulness” within a 4,275 square foot building. The proposed use is for commercial retail sales of cannabis and cannabis products sold to individuals who are 21 years of age or older; the applicant is proposing hours of operation between 6:00 am and 10:00 pm, seven days per week.

BACKGROUND

Pursuant to the authority granted to the City by Article XI, Section 7 of the California Constitution, a City may make and enforce, within its limits, regulations designed to promote the public health, safety, and welfare. The City Council, recently adopted Ordinances that regulate commercial cannabis businesses in the City. These Ordinances are based on both federal and state laws.

Federal and State Laws

The Federal Controlled Substances Act classifies marijuana as a Schedule 1 Drug and makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute, or possess with intent to manufacture, distribute, dispense, or possess. However, in 2016, Proposition 64 was approved by the voters in California (“The Adult Use Marijuana Act” or AUMA). AUMA established a comprehensive system to legalize, control and regulate the cultivation, processing, manufacturing, distribution, testing and sale of non-medical marijuana and products for use by adults 21 years of age and older. In addition, it allows taxation of commercial growth and retail sales of marijuana and marijuana products. Most recently, in 2017, then Governor Jerry Brown signed the “Medical and Adult-Use Cannabis Regulations and Safety Act” (MAUCRSA) which further amends prior statutory enactments.

City Regulations

In November 2017, the City Council adopted Ordinance 926, which set rules for the establishment, operation, and regulation of specific commercial cannabis uses, and in March 2018 the City Council approved Resolution 2018-11 approving the initial procedure for permit applications. Land use regulations for the operation of the cannabis uses were established in April 2018 with the adoption of Ordinance 932, which provided for the following cannabis uses: dispensaries, testing, cultivation, manufacturing, microbusinesses, and distribution.

Additionally, in December 2018, the City Council adopted Resolution No. 2018-94, establishing a maximum of 43 commercial cannabis permits. The table below identifies

the various types of commercial cannabis permit types, number of permits allowed, and number and status of permits submitted.

Commercial Cannabis Permit Types	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications in Review	Number of Conditional Use Permit Applications Approved
Dispensaries	23	23*	22*	8	13
Manufacturing	5	2	2	2	0
Cultivation	8	2	2	2	0
Distribution (of products from licensee to licensee only)	2	2	2	1	1
Microbusinesses	3	3*	3*	0	2
Testing Facilities	2	0	0	0	0

*Note: The Provisional Business License for one Microbusiness and one Dispensary have been revoked; therefore, the associated Conditional Use Permit Applications were closed.

The City's multi-step process for selecting commercial cannabis businesses that can legally operate in the City as follows:

Step 1 – Application Process. Commercial Cannabis Business Permit applications were reviewed and a background check of business Owner(s) and their Employees, was conducted. Applications with a minimum overall score of 80% were interviewed by staff to establish a candidate pool, and applications were required to be submitted through an online (PlanetBids) system. The City issued provisional Commercial Cannabis Business Permits to 32 successful applicants. Only those commercial cannabis businesses with provisional permits are eligible to proceed to the subsequent steps in the process.

Step 2 – Obtain a Conditional Use Permit. Municipal Code Section 9.09.290C2 requires that commercial cannabis businesses must obtain a Conditional Use Permit, which is a land use entitlement process to confirm the proposed land use and site development elements will be consistent with City established development regulations as well as compatible with other land uses near the proposed project.

Step 3 – State approval. In addition to local permits, each Commercial cannabis business must also obtain applicable State of California cannabis permits prior to commencing operation lawfully within the City.

Step 4 – Obtain a Certificate of Occupancy. Lastly, all commercial cannabis businesses must obtain a Certificate of Occupancy ("C of O") from the Building and Safety Division, prior to opening for business. The C of O is the final step in the process and documents that the Applicant has completed all required tenant improvements to

the building and modifications to the parking lot, as required by conditions of approval in the CUP Resolution, and have paid all requisite City fees.

Provisional Commercial Cannabis Business Permit

On, December 27, 2019, Taro LLC, received a provisional Commercial Cannabis Business Permit (Permit Number MVCCBP-R0009) from the City of Moreno Valley. A subsequent application for a Conditional Use Permit was submitted to the City on February 25, 2019. The applicant represents that they will apply for the necessary state permits once the Planning Commission approves the CUP application.

PROJECT DESCRIPTION

Plot Plan PEN19-0067

The proposed project would construct a 9,900 square foot multi-tenant commercial/medical office development on a 0.88-acre site (APN: 481-120-007). The development will consist of two buildings including a 4,275 square foot building (proposed for a retail cannabis dispensary under the Conditional Use Permit discussed below) and a 5,625 square multi-tenant building for medical offices. The proposed 4,275 square foot building has been designed to encourage pedestrian activity along Sunnymead Boulevard consistent with the goals of the Specific Plan.

The proposed development will be constructed in two phases. The first phases will include the construction of the 4,275 square foot building, all on and off-site improvements, and grading for the medical office building. The medical office building will be constructed in the second phase. A condition of approval has been placed on the project requiring the applicant to hydroseed the vacant medical office pad with a native plant mix as part of Phase 1.

Site/Surrounding Area

The project site consists of a single parcel located on the south side of Sunnymead Boulevard between Heacock Street and Back Way. The site is currently vacant and is relatively flat with a gentle slope to the south. Adjacent uses include a mix of retail and office uses to the north, a vacant building proposed for a cannabis use and apartment building to the east, single family residences and vacant land to the south, and a liquor store to the west.

Access/Parking

The site will be served by an existing driveway on Sunnymead Boulevard that will be expanded to allow for ingress and egress. A total of 42 parking spaces are required for the proposed retail space and the medical offices. However, the site has been designed with 44 parking spaces to allow the medical office building to be utilized for retail purposes to allow for flexibility in the uses of the multi-tenant building. Additionally

the proposed 4,275 square foot retail building has been designed with an enclosed loading area capable of housing 2 delivery vehicles.

Design/Landscaping

The architectural design of the building reflects a contemporary architectural style that incorporates materials including cement plaster, steel paneling with a dark bronze finish, and glass. The proposed architectural elements are consistent with the design guidelines of the Village Specific Plan as it incorporated varied façade finishes, natural earth tones, and a plaza.

The conceptual landscape plan demonstrates consistency with the landscape requirement of the Municipal Code. Additionally, a condition of approval has been placed on the project requiring the applicant provided enhanced paving on site at the project driveway entrance.

Conditional Use Permit PEN19-0066

The proposed Conditional Use Permit would allow a 4,275 square foot retail cannabis dispensary within a new commercial building. Tenant improvements within the dispensary includes a reception includes a check in area with secured access to the retail area. The retail area would provide for the sale of cannabis products. The remainder of the building would include restrooms, employee and security offices, and secured storage areas. The applicant is proposing hours of operation between 6:00 am and 10:00 pm, seven days per week.

Safety and Security Plan

Moreno Valley Municipal Code Section 9.09.294(B)(6) requires that any transfer of product or currency shall be identified in an individual security plan that is approved by the City. A Safety and Security Plan has been provided to the City that identifies methods to address site security for employees, customers, and the public as well as fire prevention methods that comply with local and state laws and include provisions for on-site security guards, a security and a fire alarm system, required secured parking for deliveries, and a video surveillance system. A condition of approval requires the applicant to provide all video to the Police and Fire Departments upon their request.

Odor Control Plan

An Odor Control Plan has been prepared for the project in conformance with City requirements to ensure abatement of all potential odors that could emanate from the dispensary. This plan states that the dispensary will utilize an air system that creates a negative pressure within the building. The exhaust system will utilize an air filtration system with carbon filters, ozone generators, and/or vapor barriers to mitigate odor. Filters will be replaced as necessary to ensure there will be no odor nuisance emitted from the operation. The air filtration system will be designed by a licensed Mechanical Engineer and reviewed and permitted by the Building & Safety Division staff as part of

the tenant improvement plans for the heating, ventilation and air conditioning (HVAC) systems for the proposed dispensary. It should be noted that all product will also arrive on-site in sealed containers. In addition to the proposed provisions staff is requiring that automatic closures shall be installed on all interior and exterior doors and that all roof venting, wall penetrations panel joints, etc., be sealed to prevent odors from migrating outside of the dispensary.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this project on March 27, 2019. The applicant has worked with staff and modified the proposed plans to the satisfaction of all Departments. Based on staff's review, it was determined that the project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

City staff has completed an independent review of the potential environmental impacts of the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines and has determined the project does not have the potential for a significant effect on the environment, and qualifies for a Class 32 Categorical Exemption (Section 15332, In-fill Development Projects).

NOTIFICATION

Public notice was sent to all property owners of record within 600' of the project on April 9, 2020. The public hearing notice for this project was also posted on the project site and published in the local newspaper on April 10, 2020.

REVIEW AGENCY COMMENTS

The project application materials were circulated for review by all appropriate City departments and divisions as well as applicable outside agencies. Throughout the review process, comments and proposed conditions of approval were provided in writing to the Applicant.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. **APPROVE** Resolution No. 2020-14, and thereby:
 - a. **CERTIFY** that Master Plot Plan (PEN19-0067) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill development Projects), and

- b. **APPROVES** PEN19-0067, Master Plot Plan, based on the findings contained in this resolution and subject to conditions of approval attached as Exhibit A.
2. **APPROVE** Resolution No. 2020-15, and thereby:
- a. **CERTIFY** that Conditional Use Permit PEN19-0066 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption (Section 15332, In-Fill Development Projects); and
 - b. **APPROVE** Conditional Use Permit PEN19-0066 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

Prepared by:
Sean P Kelleher

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. Resolution No. 2020-14
2. Exhibit A to Resolution No. 2020-14
3. Resolution No. 2020-15
4. Exhibit A to Resolution No. 2020-15
5. Project Plans
6. Aerial Map
7. Zoning Map
8. Mailing Notice - PEN19-0066
9. Radius Map
10. Public Comment

PLANNING COMMISSION RESOLUTION NO. 2020-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING APPLICATION NO. PEN19-0067, A MASTER PLOT PLAN FOR DEVELOPMENT OF A 9,900 SQUARE FOOT MULTI-TENANT COMMERCIAL/MEDICAL OFFICE DEVELOPMENT ON 0.88 ACRES LOCATED ON THE SOUTH SIDE OF SUNNYMEAD BOULEVARD BETWEEN HEACOCK STREET AND BACK WAY (ASSESSOR PARCEL NUMBER 481-120-008).

WHEREAS, Rajan Patel on behalf of Taro LLC, filed an application for a Master Plot Plan, PEN19-0067 for the development, of a 9,900 square foot multi-tenant commercial/medical office development on a 0.88-acre vacant parcel, as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley (City) procedures, and with consideration of Specific Plan SP 204, the Municipal Code, the General Plan, and other applicable regulations; and

WHEREAS, the City has reviewed this project and determined that it is consistent with the site's General Plan Mixed Use designation, all applicable General Plan policies, and the Moreno Valley, Village Specific Plan No. 204, Village Commercial/Residential (VCR) zoning district; and

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

WHEREAS, the public hearing notice for this project was published in the local newspaper on April 10, 2020 and public notice was sent to all property owners of record within 600 feet of the project site on April 9, 2020. The public hearing notice for this project was also posted on the project site on April 10, 2020, and

WHEREAS, on April 23, 2020, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on April 23, 2020, the Planning Commission of the City of Moreno Valley determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill Development Projects); and

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

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

NOW, THEREFORE, the Planning Commission of the City of Moreno Valley, California, does hereby find, determine, and resolve as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on April 23, 2020, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
 - 1. **Conformance with General Plan Policies** – The proposed project is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposed project is for the construction of a new 9,900 square foot multi-tenant commercial/medical office development on 0.88-acres. The project site has a General Plan Land Use designation of Mixed Use (MU). The proposed land use has been evaluated against General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.”

The project is located within Specific Plan 204 (SP 204 Village Commercial/Residential zoning district), which encourages commercial development along Sunnymead Boulevard, with an emphasis on improving pedestrian connectivity on the boulevard. The proposed project is consistent with the permitted uses and development standards of the Specific Plan and is therefore consistent with the goals, objectives, policies, and programs of the General Plan, and the adopted Specific Plan.

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

FACT: The proposed Master Plot Plan includes development of a 9,900 square foot multi-tenant commercial development of land located on the south side of Sunnymead Boulevard between Heacock Street and Back Way. The site is located in Specific Plan 204 (SP 204, Village Commercial/Residential district), and as such is subject to the development standards of the Specific Plan.

The project is designed in accordance with the provisions of Village Specific Plan SP 204, VCR, and as designed and conditioned would comply with all applicable zoning standards.

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

FACT: The proposed Master Plot Plan as designed and conditioned will provide acceptable levels of protection from natural and man-made hazards to life, health, and property consistent with General Plan Goal 9.6.1, through the implementation of, and compliance with applicable building and fire codes.

The proposed project as designed and conditioned will result in a development that will minimize the potential for loss of life and protect workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and flooding as provided for in General Plan Objective 6.1 and General Plan Objective 6.2.

The project is consistent with the City General Plan, Specific Plan 204, and Moreno Valley Municipal Code which are intended to protect the public health, safety and welfare; therefore, the proposed project will not be detrimental to the public health, safety or welfare or material injurious to properties or improvements in the vicinity.

Planning staff has reviewed the project in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project is exempt under the provisions of the CEQA as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development Projects. The Class 32 exemption applies to the new commercial multi-tenant building because the proposed development occurs within City limits on a project site of 0.88-acres, which is less than the exemption requirement of five acres, and the site is surrounded by existing urban uses, and has no value as habitat for endangered, rare or threatened species.

Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and can be adequately served by all required utilities and public services. The project as designed and conditioned will be required to comply with the Specific Plan 204, all applicable building codes, and the City's Municipal Code.

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 proposed project, the construction of a 9,900 square foot multi-tenant commercial/medical office development is a permitted use in the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District. Furthermore, the proposed use is consistent with existing commercial and residential development. The project is well buffered from residential uses to the south by parking, landscaping and a new six-foot masonry wall.

The project has been designed to comply with Specific Plan 204 and the development standards and design guidelines of the Moreno Valley Municipal Code. The project as designed and conditioned is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

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

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

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PEN19-0067, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

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

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

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the applicable statute of limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2020-14, and thereby:

1. **CERTIFY** that Master Plot Plan (PEN19-0067) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill development Projects), and
2. **APPROVES** PEN19-0067, Master Plot Plan, based on the findings contained in this resolution and subject to conditions of approval attached as Exhibit A.

APPROVED this 23rd day of April, 2020.

Patricia Korzec
Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

Patty Nevins, Planning Official
Secretary to the Planning Commission

City Attorney

Attachment:
Exhibit A: Conditions of Approval

CONDITIONS OF APPROVAL

Conditional Use Permit PEN19-0067

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN19-0067)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. The site has been approved for a 4,275 square foot single story retail building and a 5,625 square foot single story medical office building on approximately 0.88-acres. The approval includes the associated parking lot, landscaping improvements per the approved plans. A change or modification shall require separate approval.
2. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
3. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
4. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
5. 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)
6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. This project is located within Specific Plan 204. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
8. 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), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. 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.
10. 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

Attachment: Exhibit A to Resolution No. 2020-14 (4001 : PEN19-0066/67 Taro LLC Retail Cannabis Dispensary)

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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)

Special Conditions

11. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
12. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
13. 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 shall remain in place until the project is completed or the above conditions no longer exist. (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).
14. Should the project be constructed in two phases all on-site improvements shall be constructed with the exception of the building. The building pad shall be at a minimum rough graded and hydroseeded. The hydroseed mix shall be identified on the landscape plans.
15. The applicant shall install a decorative paving at the project driveway entrance.

Prior to Grading Permit

16. Prior to issuance of any grading permit, all Conditions of Approval shall be printed on the building plans.
17. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
18. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee.
19. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must 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 immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community 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.

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- If human remains are discovered during grading and other construction excavation, 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 notified within 5-days of the published finding to be given a reasonable opportunity 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).
20. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress /egress locations of the project.
 21. Prior to issuance of any grading permit, all Conditions of Approval, I shall be printed on the grading plans.
 22. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress /egress locations of the project.
 23. 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 solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
 - b. 3-foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
 - d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Planning Official. (DC 9.08.070)
 24. Prior to approval of any grading permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.
 25. 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.
 26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
 27. Prior to approval of any grading permit, the tree plan shall be submitted to and approved by the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right -of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for

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each mature tree removed or as approved by the Planning Official. (GP Objective 4.4, 4.5, DG)

Building Division

28. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc. Required accessible elements (trash enclosure) must be accessible and shall be on the accessible route, including a man-door access into the trash enclosure.
29. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
30. Contact the Building Safety Division for permit application submittal requirements.
31. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m. (except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
32. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
33. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
34. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
35. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2019 CBC.
36. The proposed non-residential project shall comply with 2019 California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
37. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2019 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
38. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC

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8.80.030)

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

39. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
40. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.
41. New Moreno Valley businesses are encouraged to hire local residents.
42. New Moreno Valley businesses are encouraged to provide a job fair flyer and /or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
43. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”).
The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:
 - a. Job Announcements
 - b. Applicant testing / pre-screening
 - c. Interviewing
 - d. Job Fair support
 - e. Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

44. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
45. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler 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, MVMC 8.36.100[D])
46. 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 Code Official. 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)
47. Plans for private water mains supplying fire sprinkler systems and /or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)

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48. 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 B 105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 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)
49. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
50. 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, 501.3) a - 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.
51. Plans for private water mains supplying fire sprinkler systems and /or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
52. 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)
53. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
54. Where egress control devices are installed a fire alarm system may be required in accordance with NFPA 72

PUBLIC WORKS DEPARTMENT**Land Development**

55. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer.
If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. 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.
56. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as

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the Subdivision Map Act (SMA). [MC 9.14.010]

57. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
58. The developer shall monitor, supervise and control all construction related 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.
 - d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
- Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor (s) to remedy as noted in 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.
59. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
60. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc.). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
61. This project shall submit civil engineering design plans, reports and /or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - b. Public improvement plan (e.g., sewer/water, etc.) (prior to encroachment permit issuance);
 - c. Final drainage study (prior to grading plan approval);
 - d. Final WQMP (prior to grading plan approval);
 - e. As-Built revision for all plans (prior to Occupancy release);

Prior to Grading Plan Approval

62. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.

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63. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
64. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
 - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
 - d. 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. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
65. 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. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
66. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
67. The developer shall pay all remaining plan check fees.
68. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
69. 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) which shall be noted on the grading plans.

Prior to Grading Permit

70. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood

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- Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
71. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
 72. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

Prior to Improvement Plan Approval

73. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
74. 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
75. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

76. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
77. All applicable inspection fees shall be paid.
78. 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
79. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

80. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.

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81. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
82. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and /or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

Prior to Occupancy

83. All outstanding fees shall be paid.
84. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
85. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
86. For commercial, industrial and multi-family projects, 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. 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, this project is subject to the following 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 option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
87. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
 - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (LS-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.

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- d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on -site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to : electrical, cable and telephone.
88. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
89. 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 for review and approved by the City Engineer.
90. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non -structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

91. This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and /or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
- a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
 - b. Establish an endowment fund to cover the future maintenance and /or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the

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Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

92. Commercial (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on -site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)
93. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
94. The existing parkway/median along the frontage of the project shall be brought to current City Standards. Improvements may include but are not limited to: plant material, irrigation, and hardscape.
95. Inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)
96. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
97. Modification of existing irrigation systems for parkway improvements may be required per the direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.

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98. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
99. The removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced, at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)
100. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services), Zone C (Arterial Street Lighting), and Zone S (Sunnymead Boulevard Maintenance). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C and the annual parcel charge for Zone S for operations and capital improvements.

Transportation Engineering Division

101. Conditions of approval may be modified if project is altered from any approved plans.
102. The driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches.
103. All proposed on-site traffic signing and striping should be accordance with the 2014 California Manual on Uniform Traffic Control Devices (CAMUTCD), latest revision.
104. Sunnymead Boulevard is classified as an Arterial per City Standard Plan No . MVSI-104E-0. Communication conduit along project frontage may be required per City Standard Plan No. MVSI-186-0. Any improvements undertaken by this project shall be consistent with the City's standards for this facility.
105. 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 Sunnymead Boulevard along the project frontage. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered Civil or Traffic Engineer.
106. Prior to issuance of an encroachment permit for work within the public right -of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval or as required by the City Traffic Engineer.
107. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at the project driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fence and monument sign shall not be located in an area that obstructs the drivers' line-of-sight.
108. Prior to the final approval of the street improvement plans, a median improvement plan shall be prepared by a registered civil engineer for the raised landscape median on Sunnymead Boulevard to allow left-turn movement into the project site for westbound traffic. Median construction shall include but not be limited to: paving, concrete curbs, landscaping, stamped or decorative concrete surface and signing/striping. Exact requirements will be determined

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during the plan check process.

109. Prior to issuance of Certificate of Occupancy, all modification work for the existing landscaped median along the project frontage on Sunnymead Boulevard shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.
110. Prior to issuance of Certificate of Occupancy, all signing and striping shall be installed per current City Standards and the approved plans.

PARKS & COMMUNITY SERVICES DEPARTMENT

111. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone 'A' charge for operations and capital improvements. Proof of such shall be supplied to Parks and Community Services upon Final Map and at Building Permits.

PLANNING COMMISSION RESOLUTION NO. 2020-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING A CONDITIONAL USE PERMIT (PEN19-0066) FOR A RETAIL CANNABIS DISPENSARY, "MINDFULNESS" IN A 4,275 SQUARE FOOT COMMERCIAL BUILDING ON THE SOUTH SIDE OF SUNNYMEAD BOULEVARD BETWEEN HEACOCK STREET AND BACK WAY (ASSESSOR PARCEL NUMBER 481-120-007).

WHEREAS, Rajan Patel on behalf of Taro LLC, has filed an application for the approval of Conditional Use Permit (CUP) PEN19-0066 for the development of a 4,275 square foot retail cannabis dispensary, operating between the hours of 6:00 a.m. and 10:00 p.m., 7 days per week, as described in the title above; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley (City) procedures, and with consideration of Specific Plan 204, the Municipal Code, the General Plan, and other applicable regulations; and

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

WHEREAS, the public hearing notice for this project was published in the local newspaper on April 10, 2020 and public notice was sent to all property owners of record within 600 feet of the project site on April 9, 2020. The public hearing notice for this project was also posted on the project site on April 10, 2020, and

WHEREAS, on April 23, 2020, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on April 23, 2020, the Planning Commission of the City of Moreno Valley determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-Fill Development Projects); and

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

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

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

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on April 23, 2020, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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

FACT: State Planning Law required cities and counties to set forth goals, policies, and implementation programs for the long term physical development of the community. Section 65302 (a) of the Government Code requires preparation of a land use element which designates the proposed general distribution and general location of the uses of land for housing, business, industry, public buildings, and open space. The proposed development is located within the Mixed Use (MU) land use designation of the Moreno Valley General Plan.

The CUP has been evaluated against General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.” Staff has confirmed that the proposed project does not conflict with any of the goals, objectives, policies, and programs of the General Plan. The operation of a cannabis dispensary within a 4,275 sq. ft. commercial building will provide a convenient, safe, and easily accessible commercial business within the City.

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

FACT: The proposed project is within the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District. Municipal Code Section 9.02.290 C 2 (Cannabis Business Locations and Use), requires a Conditional Use Permit in order to lawfully operate all commercial cannabis activities including dispensaries. The proposed Conditional Use Permit for a cannabis dispensary will comply with the Municipal Code Section 9.09.290 Commercial Cannabis Activities, which provides standards for cannabis dispensaries. The proposed dispensary will be located within a 4,275 square foot building within a new 9,900 square foot commercial/medical office development.

The project is designed in accordance with the provisions of Village Specific Plan SP 204, VCR. The project as designed and conditioned would comply with all applicable zoning standards.

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 commercial cannabis business will operate within 4,275 square foot commercial building, within a new 9,900 square foot commercial/medical office development. This proposed use will be consistent with General Plan Goal 6.1 as it achieves acceptable levels of protection from natural and man-made hazards to life, health, and property through the implementation of the Applicant’s Security Plan, and compliance with applicable building and fire codes.

The proposed project as designed and conditioned will result in a development that will minimize the potential for loss of life and protect workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and flooding as provided for in General Plan Objective 6.1 and General Plan Objective 6.2.

The project is consistent with the City General Plan, Specific Plan 204, and Moreno Valley Municipal Code which are intended to protect the public health, safety and welfare; therefore, the proposed project will not be detrimental to the public health, safety or welfare or material injurious to properties or improvements in the vicinity.

Planning staff has reviewed the project in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project is exempt under the provisions of the CEQA as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development Projects. The Class 32 exemption applies to the new commercial development because the project is consistent with the criteria of the exemption including the following. The proposed development occurs within City limits on a project site of 0.88-acres, which is less than the exemption requirement of five acres. In addition, the site is surrounded by existing urban uses, and has no value as habitat for endangered, rare or threatened species.

Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and can be adequately served by all required utilities and public services. The project as designed and conditioned will be required to comply with the Specific Plan 204, all applicable building codes, and the City’s Municipal Code.

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

FACT: The project site is consistent with the Mixed Use (MU) General Plan designation, and the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District and is permitted subject to the approval of a Conditional Use Permit. The proposed commercial cannabis dispensary will operate within 4,275 square foot commercial building, within a new 9,900 square foot commercial/medical office development. Tenant improvements, consistent with applicable federal, state and local regulations, are proposed.

Additionally, the project site is not located within 600 feet of any public or private school providing instruction in kindergarten or grades 1 through 12, and from child day care centers, youth centers, or arcades.

Overall, the proposed project has been found to be consistent with certain objectives, goals and policies outlined in the City's General Plan, as well as being compatible with the existing land uses in the project area.

This project as proposed and conditioned conforms to all development standards of the Village Specific Plan SP 204, Village Commercial/Residential (VCR) District and the design guidelines for commercial developments prescribed in the City's Municipal Code and City Landscape Standards.

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

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

Unless otherwise provided for by this Resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City

expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. **DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS**

The adopted Conditions of Approval for PEN19-0066, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. **CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS**

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

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

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the applicable statute of limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2020-15, and thereby:

1. **CERTIFY** that Conditional Use Permit PEN19-0066 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption (Section 15332, In-Fill Development Projects); and
2. **APPROVE** Conditional Use Permit PEN19-0066 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

APPROVED this 23rd day of April, 2020.

Patricia Korzec
Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

Patty Nevins, Acting Community
Development Director
Secretary to the Planning Commission

City Attorney

Attachments:

Exhibit A: Conditions of Approval

Attachment: Resolution No. 2020-15 [Revision 2] (4001 : PEN19-0066/67 Taro LLC Retail Cannabis Dispensary)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0066)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. 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)
2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
3. This project is located within the Village Specific Plan SP 204, Village Commercial/Residential (VCR) district. The provisions of the zoning, and the Conditions of Approval shall prevail unless modified herein.
4. The commercial cannabis dispensary shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code Title 5 and Title 9, and all related Municipal Code sections.
5. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
6. All landscaped areas and the parking lot shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. Any signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
8. All site plans, grading plans, landscape plans and proposed signage shall be coordinated for consistency with this approval.
9. A copy of all pages of these conditions shall be included in the construction drawing package.

Special Conditions

10. The site has been approved for a commercial cannabis dispensary, located at 24155 Sunnymead Boulevard, (approximately 4,275 square feet) per the approved plans and per the requirements of the City's Municipal Code (MC) Section 9.09.290 Commercial cannabis

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- activities, 9.09.293 Cannabis Business locations and use, and 5.05 Commercial Cannabis Activity. A change or modification to the interior design/set-up, exterior elevations or business process (including security procedures) shall require separate review and approval. For a Conditional Use Permit, violation may result in revocation of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260.
11. The cannabis license and the Conditional Use Permit, apply only to the 4,275 square foot building at 24155 Sunnymead Boulevard. No use of any other tenant space, outside of the 4,275 square foot building is allowed per Conditional Use Permit PEN19-0066.
 12. Daily hours of operation for the dispensary may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
 13. A licensee conducting a commercial cannabis dispensary shall meet all applicable operational requirements for retail/commercial cannabis dispensaries. (MC 9.09.290 (E)(4))
 14. The commercial cannabis operation shall have a valid Commercial Cannabis Business Permit and shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
 15. The cannabis licensee shall display its current valid Commercial Cannabis Business Permit under Chapter 5.05 of this Code and a Conditional Use Permit issued in accordance with this chapter inside the lobby or waiting area of the main entrance to the site. The permits shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
 16. All City Fire, Police and Code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities during business hours. (MC 9.09.290 (D)(2)(g))
 17. No person associated with this commercial cannabis dispensary shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
 18. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the dispensary site. (MC 9.09.290 (E)(4)(f))
 19. No commercial cannabis dispensary owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on the dispensary property (ii) hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the dispensary property. (MC 9.09.290 (E)(4)(g))
 20. No cannabis or marijuana materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis dispensaries are being conducted. All commercial cannabis dispensaries must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
 21. The commercial cannabis dispensary shall have designated locked storage on the dispensary

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- property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(4)(c))
22. No delivery service (retail) of any cannabis products is allowed. All distribution of cannabis must be conducted within the enclosed building area of the dispensary property between the seller and buyer. (MC 9.09.290 (E)(4)(e))
 23. All operations conducted and equipment used must be in compliance with all applicable state and local regulations, including all building, electrical and fire codes. (MC 9.09.290 (E)(7)(b))
 24. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the buildings on the site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights-of-way. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
 25. All windows on the building that houses the Cannabis Facility shall be appropriately secured and all cannabis and marijuana securely stored.
 26. Professionally and centrally monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm. (MC 9.09.290 (E)(12)(b))
 27. Waste and storage and disposal of all cannabis and marijuana products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
 28. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside the Cannabis Business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the Cannabis Business. As such, Cannabis Businesses must install and maintain the following equipment or any other equipment which the Local Licensing Authority determines has the same or better effectiveness:
 - a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
 - b. An air system that creates negative air pressure between the Cannabis Businesses' interior and exterior so that the odors generated inside the Cannabis Business are not detectable outside the Cannabis Business.
 29. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
 30. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.

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31. Automatic closures on all interior and exterior doors shall be installed.
32. All interior and exterior door seals shall be replaced and adjusted.
33. All roof venting, wall penetrations, panel joints etc. shall be sealed.
34. The Applicant shall install air curtains on all exterior doors.
35. Two secured parking spaces, identified on a plot plan shall be located convenient to the required secured area of each facility to be used by secured transfer vehicles involved in the couriering or dispensing of cannabis materials products to and from the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
36. A fire sprinkler system shall be installed for this project or as required by the Municipal Code Section 9.09.290. An approved automatic fire sprinkler system, designed in compliance with the California Fire Code is required in every building that houses a commercial cannabis business. This is a minimum standard and does not preclude the city from imposing additional fire prevention measures as deemed necessary by the fire marshal (MC 9.09.290 (E)(7)(d))
37. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E) (14) (c))
38. Licensee shall remove any graffiti from the licensed premises within twenty-four (24) hours of its occurrence, or as requested by the city. (MC 9.09.290 (E) (14) (d))
39. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed and maintained free of locations which could reasonably be used by persons to conceal themselves and/or to enable undesirable activity. The design and maintenance practices shall give appropriate consideration to both natural and artificial illumination. (MC 9.09.290 (E)(8)(c))
40. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approval of any new or repaired landscaping by the Planning Division designed per the City's Municipal Code 9.17.
41. Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation improvements shall be installed, and inspected and approved by the Planning Division. (DC 9.03.040)
42. Prior to issuance of Certificates of Occupancy or building final, the applicant shall cause the slurry sealing and restriping of the parking lot that shall be inspected and approved by the Planning and Building Divisions.
43. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards and the Security Plan at all times.
44. Prior to approval of tenant improvement plans, 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

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designed in such a manner so that it meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))

45. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.

Security Plan and Measures

46. Prior to Building Permit or Certificate of Occupancy, the process for any transfer of product or currency shall be identified in an updated Security Plan to be reviewed and approved by the Planning Division. (MC 9.09.290 (D)(2)(f))
47. The Security Plan on file with the City of Moreno Valley shall remain in effect as long as the established use is in operation. Any changes, additions, removal or modifications to the plan shall be submitted to the City for review and inclusion in the Conditional Use Permit file.
48. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the dispensary area.

Miscellaneous Operating Requirements

49. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.

Building Division

50. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
51. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
52. Contact the Building Safety Division for permit application submittal requirements.
53. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m. (except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
54. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
55. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.

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56. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
57. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc. The current code edition is the 2019 CBC.
58. The proposed non-residential project shall comply with 2019 California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
59. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the 2019 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
60. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

ECONOMIC DEVELOPMENT DEPARTMENT

61. New Moreno Valley business are encouraged to hire local residents.
62. New Moreno Valley business may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center ("ERC"). The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:
 - a. Job Announcements
 - b. Applicant testing / pre-screening
 - c. Interviewing
 - d. Job Fair support
 - e. Training space

New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
63. New Moreno Valley businesses may adopt a "First Source" approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of public recruitment.

FIRE DEPARTMENT**Fire Prevention Bureau**

64. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire

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- Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
65. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
 66. 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, 501.3) a - 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.
 67. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
 68. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
 69. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler 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, MVMC 8.36.100[D])
 70. 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 Code Official. 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)
 71. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
 72. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
 73. Plans for private water mains supplying fire sprinkler systems and /or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
 74. 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 B 105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1,500 GPM for 2 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)

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75. Where egress control devices are installed a fire alarm system may be required in accordance with NFPA 72

PUBLIC WORKS DEPARTMENT**Land Development**

76. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. 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.
77. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
78. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
79. The developer shall monitor, supervise and control all construction related 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.
 - d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
- Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor (s) to remedy as noted in 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.
80. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
81. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc.). Protection shall be provided by

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constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]

82. This project shall submit civil engineering design plans, reports and /or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - b. Public improvement plan (e.g., sewer/water, etc.) (prior to encroachment permit issuance);
 - c. Final drainage study (prior to grading plan approval);
 - d. Final WQMP (prior to grading plan approval);
 - e. As-Built revision for all plans (prior to Occupancy release);

Prior to Grading Plan Approval

83. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
84. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
85. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
 - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
 - d. 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. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

86. 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.

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- c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
87. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
 88. The developer shall pay all remaining plan check fees.
 89. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
 90. 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) which shall be noted on the grading plans.

Prior to Grading Permit

91. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
92. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
93. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
94. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
95. The developer shall pay all applicable inspection fees.

Prior to Improvement Plan Approval

96. Any missing or deficient existing improvements along the project frontage within shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
97. 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.

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98. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

99. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
100. All applicable inspection fees shall be paid.
101. 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
102. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

103. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
104. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
105. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and /or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

Prior to Occupancy

106. All outstanding fees shall be paid.
107. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
108. The final/precise grade certification shall be submitted for review and approved by the City Engineer.

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109. For commercial, industrial and multi-family projects, 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. 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, this project is subject to the following 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 option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]
110. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (LS-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on -site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to : electrical, cable and telephone.
111. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
112. 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 for review and approved by the City Engineer.

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113. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non -structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

114. This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and /or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
- a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
 - b. Establish an endowment fund to cover the future maintenance and /or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

115. Commercial (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on -site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the

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provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)

116. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
117. The existing parkway/median along the frontage of the project shall be brought to current City Standards. Improvements may include but are not limited to: plant material, irrigation, and hardscape.
118. Inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)
119. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
120. Modification of existing irrigation systems for parkway improvements may be required per the direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.
121. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
122. The removal of existing trees with four-inch or greater trunk diameters (calipers), shall be replaced, at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)
123. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services), Zone C (Arterial Street Lighting), and Zone S (Sunnymead Boulevard Maintenance). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C and the annual parcel charge for Zone S for operations and capital improvements.

Transportation Engineering Division

124. Conditions of approval may be modified if project is altered from any approved plans.

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125. The driveways shall conform to City of Moreno Valley Standard No. MVSI-112C-0 for Commercial Driveway Approaches.
126. All proposed on-site traffic signing and striping should be accordance with the 2014 California Manual on Uniform Traffic Control Devices (CAMUTCD), latest revision.
127. Sunnymead Boulevard is classified as an Arterial per City Standard Plan No . MVSI-104E-0. Communication conduit along project frontage may be required per City Standard Plan No. MVSI-186-0. Any improvements undertaken by this project shall be consistent with the City's standards for this facility.
128. 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 Sunnymead Boulevard along the project frontage. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered Civil or Traffic Engineer.
129. Prior to issuance of an encroachment permit for work within the public right -of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval or as required by the City Traffic Engineer.
130. Prior to final approval of the landscape plans and construction plans for any type of fencing or monument sign, the project plans shall demonstrate that sight distance at the project driveway conforms to City Standard Plan No. MVSI-164A-0 through MVSI-164C-0. Trees, plants, shrubs, fence and monument sign shall not be located in an area that obstructs the drivers' line-of-sight.
131. Prior to the final approval of the street improvement plans, a median improvement plan shall be prepared by a registered civil engineer for the raised landscape median on Sunnymead Boulevard to allow left-turn movement into the project site for westbound traffic. Median construction shall include but not be limited to: paving, concrete curbs, landscaping, stamped or decorative concrete surface and signing/striping. Exact requirements will be determined during the plan check process.
132. Prior to issuance of Certificate of Occupancy, all modification work for the existing landscaped median along the project frontage on Sunnymead Boulevard shall be completed and fully operational per the approved plans to the satisfaction of the City Engineer.
133. Prior to issuance of Certificate of Occupancy, all signing and striping shall be installed per current City Standards and the approved plans.

PROFESSIONAL SEAL:



PLANNING DEPARTMENT NOTES

- ENTRY TO THE RECEPTION/CHECK-IN SPACE WILL BE CONTROLLED BY A SECURITY GUARD STATIONED AT THE EXTERIOR OF THE MAIN ENTRY DOOR. I.D. WILL BE CHECKED BEFORE CUSTOMER IS ADMITTED TO THE RECEPTION SPACE.
- INTERIOR DOORS BETWEEN THE RECEPTION/CHECK-IN SPACE, AND THE CUSTOMER RETAIL SPACE AND THE DISPENSARY BACK OF HOUSE WILL BE CONTROLLED WITH ELECTRONIC LOCKING DEVICES.

POLICE DEPARTMENT NOTES

- SECURITY CAMERAS SHALL BE LOCATED WITHIN THE PUBLIC AND PRIVATE AREAS OF THE DISPENSARY AND ALONG THE EXTERIOR PERIMETER OF THE BUILDING. SEE SECURITY PLAN.
- ADDRESS NUMERALS AND LETTERS SHALL BE CLEARLY VISIBLE FROM THE STREET.
- THE PARKING LOTS, STREET AND BUILDINGS SHOULD BE WELL LIT WITH MINIMAL SHADOWS CAST BY LANDSCAPING AND TREES ON THE PROPERTY, WALKWAYS AND PUBLIC AREA.
- VANDAL-RESISTANT LIGHT FIXTURES SHALL BE INSTALLED ABOVE EACH EXTERIOR DOOR. THE DOORS SHALL BE ILLUMINATED WITH A MINIMUM ONE FOOT CANDLE ILLUMINATION AT GROUND LEVEL, EVENLY DISPERSED.
- THE ALARM SYSTEM SHALL BE MONITORED BY A PRIVATE ALARM COMPANY AND AUTOMATICALLY NOTIFY THE MORENO VALLEY POLICE DEPARTMENT OF AFTER-HOURS INTRUSIONS

FIRE DEPARTMENT NOTES

- FIRE FLOW REQUIREMENTS FOR THE PROJECT SHALL BE 1500 GPM @ 20 PSI FOR TWO HOURS.
- THE EASTERN MUNICIPAL WATER DISTRICT WILL PROVIDE A FIRE HYDRANT LETTER NOTING HYDRANT PROXIMITY AND LOCATION AND 2 HOUR FIRE FLOW TEST TO CONFIRM AVAILABILITY OF REQUIRED FIRE FLOW.
- UNDERGROUND WATER SUPPLY FOR THE PROJECT, FIRE SPRINKLERS AND FIRE ALARM WILL BE UNDER DEFERRED SUBMITTAL ON SEPARATE PERMITS
- ANY DELAYED EGRESS/INGRESS DEVICES WILL BE INTERLOCKED WITH FIRE ALARM SYSTEMS AS REQUIRED.
- AN EMERGENCY ACCESS KEY BOX SHALL BE MOUNTED TO THE RIGHT SIDE OF THE MAIN ENTRY AT 6 FEET ABOVE FINISHED GRADE. BUSINESS ACCESS KEYS, ACCESS CARDS OR CODES ARE TO BE PROVIDED FOR PLACEMENT IN THE BOX FOR EMERGENCY RESPONDERS.
- IT IS UNLAWFUL FOR ANY PERSON HAVING RESPONSIBILITY OVER THE OPERATION OF A COMMERCIAL CANNABIS BUSINESS TO IMPEDE, OBSTRUCT, INTERFERE WITH OR OTHERWISE NOT ALLOW THE CITY TO CONDUCT AN INSPECTION, REVIEW OR COPY RECORDS, RECORDINGS OR OTHER DOCUMENTS REQUIRED TO BE MAINTAINED BY A COMMERCIAL CANNABIS BUSINESS UNDER THIS CHAPTER OR UNDER STATE OR LOCAL LAW. IT IS ALSO UNLAWFUL FOR A PERSON TO CONCEAL, DESTROY, DEFACE, DAMAGE OR FALSIFY ANY RECORDS, RECORDINGS OR OTHER DOCUMENTS REQUIRED TO BE MAINTAINED BY A COMMERCIAL CANNABIS BUSINESS UNDER THIS CHAPTER OR UNDER STATE OR LOCAL LAW.

SECURITY NOTE:
THE STANDARD OPERATING PROCEDURES (SOP) OF THE RETAIL STOREFRONT WILL MITIGATE SECURITY RISK TO RECEPTIONIST BY DIRECTING THE ACCESS CONTROL FROM RECEPTION TO RETAIL SALES AREA VIA ACCESS-CONTROLLED ENTRY AND EXIT DOORS TO BE CONTROLLED SOLELY BY INTERIOR SECURITY OFFICE PERSONNEL. THAT IS, ACCESS FROM RECEPTION AREA TO RETAIL SALES AREA WILL NOT BE CONTROLLED BY RECEPTIONIST. INTERIOR SECURITY OFFICE WILL CONTROL ALL TRAFFIC FLOW FROM RECEPTION TO SALES AREA

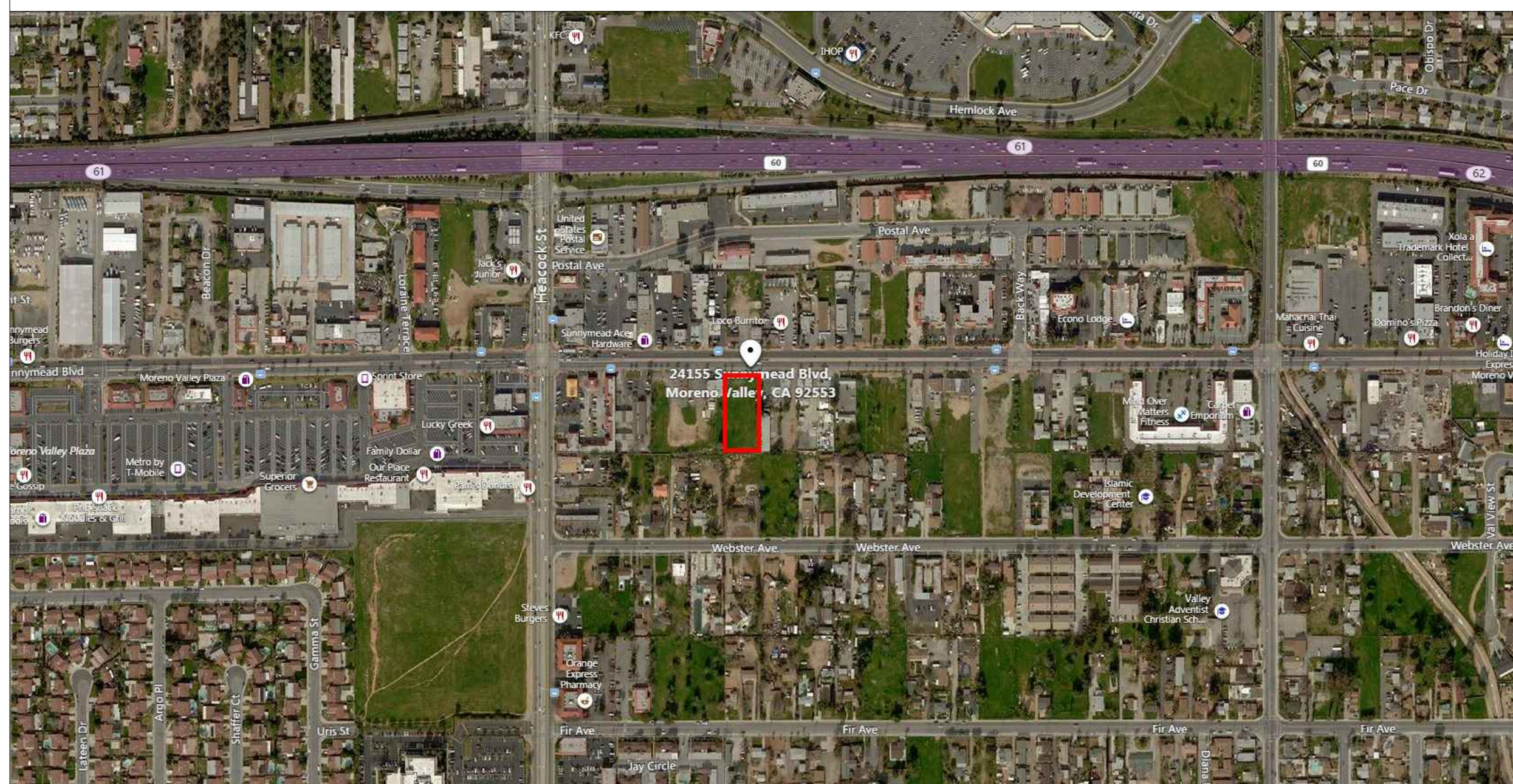
PROJECT SUMMARY

ADDRESS:	24155 SUNNYMEAD BOULEVARD	
LEGAL DESCRIPTION:	LOT 6 OF EDMONT GARDENS, MAP BOOK 15 PAGE 90	
APN:	481-120-007	
SITE AREA:	38,280 SF	
ZONING:	SP 204 VCR	
MAX. HEIGHT:	LESSER OF 3 STORIES OR 50 FEET	
SETBACKS:		
	FRONT	10 FT
	REAR	10 FT (LAND. BUFFER)
	SIDE	0

	PHASE 1	PHASE 2	TOTAL
USE:	CANNABIS RETAIL	MEDICAL OFFICE	
OCCUPANCY GROUP:	M/B/S-2	B	
OCCUPANT LOAD:	82		
CONSTRUCTION TYPE:	V-B	V-B	
FIRE SPRINKLERS:	YES	YES	
GROSS SF BUILDING AREA:	4,275	5,625	9,900
TOTAL LANDSCAPE AREA	4322 SQFT.(11.3%)	298 SQFT.	4620 SQFT.(12%)
INTERIM LANDSCAPE AREA	9083.56 SQFT.		
SECURED PARKING AREA SF, N.I.C.:	753		
PARKING			
REQUIRED PARKING @ 1/225 SF:	19	25	
SECURED PARKING:	2		
TOTAL PARKING:	21	25	46
TREES REQUIRED			
ON-SITE TREES:			
1/30 LF VISIBLE BLDG FRONTAGE			
PHASE 1: 142 LF/30= 4.7	5		5
PHASE 2: 152 LF/30= 5.1		5	5
PARKING LOT TREES:			
1/30 LF PARKING LOT ADJACENT TO INTERIOR PROPERTY			
PHASE 1&2: 240 LF/30= 8			8
TOTAL REQUIRED			18
TOTAL PROVIDED			20

CONSTRUCTION PHASING	PHASE 1	PHASE 2
USE:	CANNABIS RETAIL	MEDICAL OFFICE
GROSS SF BUILDING AREA:	4,275	5,625
PROPOSED LANDSCAPE AREA	4322 SQFT.	298 SQFT.
INTERIM LANDSCAPE AREA	9083.56 SQFT.	
TOTAL LANDSCAPE AREA	13405.46 SQFT.(35%)	4620 SQFT.(12%)
SECURED PARKING AREA SF, N.I.C.:	753	
PARKING		
REQUIRED PARKING @ 1/225 SF:	44	
SECURED PARKING:	2	
PROVIDED PARKING:	46	
TREES REQUIRED		
ON-SITE TREES:		
1/30 LF VISIBLE BLDG FRONTAGE		
PHASE 1: 142 LF/30= 4.7	5	
PHASE 2: 152 LF/30= 5.1		5
PARKING LOT TREES:		
1/30 LF PARKING LOT ADJACENT TO INTERIOR PROPERTY		
PHASE 1&2: 240 LF/30= 8		8
TOTAL REQUIRED		18
TOTAL PROVIDED		20

VICINITY MAP



SHEET INDEX

ARCHITECTURAL DRAWINGS

- A0.01 TITLE SHEET
- A1.00 SITE / ROOF PLAN - PHASE 1
- A1.01 SITE / ROOF PLAN - PHASE 2
- A2.00 FLOOR PLAN - PHASE 1
- A2.01 FLOOR PLAN - PHASE 2
- A3.00 EXTERIOR ELEVATION
- A3.01 EXTERIOR ELEVATION
- A4.00 BUILDING SECTIONS
- A5.00 PROJECT DOCUMENTS
- E1.00 PHOTOMETRIC SITE PLAN

CIVIL DRAWINGS

- 1 PRELIMINARY GRADING AND DRAINAGE PLAN
- 2 PRELIMINARY WQMP SITE PLAN
- 3 SIGHT DISTANCE

SECURITY PLAN DRAWINGS

- SS-01 SECURITY & SURVEILLANCE SYSTEMS
- SS-02 SECURITY & SURVEILLANCE SYSTEMS
- SS-03 SECURITY & SURVEILLANCE SYSTEMS

PROJECT TITLE :

MINDFULNESS CANNABIS RETAIL

24155 SUNNYMEAD BLVD.,
MORENO VALLEY, CA 92553

DRAWING TITLE :

TITLE SHEET

DRAWING NUMBER :

A0.01

CITY PROJECT NUMBER :

PEN19-0066
PEN19-0067

Attachment: Project Plans (4001 : PEN19-0066) Taro LLC Retail Cannabis Dispensary

PLANTING PALETTE

SENECIO MANDRALISCAE (BLUE CHALKSTICKS)



CAREX FLACCA (BLUE ZINGER)



AGAVE ATTENUATA



KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)



PALO VERDE (DESERT MUSEUM)



PEDESTRIAN SCALED LIGHTING

Specification sheet

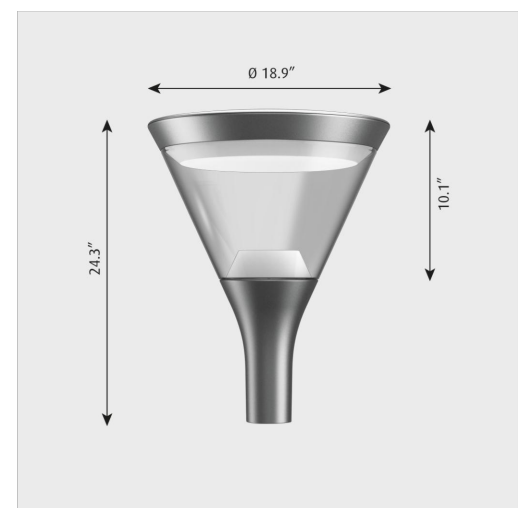
LP Park

1/2

Project name:

Project type:

Notes:



Variant options

Light source	Voltage frequency	Color	Transition to pole	Lighting control
100V LED/3000K	100V/60Hz	Color color	180° or 90°	On-Off
100V LED/4000K	100V/60Hz	Blue grey	180° or 90°	On-Off
100V LED/5000K	100V/60Hz	Blue grey	180° or 90°	On-Off

louis poulsen

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louispoulsen.com

PARKING LOT STANDARD

VIPER S STRIKE SMALL VIPER LUMINAIRE

BEACON

PROJECT IMAGES

DESCRIPTION

INSTALLATION

MAINTENANCE

NOTES

ORDERING CODE

Model	Top	Optics	Distinctions	Light Engine
MSD - Round 2' dia	PT - FlatTop	10 - 10°	1	121-814-847
		20 - 20°	2	121-814-847
		30 - 30°	3	121-814-847
		40 - 40°	4	121-814-847
		50 - 50°	5	121-814-847

FINISHES

Color	Material	Finish	Part Number
Black	Aluminum	Matte	121-814-847
White	Aluminum	Matte	121-814-847
Grey	Aluminum	Matte	121-814-847

ILLUMINATED BOLLARD

KIM LIGHTING PA75 Pavilion® Bollard

FEATURES

- Traditional or Performance Optics
- Bluetooth enabled RGBW accent
- Integral NEMA 3R Enclosure
- Dual receptacle power panel
- PA System capability
- IP67 optical system

CERTIFICATIONS

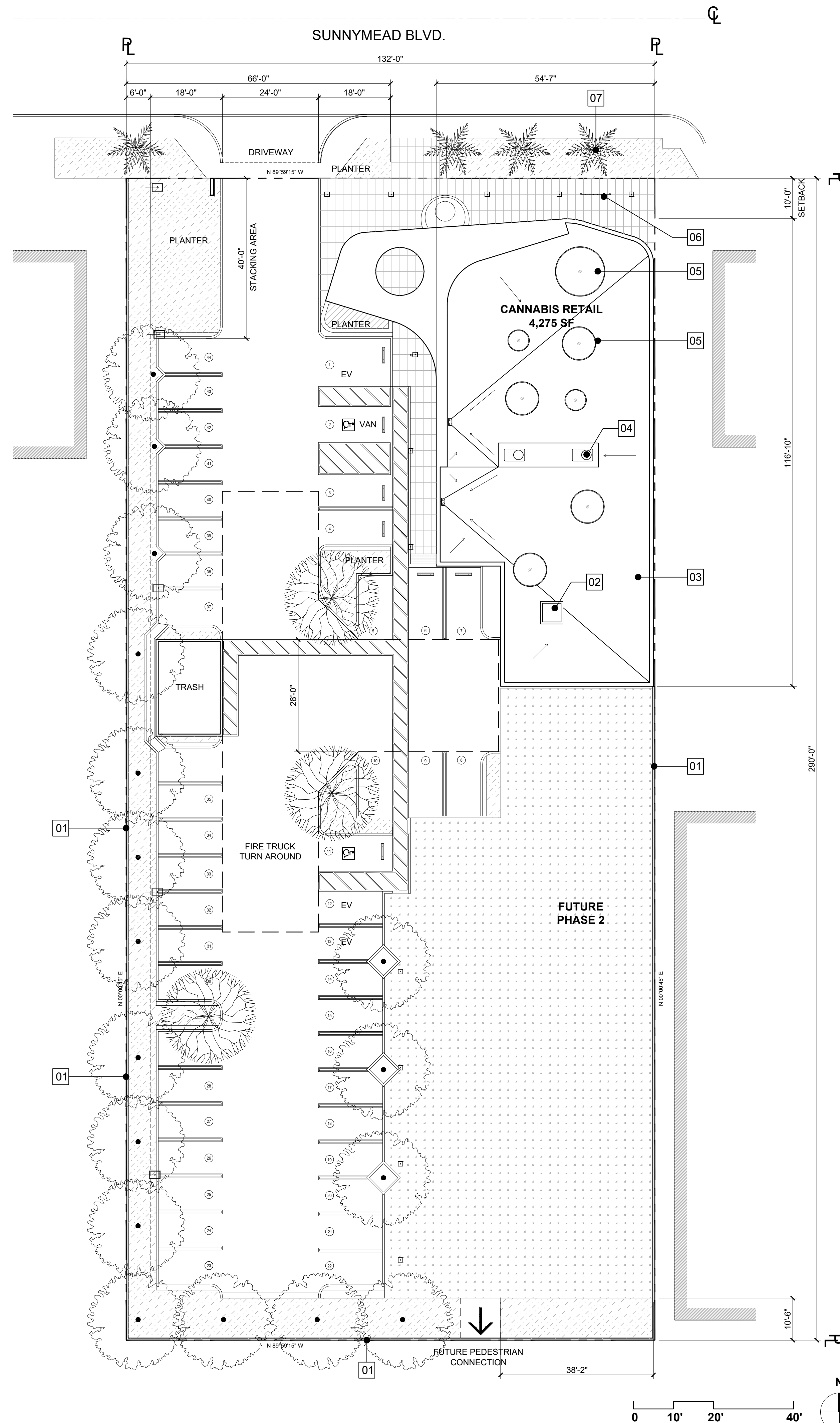
IK10

ORDERING CODE

Model	Top	Optics	Distinctions	Light Engine
MSD - Round 2' dia	PT - FlatTop	10 - 10°	1	121-814-847
		20 - 20°	2	121-814-847
		30 - 30°	3	121-814-847
		40 - 40°	4	121-814-847
		50 - 50°	5	121-814-847

FINISHES

Color	Material	Finish	Part Number
Black	Aluminum	Matte	121-814-847
White	Aluminum	Matte	121-814-847
Grey	Aluminum	Matte	121-814-847



SUMMARY

SITE AREA
88 AC
38,280 SF

PHASE 1:
CANNABIS RETAIL
4,275 SF
1-STORY BUILDING
19 PARKING STALLS
+2 SECURE PARKING STALLS

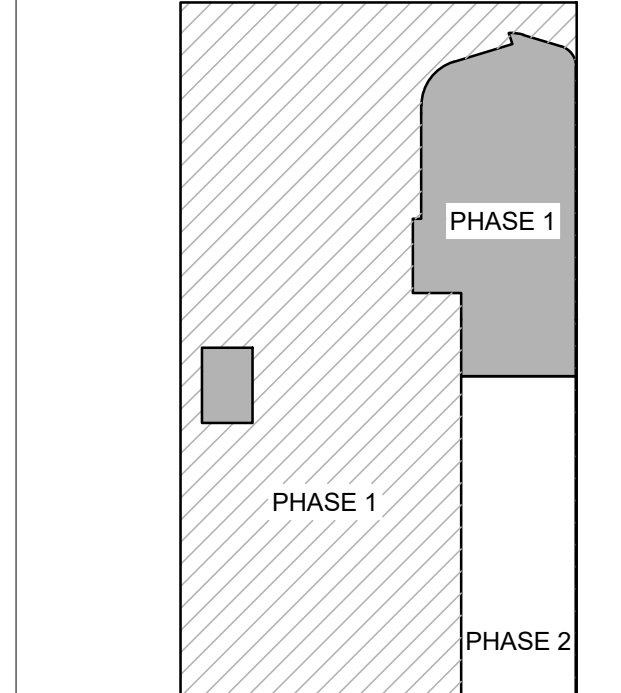
LEGEND

- SENECIO MANDRALISCAE (BLUE CHALKSTICKS)
- CAREX FLACCA (BLUE ZINGER)
- AGAVE ATTENUATA
- KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)
- PALO VERDE (DESERT MUSEUM)
- EXISTING STREET TREE TO REMAIN TRACHYCARPUS FORTUNEI (WINDMILL PALM)
- 2' X 4' CONCRETE PAVER, HANOVER, PREST PAVER, SUPER BLACK, GROUND FINISH
- PARKING LOT LIGHT STANDARD: (HPNFC-H08-2700K-10\"/>

KEY NOTES

- 01** 6' - 0" HIGH DECORATIVE CMU WALL
- 02** ROOF HATCH
- 03** CLASS 'A' PVC MEMBRANE OR MODIFIED BITUMEN COOL ROOF SYSTEM
- 04** HVAC UNITS
- 05** SECURE SKYLIGHT
- 06** BICYCLE RACKS : MODEL CB8R-9UR-BK BY BELSON OUTDOORS
- 07** RELOCATED STREET TREE

KEY PLAN



CORSINI STARK ARCHITECTS
323.255.9100
CORSINSTARK.COM

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PROFESSIONAL SEAL:

#	SUBMISSIONS	DATE
	PLOT PLAN CUP	2/25/19
	PLOT PLAN CUP RESUBMISSION	10/02/19
	PLOT PLAN CUP RESUBMISSION	01/03/20

PROJECT TITLE:
MINDFULNESS CANNABIS RETAIL

24155 SUNNYMEAD BLVD.,
MORENO VALLEY, CA 92553

DRAWING TITLE:
SITE/ROOF PLAN PHASE-1

DRAWING NUMBER:
A 1.00

CITY PROJECT NUMBER:
PEN19-0066
PEN19-0067

SITE / ROOF PLAN - PHASE 1 CANNABIS RETAIL

SCALE:
1/16" = 1'-0"

1

PLANTING PALETTE

SENECIO MANDRALISCAE (BLUE CHALKSTICKS)



CAREX FLACCA (BLUE ZINGER)



KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)



PALO VERDE (DESERT MUSEUM)



AGAVE ATTENUATA



PEDESTRIAN SCALED LIGHTING

Specification sheet

LP Park

1/2

Project name: _____

Project type: _____

Notes: _____

Variant options

Light source	Voltage Frequency	Color	Transition to pole	Lighting control
80-LED-800K	120-60/50Hz	Dimmable	100% 3000-6000K	On-Off
80-LED-800K	120-60/50Hz	Dimmable	100% 3000-6000K	On-Off

PARKING LOT STANDARD

VIPER S STRIKE SMALL VIPER LUMINAIRE

BEACON

PROJECT IMAGE(S)

INSTALLATION

OPERATION

MAINTENANCE

WARRANTY

CONTACT

ILLUMINATED BOLLARD

KIM LIGHTING PA75 Pavilion® Bollard

JOB: _____ TYPE: _____

NOTES: _____

FEATURES

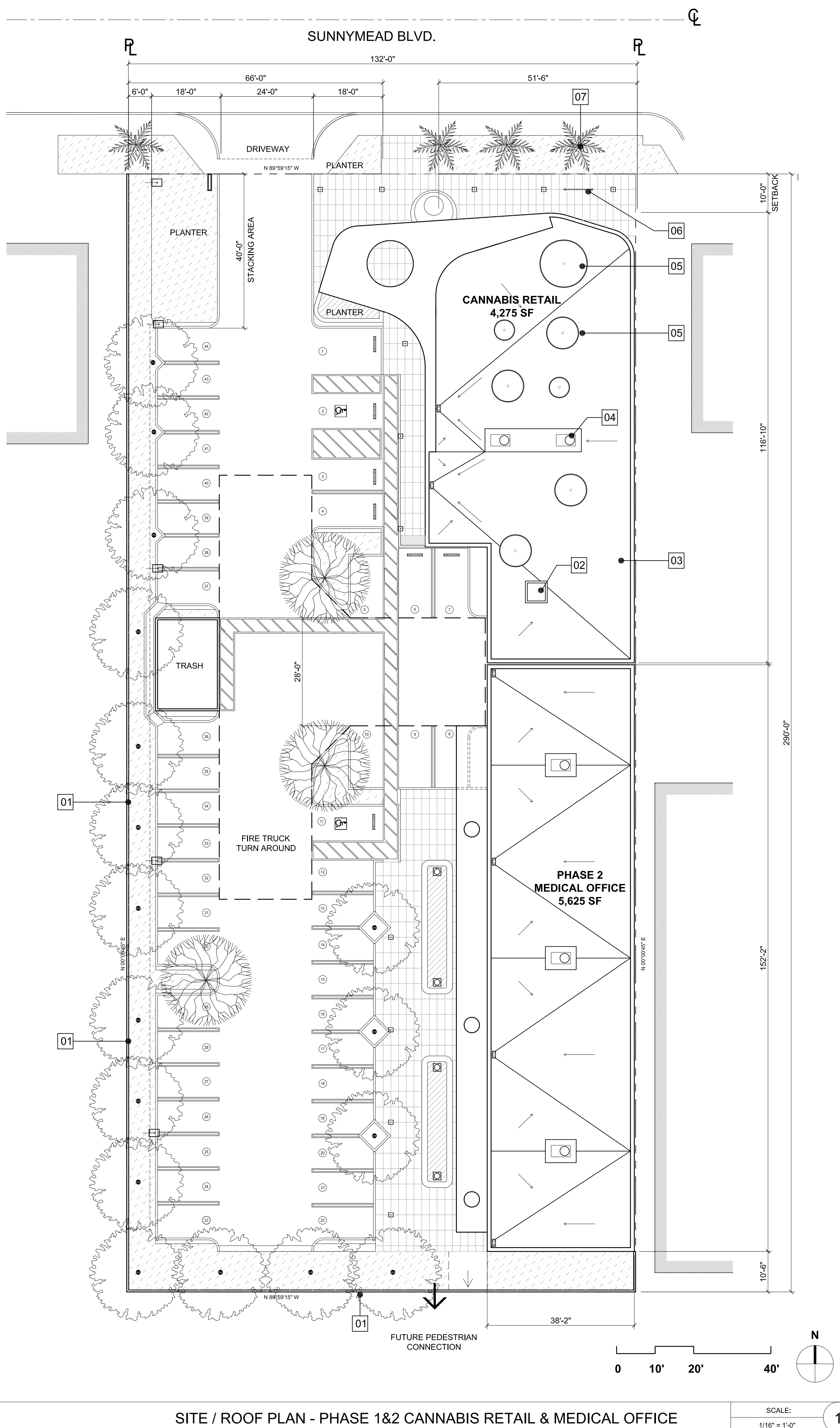
- Traditional or Performance Optics
- Bluetooth enabled RGBW accent
- Integral NEMA 3R Enclosure
- IK10 optical system
- Dual receptacle power panel
- PA System capability
- IK10 optical system

CERTIFICATIONS

UL LISTED, ETL LISTED, IK10

ORDERING CODE

Model	Top	Color	Finish	Material	Height	Weight
PA75-1000-001	10\"/>					



SUMMARY

SITE AREA
 .88 AC
 38,280 SF

PHASE 1:
 CANNABIS RETAIL
 4,275 SF
 1-STORY BUILDING
 19 PARKING STALLS
 +2 SECURE PARKING STALLS

PHASE 2:
 MEDICAL OFFICE
 5,625 SF
 1-STORY BUILDING
 25 PARKING STALLS

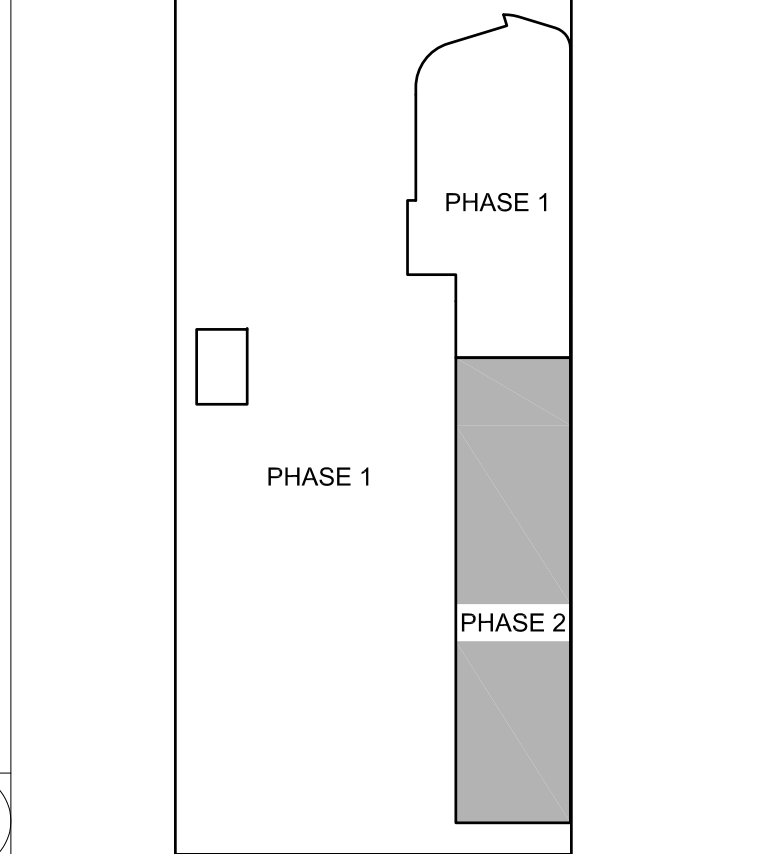
LEGEND

- SENECIO MANDRALISCAE (BLUE CHALKSTICKS)
- CAREX FLACCA (BLUE ZINGER)
- AGAVE ATTENUATA
- KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)
- PALO VERDE (DESERT MUSEUM)
- EXISTING STREET TREE TO REMAIN, TRACHYCARPUS FORTUNEI (WINDMILL PALM)
- 2' X 4' CONCRETE PAVER, HANOVER, PREST PAVER, SUPER BLACK, GROUND FINISH
- PARKING LOT LIGHT STANDARD: (HPNFC-H08-2700K-10\"/>

KEYNOTES

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- 02 ROOF HATCH
- 03 CLASS "A" PVC MEMBRANE OR MODIFIED BITUMEN COOL ROOF SYSTEM
- 04 HVAC UNITS
- 05 SECURE SKYLIGHT
- 06 BICYCLE RACKS : MODEL CBBR-9UR-BK BY BELSON OUTDOORS
- 07 RELOCATED STREET TREE

KEY PLAN



CORSINI STARK ARCHITECTS

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PROFESSIONAL SEAL:

#	SUBMISSIONS	DATE
1	PLOT PLAN CUP	2/25/19
2	PLOT PLAN CUP RESUBMISSION	10/02/19
3	PLOT PLAN CUP RESUBMISSION	01/03/20

PROJECT TITLE:
MINDFULNESS CANNABIS RETAIL

24155 SUNNYMEAD BLVD.,
 MORENO VALLEY, CA 92553

DRAWING TITLE:
SITE/ROOF PLAN PHASE-2

DRAWING NUMBER:
A1.01

CITY PROJECT NUMBER:
 PEN19-0066
 PEN19-0067

SITE / ROOF PLAN - PHASE 1&2 CANNABIS RETAIL & MEDICAL OFFICE

SCALE: 1/16" = 1'-0"

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PROFESSIONAL SEAL:

SUMMARY

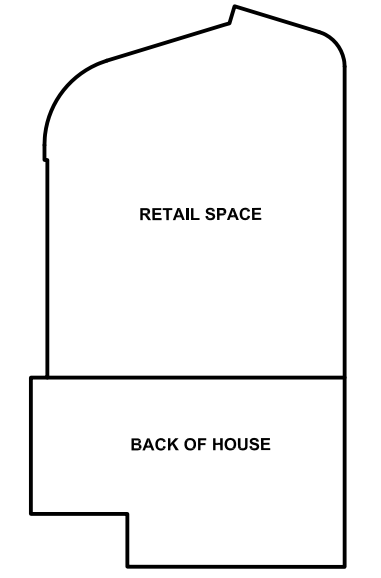
PHASE 1:
CANNABIS RETAIL
4,275 SF
1-STORY BUILDING
19 PARKING STALLS
+2 SECURE PARKING

KEYNOTES

- 01 WATER FEATURE
- 02 PLANTER WITH INTEGRAL BENCH
- 03 LID FILTRATION PLANTER
- 04 ILLUMINATED BOLLARD
- 05 2 X 4 CONCRETE PAVER
- 06 AUTOMATED ROLL-UP GARAGE DOOR
- 07 LINE OF CANOPY ABOVE
- 08 CANNABIS WASTE
- 09 MONUMENT SIGN
- 10 TRANSLUCENT FLOOR TO CEILING GLASS AND GLASS DOORS
- 11 ACCESSIBLE WHEELCHAIR PATH OF TRAVEL
- 12 TRASH ENCLOSURE MAN DOOR
- 13 TRASH ENCLOSURE ROLL-UP GATE
- 14 BICYCLE RACKS.

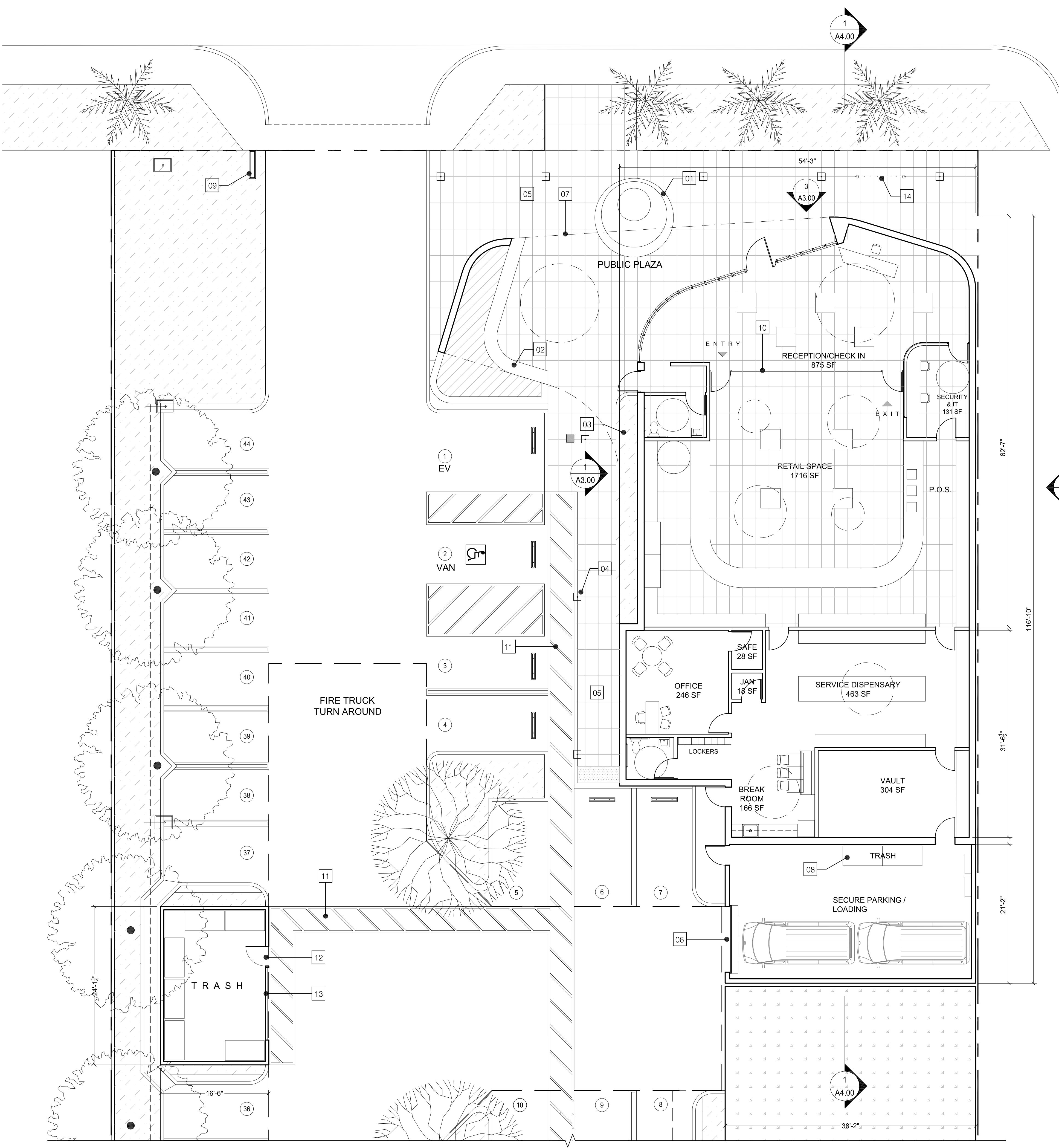
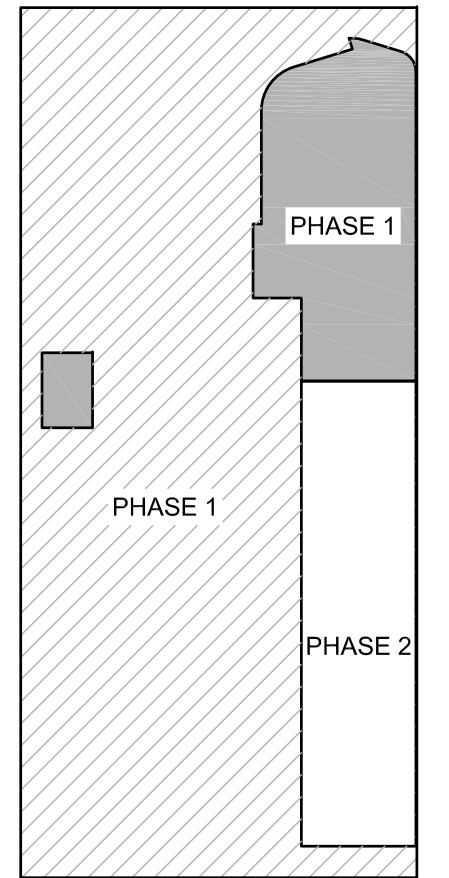
AREA SUMMARY:

FRONT RETAIL SPACE AREA	2770 SF
BACK OF HOUSE SPACE AREA	1505 SF
TOTAL AREA	4275 SF

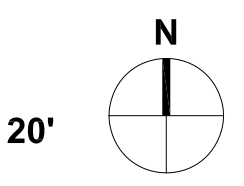


In response to Planning Division Item 6a, the standard operating procedures (SOP) of the retail storefront will mitigate security risk to receptionist by directing the access control from reception to retail sales area via access-controlled entry and exit doors to be controlled solely by interior security office personnel. That is, access from reception area to retail sales area will not be controlled by receptionist. Interior security office will control all traffic flow from reception to sales area

KEY PLAN



0 5' 10'



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

FLOOR PLAN - CANNABIS RETAIL

1

#	SUBMISSIONS	DATE
	PLOT PLAN CUP	2/25/19
	PLOT PLAN CUP RESUBMISSION	10/02/19
	PLOT PLAN CUP RESUBMISSION	01/03/20

PROJECT TITLE:

MINDFULNESS CANNABIS RETAIL

24155 SUNNYMEAD BLVD.,
MORENO VALLEY, CA 92553

DRAWING TITLE:

FLOOR PLAN PHASE-1

DRAWING NUMBER:

A2.00

CITY PROJECT NUMBER:

PEN19-0066
PEN19-0067

Attachment: Project Plans (4001) : PEN19-0066/67 Taro LLC Retail Cannabis Dispensary

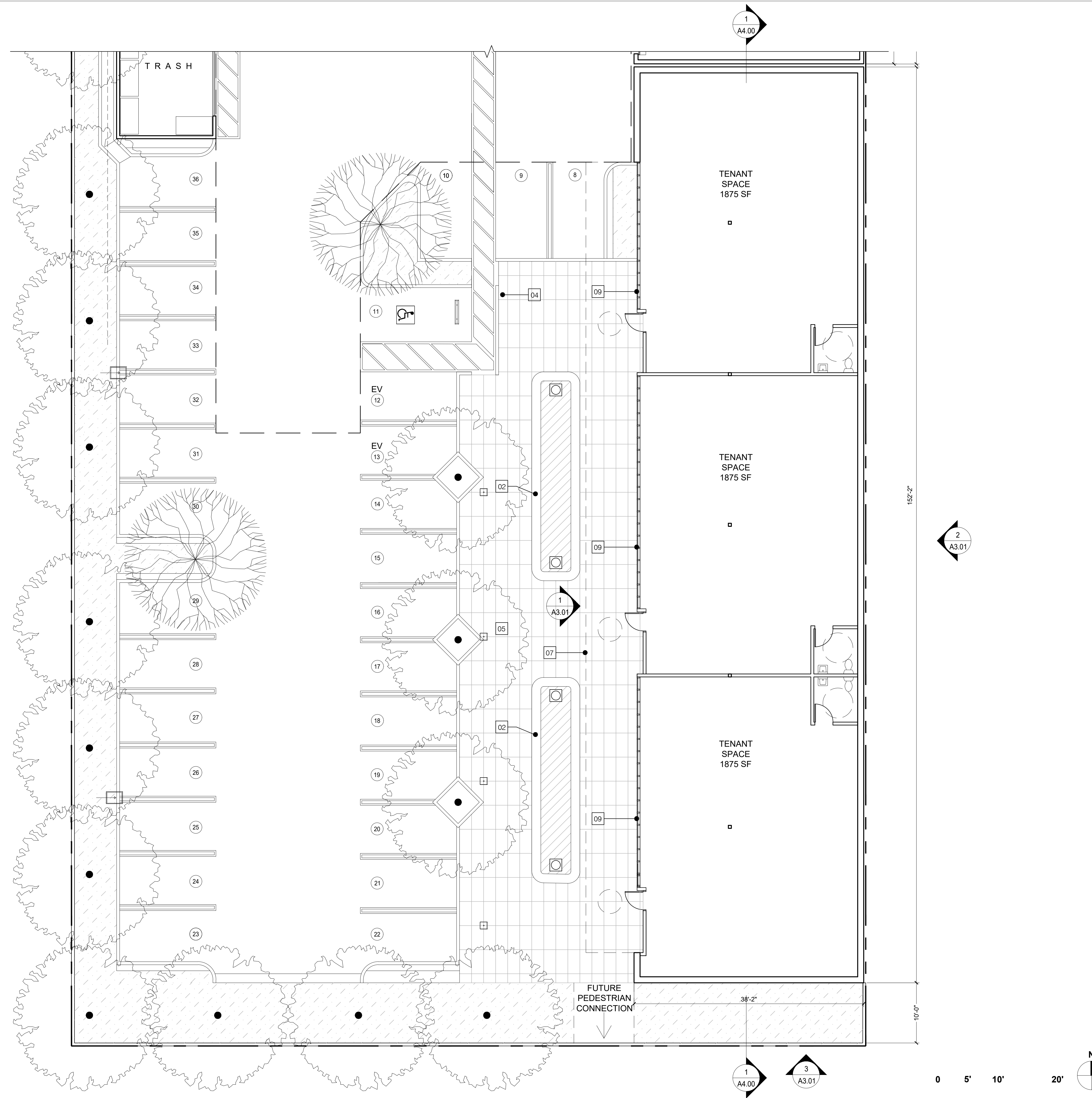
PROFESSIONAL SEAL:

SUMMARY

PHASE 2:
MEDICAL OFFICE
5,625 SF
1-STORY BUILDING
25 PARKING STALLS

KEYNOTES

- 01 WATER FEATURE
- 02 PLANTER WITH INTEGRAL BENCH
- 03 LID FILTRATION PLANTER
- 04 ILLUMINATED BOLLARD
- 05 2 X 4 CONCRETE PAVER
- 06 AUTOMATED ROLL-UP GARAGE DOOR
- 07 LINE OF CANOPY ABOVE
- 08 CANNABIS WASTE
- 09 ALUMINUM & GLASS STOREFRONT



162'-2"

10'-0"

1
A4.00

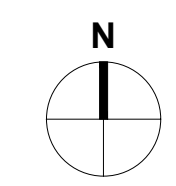
2
A3.01

1
A3.01

1
A4.00

3
A3.01

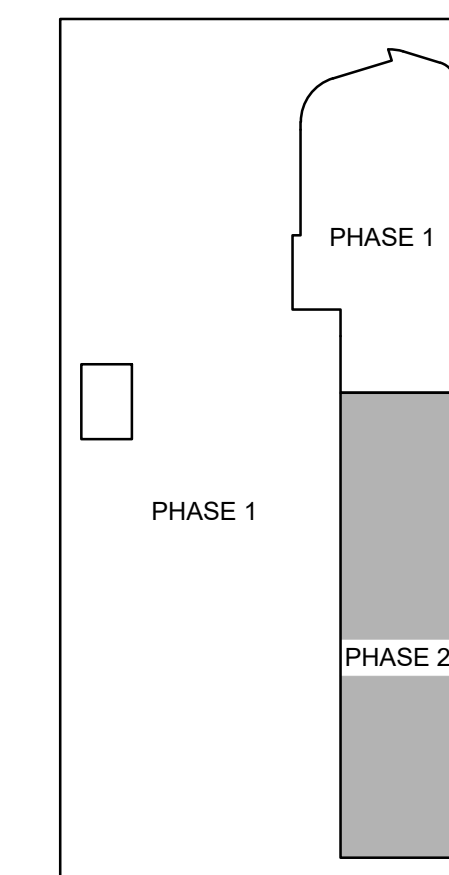
0 5' 10' 20'



FLOOR PLAN - MEDICAL OFFICE

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

KEY PLAN



PROJECT TITLE:

MINDFULNESS CANNABIS RETAIL

24155 SUNNYMEAD BLVD.,
MORENO VALLEY, CA 92553

DRAWING TITLE:

FLOOR PLAN PHASE-2

DRAWING NUMBER:

A2.01

CITY PROJECT NUMBER:

PEN19-0066
PEN19-0067

Attachment: Project Plans (4001 : PEN19-006667 Taro LLC Retail Cannabis Dispensary)

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PROFESSIONAL SEAL:

KEYNOTES

- 01 EXTERIOR CEMENT PLASTER, SMOOTH FINISH
- 02 CORTEN STEEL WALL PANEL WITH DARK BRONZE BATTEN.
- 03 ALUMINUM STOREFRONT, DARK BRONZE ANODIZED FINISH, FLUSH SILICONE JOINT.
- 04 ENTRY DOOR, BLACK STAINED WOOD PLANK FINISH.
- 05 LINE OF ADJACENT BUILDING.
- 06 SURFACE MOUNTED REVERSE CHANNEL SIGNAGE: MIN 20 SQFT. AREA, MAX 10% OF TENANT BUILDING FACE.
- 07 FREE STANDING REVERSE CHANNEL SIGNAGE.
- 08 BICYCLE RACK.
- 09 MONUMENT SIGN: 20 SQFT. SIGN COPY & 35 SQFT. SIGN AREA.



SOUTH ELEVATION - MEDICAL OFFICE

SCALE:
1/8" = 1'-0" **3**



EAST ELEVATION - MEDICAL OFFICE

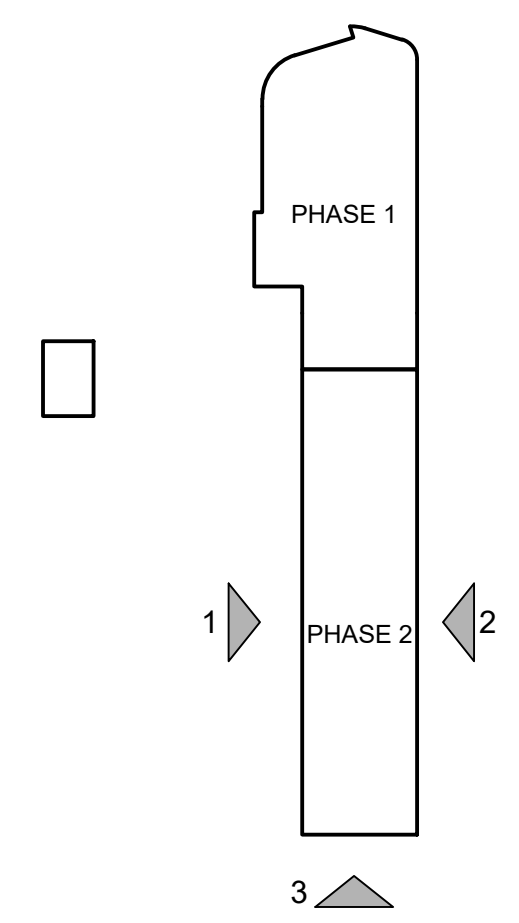
SCALE:
1/8" = 1'-0" **2**



WEST ELEVATION - MEDICAL OFFICE

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

KEY PLAN



PROJECT TITLE:
MINDFULNESS CANNABIS RETAIL

24155 SUNNYMEAD BLVD.,
MORENO VALLEY, CA 92553

DRAWING TITLE:
EXTERIOR ELEVATIONS

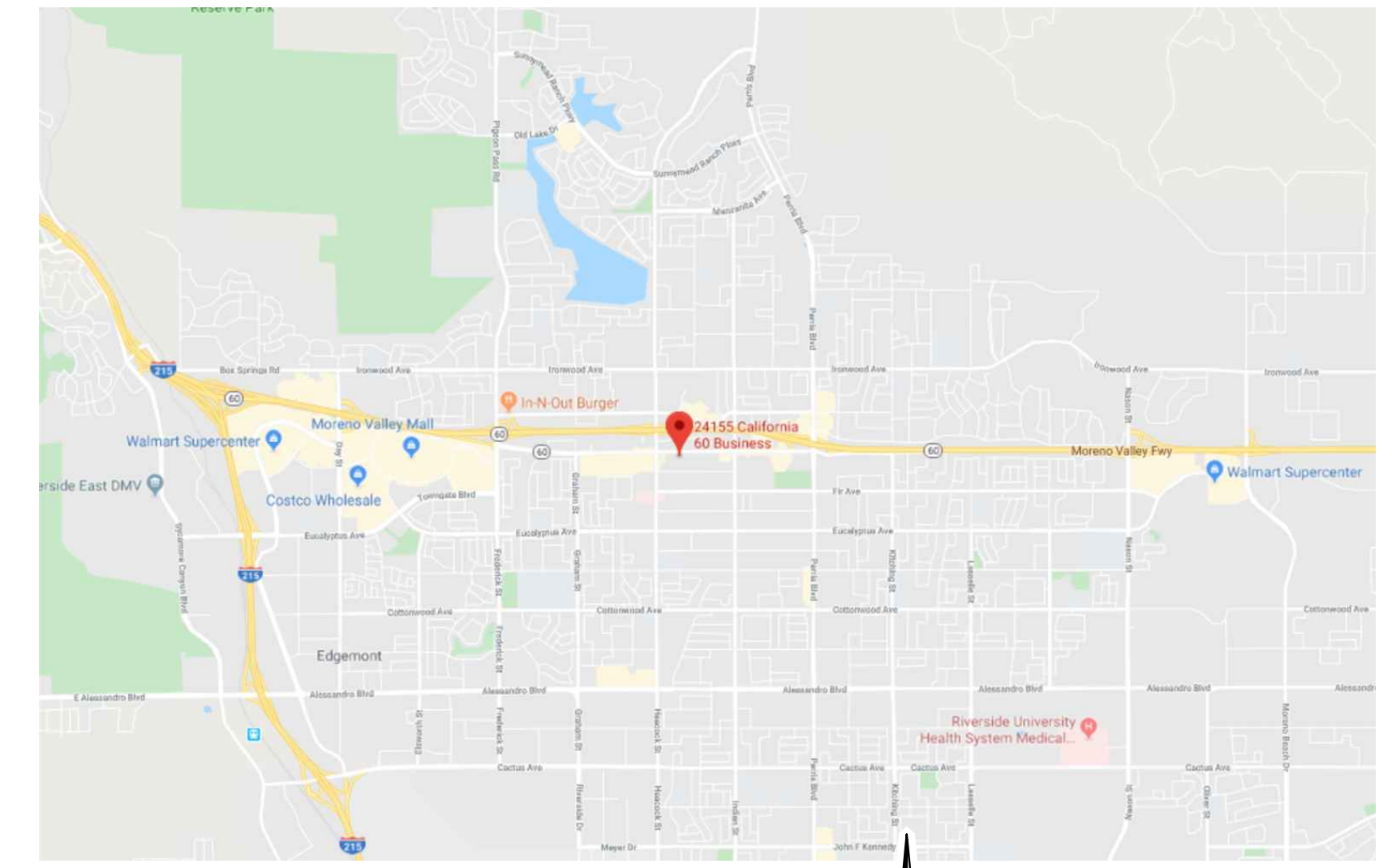
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A3.01

CITY PROJECT NUMBER:
PEN19-0066
PEN19-0067

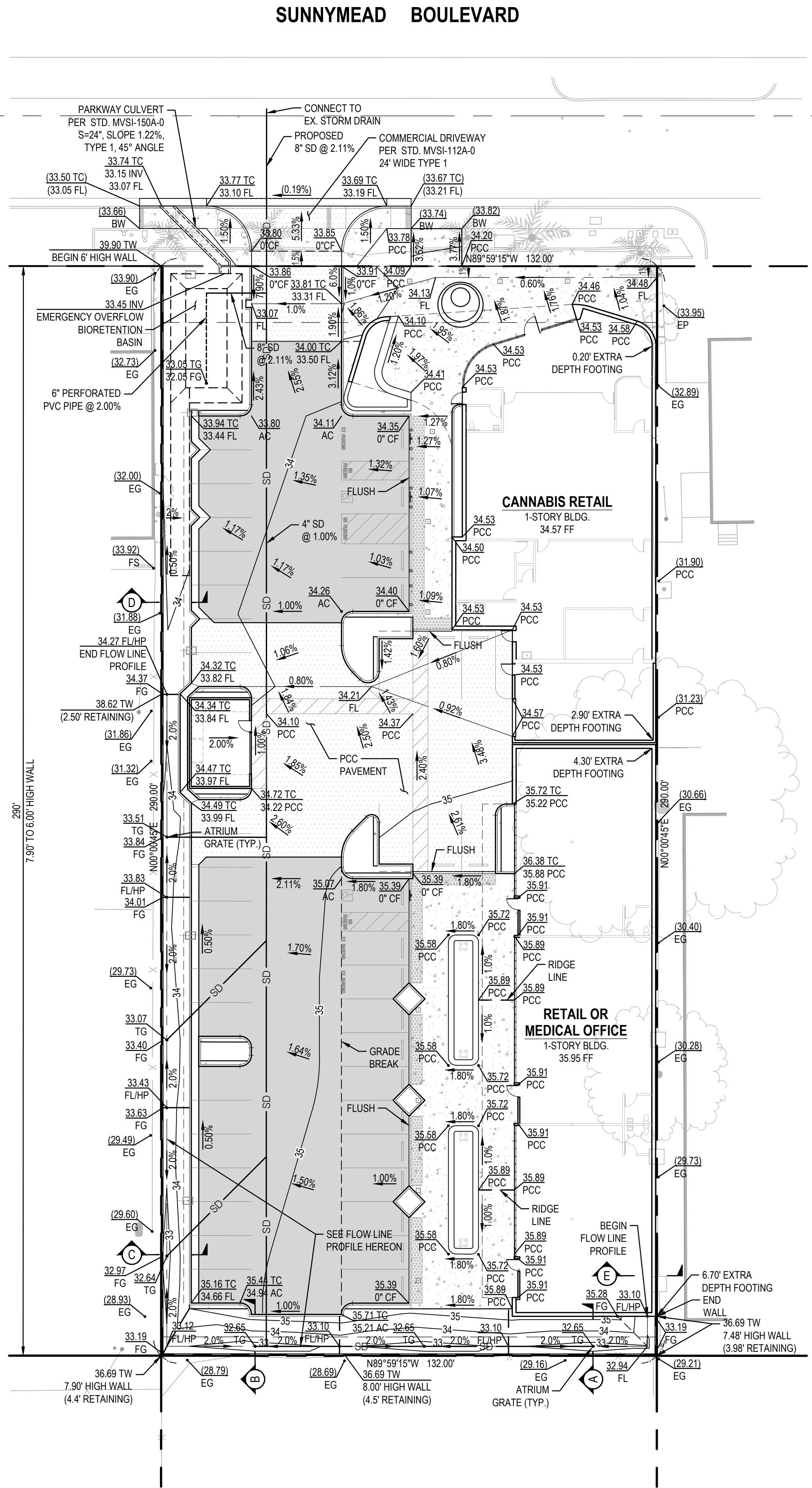
Attachment: Project Plans (4001 : PEN19-0066/67 Taro LLC Retail Cannabis Dispensary)

PRELIMINARY GRADING AND DRAINAGE PLAN TARO

24155 SUNNYMEAD BLVD., MORENO VALLEY, CA 92553



VICINITY MAP
SCALE: 1" = 1 MILE

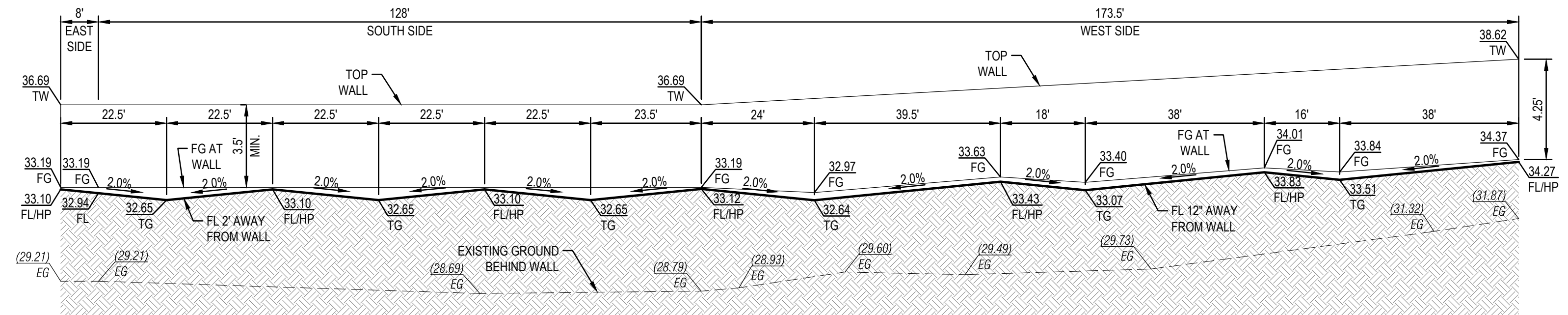


LEGEND:

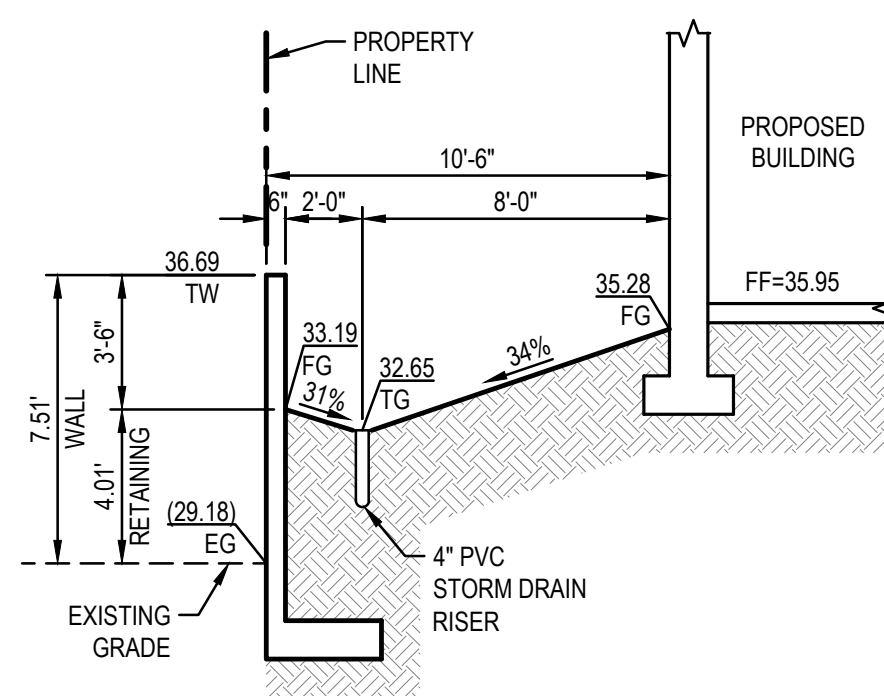
- PCC SIDEWALK
- PCC PAVEMENT
- AC PAVEMENT
- PIL
- RW
- CURB
- CURB AND GUTTER
- WATER LINE
- SEWER LINE
- STORM DRAIN LINE

ABBREVIATIONS:

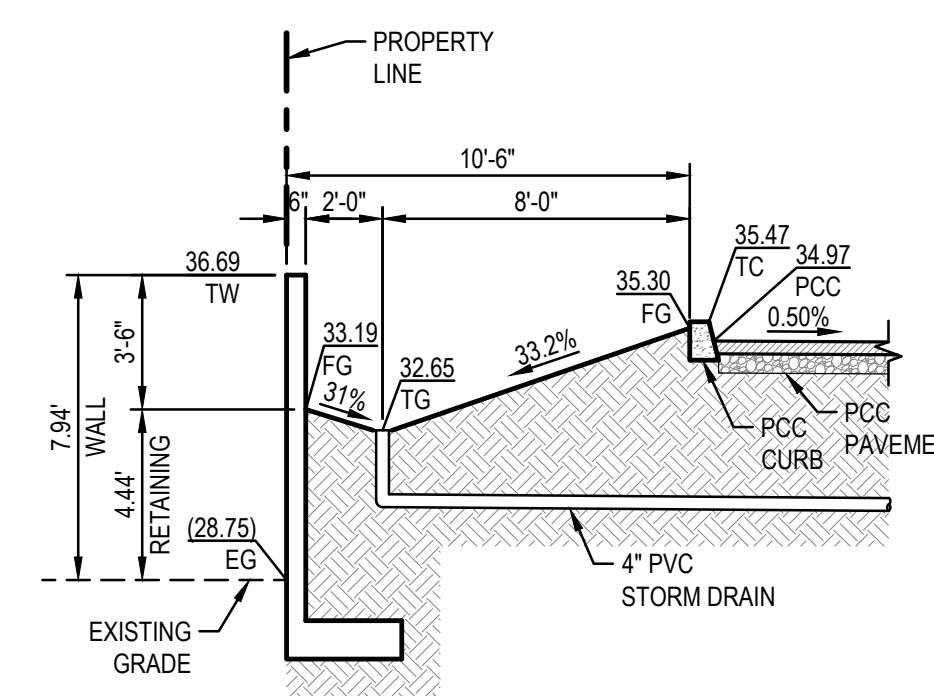
- AC ASPHALT CONCRETE
- BW BACK OF WALK
- CF CURB FACE
- EG EXISTING GROUND
- EX EXISTING
- FF FINISHED FLOOR
- FG FINISHED GROUND
- FL FLOW LINE
- FS FINISHED SURFACE
- INV INVERT
- LP LOW POINT
- MAX. MAXIMUM
- MIN. MINIMUM
- P/L PROPERTY LINE
- R/W RIGHT OF WAY
- SPPWC STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION
- SW SIDEWALK
- TC TOP OF CURB
- TE TRASH ENCLOSURE
- TG TOP OF GRATE
- XXX.XX PROPOSED ELEVATION
- (XXX.XX) EXISTING ELEVATION



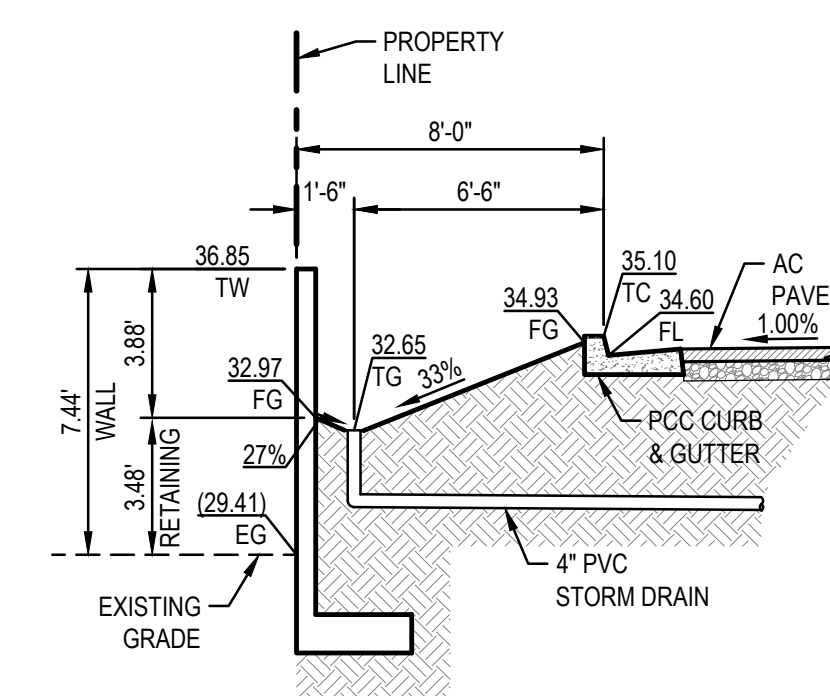
FLOW LINE PROFILE
VERTICAL SCALE: 1" = 4'
HORIZONTAL SCALE: 1" = 20'



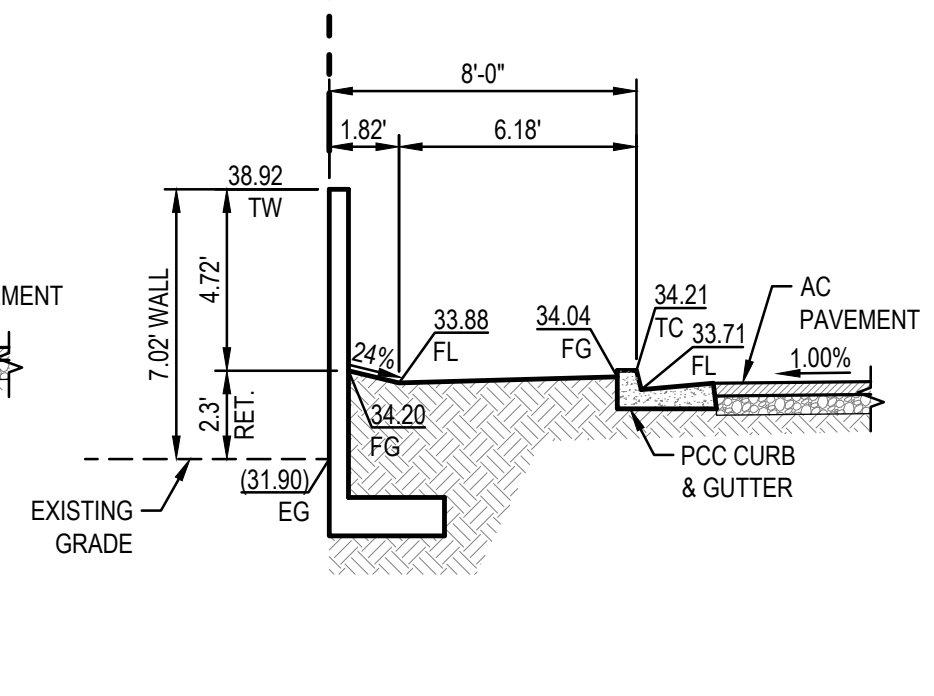
SECTION A
SCALE: 1" = 5'



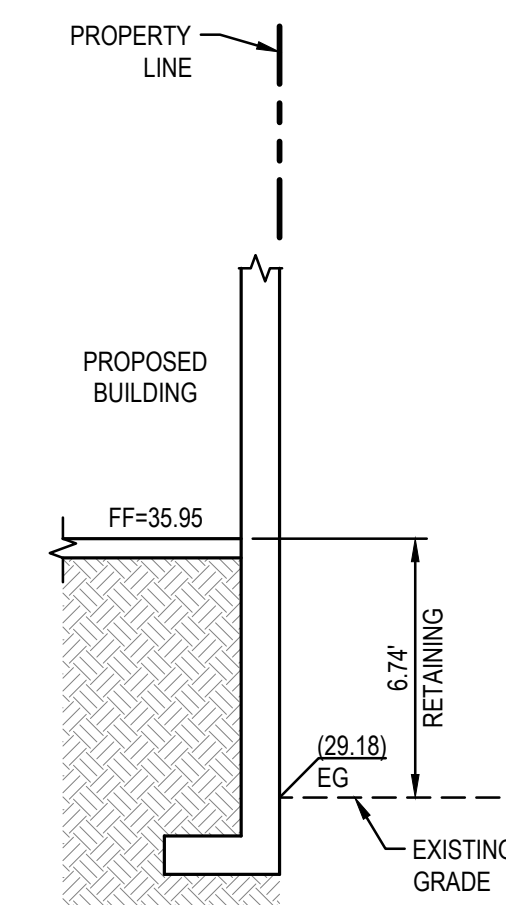
SECTION B
SCALE: 1" = 5'



SECTION C
SCALE: 1" = 5'



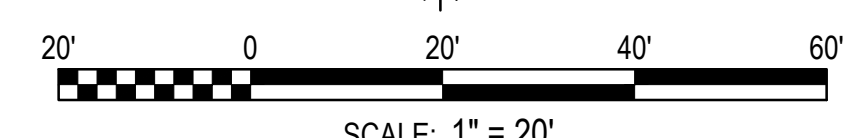
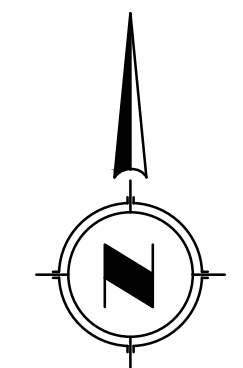
SECTION D
SCALE: 1" = 5'



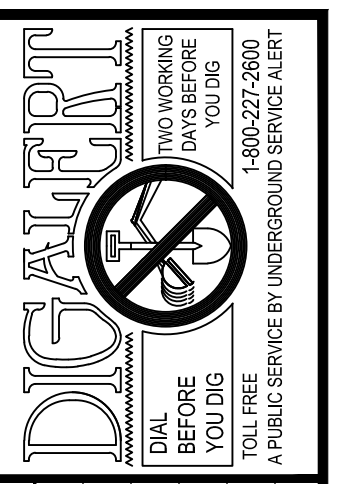
SECTION E
SCALE: 1" = 5'

ESTIMATED EARTHWORK QUANTITIES	
CUT	27 CY
FILL	5,648 CY
OVEREXCAVATION	-
IMPORT	5,621 CY
EXPORT	-

EARTHWORK QUANTITIES ARE RAW ESTIMATES ONLY. THEY DO NOT REFLECT SUBSIDENCE. THE QUANTITIES SHOWN ABOVE ARE INTENDED FOR USE IN ESTABLISHING GOVERNING AGENCY FEES. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE QUANTITIES FOR BID PURPOSES. ANY EXPORT OR IMPORT REQUIRED TO BALANCE THE SITE SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



SCALE: 1" = 20'



REVISION	DATE

BENCHMARK: RIVERSIDE COUNTY BENCHMARK NO. M-88 ON THE WLY SIDE OF HEADCOCK ST. 38' NLY FROM THE INT. OF HEADCOCK ST. & ELY OF CURB 3.81' SLY OF WATER METER. SET A 10' DIA. CONCRETE POST WITH FACE OF CURB 3.81' SLY OF WATER METER. SET A 10' DIA. CONCRETE POST WITH BENCHMARK. ELEVATION = 1038.95 (04/85)

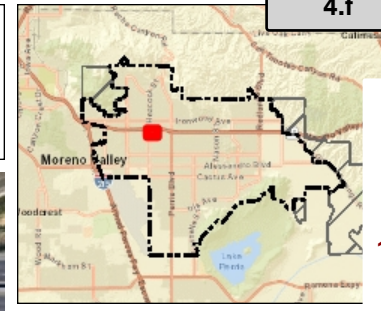


PRELIMINARY GRADING AND DRAINAGE PLAN
CIVIL IMPROVEMENT PLANS
TARO
24155 SUNNYMEAD BLVD., MORENO VALLEY, CA 92553
JOB NO. 19005
DATE: 9/23/2019
SHEET 1 OF 2 SHEETS

Attachment: Project Plans (4001) - PEN19-006667 Taro LLC Retail Cannabis Dispensary

W:\19-005 TARO MORENO VALLEY\DWG\190505PTB.dwg Sep. 23, 2019 - 12:35pm Packet Pg. 347

Aerial Map



Legend

- Road Labels
- Parcels
- City Boundary
- Sphere of Influence

Image Source: Nearmap

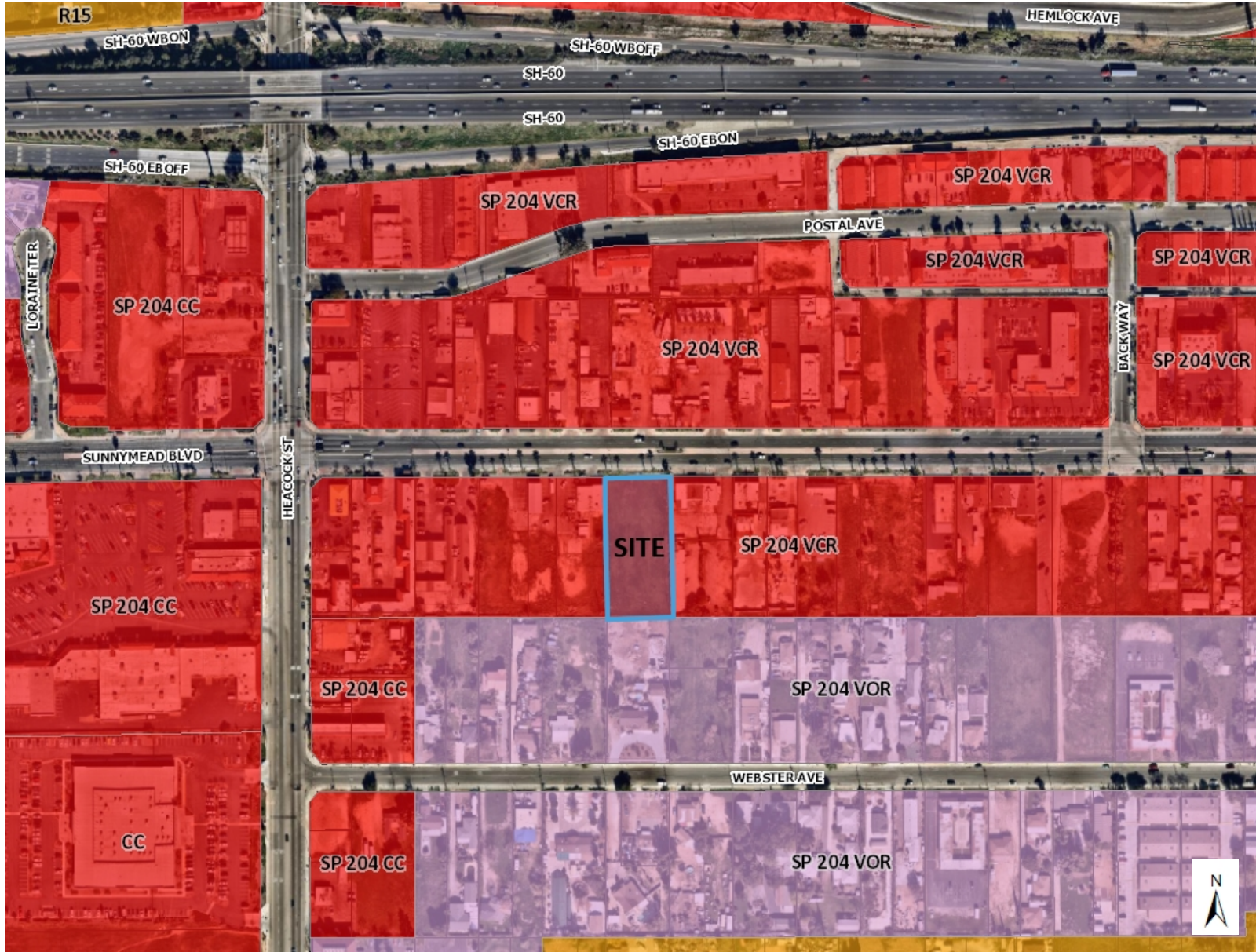
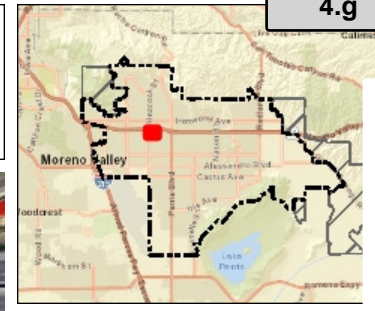
Notes:

PEN19-0066 - Conditional Use Permit
PEN19-0067 - Plot Plan

631.0 0 315.48 631.0 Feet

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

Zoning Map



Legend

- Zoning**
- Commercial
 - Industrial/Business Park
 - Public Facilities
 - Office
 - Planned Development
 - Large Lot Residential
 - Residential Agriculture 2 DU/AC
 - Residential 2 DU/AC
 - Suburban Residential
 - Multi-family
 - Open Space/Park
- Road Labels**
- Parcels
 - City Boundary
 - Sphere of Influence
- Other Labels**
- Edgemont Community Service

Image Source: Nearmap

Notes:

PEN19-0066 - Conditional Use Permit
PEN19-0067 - Plot Plan

631.0 0 315.48 631.0 Feet

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Attachment: Zoning Map (4001 : PEN19-0066/67 Taro LLC Retail Cannabis Dispensary)



City of Moreno Valley
 Community Development Department
 Planning Division
 City Hall Council Chamber
 14177 Frederick Street
 Moreno Valley, CA 92553

NOTICE OF PUBLIC HEARING



Notice of Public Hearing before the Planning Commission of the City of Moreno Valley for the following item(s):

MEETING INFORMATION: April 23, 2020, 7:00 P.M.
 Moreno Valley Council Chamber, **For Teleconference Meeting public participation instructions, please see agenda at <http://morenovalleyca.igmp2.com/Citizens/default.asp>**

PROJECT LOCATION: 24155 Sunnymead Boulevard, on south side of Sunnymead Boulevard between Heacock St and Back Way (APN: 481-120-007), District 1.

CASE NUMBER(s): PEN19-0067 and PEN 19-0066

CASE PLANNER: Sean P. Kelleher, Senior Planner
 (951) 413-3215 or seanke@moval.ca.gov

<APN>
 <Property Owner>
 <Street Address>
 <City, State, Zip>

NOTICE OF PUBLIC HEARING

PROPOSAL:

A Master Plot Plan PEN19-0067 for a 9,900 square foot multi-tenant commercial/medical office development and conditional use permit for a retail cannabis dispensary, "Mindfulness", Conditional Use Permit PEN19-0066 in a 4,27 square foot tenant space within a new commercial building located in the Village Specific Plan, SP 204, Village Commercial/Residential (VCR) district.

ENVIRONMENTAL DETERMINATION:

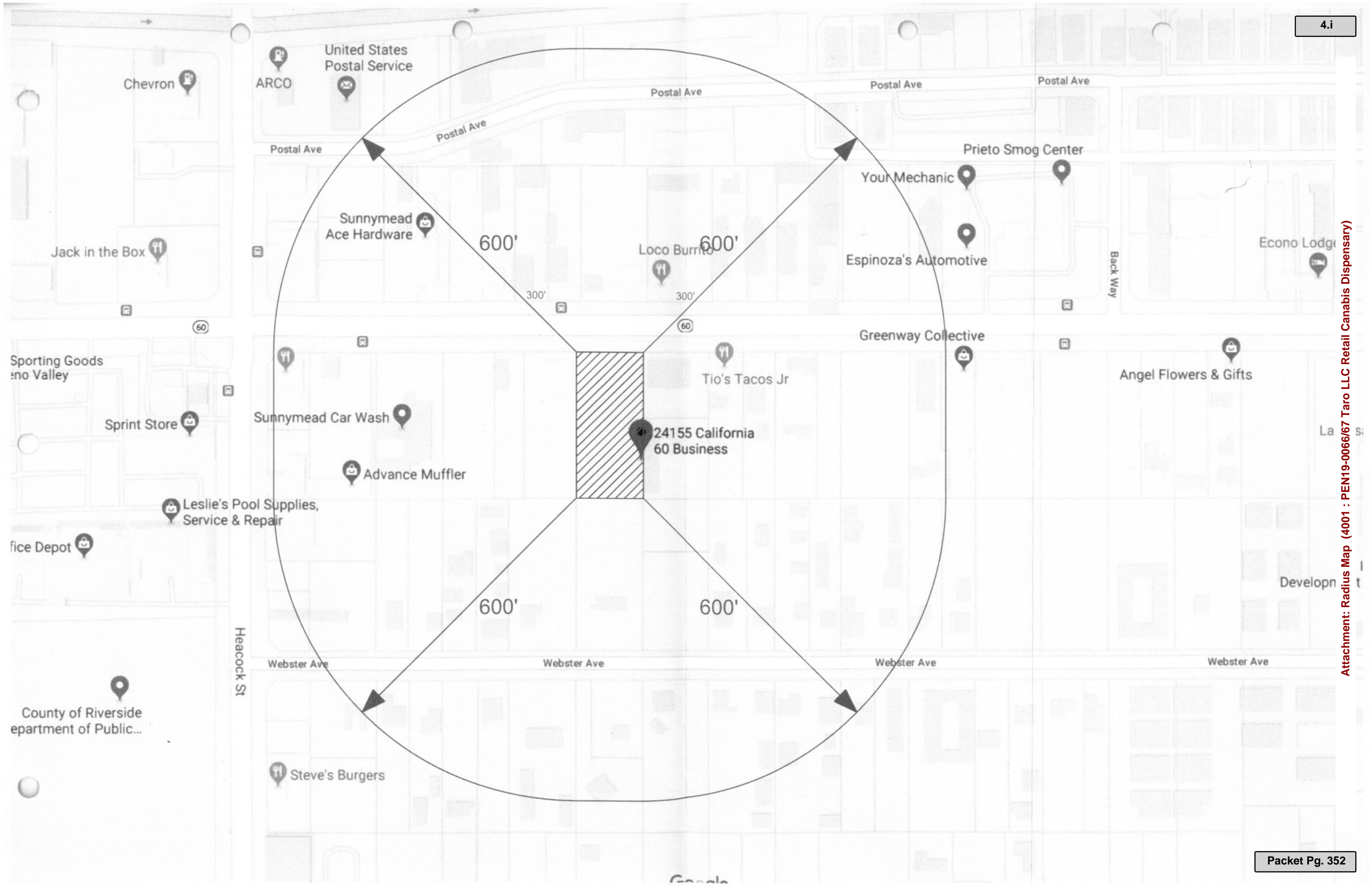
The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guideline and it was determined that the project will not have a significant effect on the environment. A finding that the project is exempt from the provisions of CEQA as a Class 32 Categorical Exemption in accordance with CEQA Guidelines Section 15332 for In-Fill Development Projects is being recommended for the project.

HEARING:

Any person interested in the proposal may speak at the hearing or provide written testimony at or prior to the hearing. The application file and environmental documents may be inspected by appointment at the Community Development Department at 14177 Frederick Street, Moreno Valley, California by calling (951) 413-3206 during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m. on Fridays).

The Planning Commission, at the Hearing or during deliberations, could also consider and approve changes to the project or the environmental determination. If you challenge this project, including any modifications considered for the project, 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 on or before the public hearing.

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



Attachment: Radius Map (4001 : PEN19-0066/67 Taro LLC Retail Cannabis Dispensary)

From: [Robin Kim](#)
To: [Sean P. Kelleher](#)
Subject: CASE NUMBER : PEN19-0067
Date: Monday, April 13, 2020 10:59:35 AM

Warning: External Email – Watch for Email Red Flags!

Dear Mr. Sean P. Kelleher,

My name is HO JEONG KIM and I have a property at 24150 Sunnymead Blvd. Moreno Valley.

I have received several "Notice Of Public Hearing" including ones with the following case numbers:

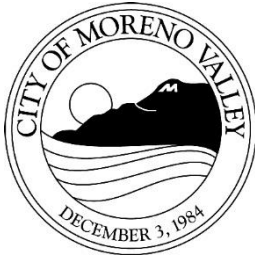
PEN19-0053
PEN19-0054
PEN19-0094
PEN19-0020
PEN19-0074
PNE19-0067

Since I couldn't attend the hearings, I don't exactly know which ones are approved. But it concerns me that too many cannabis dispensary shops will open in proximity to each other.

Case Number : PEN19-0067 is located at Sunnymead Blvd, which is at the center of the historical street and can be easily seen by teenagers passing by. So, it would not be an appropriate area for a cannabis dispensary shop.

Best regards,
Ho J Kim

Attachment: Public Comment (4001 : PEN19-0066/67 Taro LLC Retail Cannabis Dispensary)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 23, 2020

REMOVAL OF CONDITIONAL USE PERMIT PEN19-0074 "MORENO VALLEY INVESTMENT LLC" FROM AGENDA

Case:	Conditional Use Permit (PEN19-0074)
Applicant:	Moreno Valley Investments LLC
Property Owner	MV Sunnymead Investments LLC
Representative	Chris Glew
Location:	24175 Sunnymead Boulevard (APN 481-120-008)
Case Planner:	Sean P. Kelleher
Council District:	1
Proposal	Conditional Use Permit for a 3,360 square foot retail cannabis dispensary, "Moreno Valley Investments" located within an existing building at 24175 Sunnymead Boulevard.

SUMMARY

After the publication of the Public Hearing Notice for this item, the Applicant has requested Conditional Use Permit PEN19-0074 for Moreno Valley Investments be removed from the Agenda. A copy of the request is provided as an attachment.

STAFF RECOMMENDATION

No action is required.

Prepared by:
Sean P Kelleher

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. April 16, 2020 Email

From: [Sean P. Kelleher](#)
To: [Patty Nevins](#); [Vera Sanchez](#)
Subject: FW: 24175 Sunnymead
Date: Thursday, April 16, 2020 10:53:28 AM

FYI

From: Manuel A. Mancha
Sent: Thursday, April 16, 2020 10:46 AM
To: Sean P. Kelleher
Subject: FW: 24175 Sunnymead

Manuel A. Mancha
Community Development Director
Community Development
City of Moreno Valley

p: 951.413.3214 | e: manuelm@moval.org w: www.moval.org
 14177 Frederick St., Moreno Valley, CA 92553

From: Chris Glew <glewlaw@gmail.com>
Sent: Thursday, April 16, 2020 10:37 AM
To: Manuel A. Mancha <manuelm@moval.org>
Subject: 24175 Sunnymead

Warning: External Email – Watch for Email Red Flags!

Dear Manuel-

Please accept this email regarding our cannabis entitlement at 24175 Sunnymead Blvd, in Moreno Valley. Unfortunately, we experienced a fire that gutted the interior of the structure. Therefore, we would like to place on hold our application and take our matter off the agenda for the upcoming planning hearing.

--

Christopher M. Glew, Esq.
 Law Office of Glew & Kim, P.C.
 1851 East First Street
 Suite 840
 Santa Ana, Ca 92705
 866-648-0004 Fax 714-648-0501
GlewLaw@gmail.com
 Website: www.GlewKimLaw.com

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3. Security of Email. Electronic mail is sent over the public internet and may not be secure. Thus, we cannot guarantee the privacy or confidentiality of such information.

Attachment: April 16, 2020 Email (3998 : PEN19-0074 - Moreno Valley Investments LLC Cannabis Dispensary)