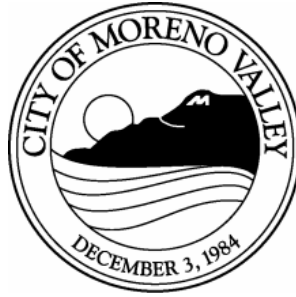

PLANNING COMMISSIONERS

ALVIN DEJOHNETTE
Chairperson

MATTHEW CHEN
Vice Chairperson

JEFFREY SIMS
Commissioner



OMAR COBIAN
Commissioner

JOANN STEPHAN
Commissioner

VACANT
Commissioner

VACANT
Commissioner

PLANNING COMMISSION

Regular Meeting

Agenda

Thursday, October 27, 2022 at 6:00 PM
City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENTS PROCEDURE

Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, members of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and non-controversial, and may be enacted by one roll call vote. There will be no discussion of these items unless a member of the Planning Commission requests that an item be removed for separate action

No items for discussion.

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 the ADA Coordinator, at 951.413.3350 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.

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

1. Case: PEN21-0102 - Plot Plan

Applicant: Lawrence Family Trust

Property Owner: Lawrence Family Trust

Representative: Frank Coyle, CASC Engineering & Consulting

Project Site: East side of Heacock Street north of the Perris Valley Storm Drain (APN: 316-211-014)

Case Planner: Julia Descoteaux, Senior Planner

Council District: 4

Proposed Project: The applicant is requesting approval of the following entitlement: Plot Plan (PEN21-0102) for an automobile parking lot on 9.14 acres in the Moreno Valley Industrial Area Specific Plan, Clear Zone District (Specific Plan 208).

2. Case: PEN22-0071 - Plot Plan
PEN22-0072 - Conditional Use Permit

Applicant: Gateway Company, LLC

Property Owner: Gateway Company, LLC

Representative: Jigish Shah

Project Site: North of Eucalyptus Avenue east of Day Street (APN: 29165003)

Case Planner: Ayida Smith, Assistant Planner

Council District: 1

Proposed Project: 1) a Plot Plan and 2) a Conditional Use Permit for the construction of a 4-story hotel with 93 suites within the Moreno Valley Towngate Specific Plan.

3. Case: PEN22-0106 - Conditional Use Permit
- Applicant: New Cingular Wireless PCS, LLC aka AT&T Wireless
- Property Owner: Palm Canyon Community Church
- Representative: New Cingular Wireless PCS, LLC aka AT&T Wireless
- Project Site: 25550 Ironwood Avenue (APN: 474-190-009)
- Case Planner: Ayida Smith, Assistant Planner
- Council District: 2
- Proposed Project: Conditional Use Permit for the construction of a new wireless cell site facility, including a 65-foot-tall monopine tower, with ground-mounted equipment screened by a 10-foot-tall block wall within a 30-foot by 30-foot equipment lease area.

OTHER COMMISSION BUSINESS

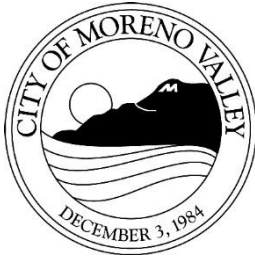
No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting, Thursday, November 10, 2022 at 6:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: October 27, 2022

PLOT PLAN FOR AN AUTOMOBILE PARKING LOT

Case: Plot Plan (PEN21-0102)

Applicant: Lawrence Family Trust

Property Owner: Lawrence Family Trust

Representative: Frank Coyle, CASC Engineering & Consulting

Project Site: East side of Heacock Street north of the Perris Valley Storm Drain (APN: 316-211-014)

Case Planner: Julia Descoteaux, Senior Planner

Council District: 4

Proposed Project: The applicant is requesting approval of the following entitlement: Plot Plan (PEN21-0102) for an automobile parking lot on 9.14 acres in the Moreno Valley Industrial Area Specific Plan, Clear Zone District (Specific Plan 208).

SUMMARY

Lawrence Family Trust ("Applicant") is requesting approval for an automobile parking lot on 9.14 acres located on the east side of Heacock Street north of the Perris Valley Storm Drain in the Moreno Valley Industrial Area Specific Plan 208, Clear Zone District (Specific Plan 208).

PROJECT DESCRIPTION

Project

The Applicant is proposing an automobile parking lot to accommodate approximately 194 parking stalls on a 9.14-acre parcel consistent with Moreno Valley Industrial Area Specific Plan 208, Clear Zone District (Specific Plan 208). The parking lot will include landscape, lighting, fencing, and water quality improvements.

Site/ Surrounding Area

The approximately 9.14-acre Project Site is located on the east side of Heacock Street just north of the Perris Valley Storm Drain.

Surrounding land uses include developed industrial uses to the north and northeast of the Project Site, within Specific Plan 208, the Perris Valley Storm Drain to the south of the Project Site, and March Air Reserve Base (MARB) to the west of the Project Site.

Access

Access to the site will be from a single 40-foot wide, 75-foot-deep driveway along Heacock Street, with a gated entry.

Design/Landscaping

The parking lot will be designed per the City standards, with AC pavement, drainage, and water quality treatment areas. All parking lot end islands and parking fingers within the lot will meet the minimum standards to include five feet of landscape areas, step-outs, and curbing.

Tubular steel fencing will be used along Heacock Street wrapping 100 feet on the north and south property lines, with coated chain link on the remaining portions of the perimeter fencing, consistent with the Specific Plan 208 requirements.

Drought-tolerant shrubs will be planted in the landscape areas within the parking lot and along the Heacock Street frontage. Due to the proximity to March Air Reserve Base trees are not required to ensure compliance with the March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan.

REVIEW PROCESS

The Proposed Project has been considered by all appropriate agencies within and outside of the City, consistent with the standard review process required for these types of development applications. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and review by various staff, the Proposed Project's entitlement package was deemed complete for processing for Planning Commission review and approval of the Proposed Project as designed and conditioned.

ENVIRONMENTAL

An Initial Study was prepared by CASC Engineering and Consulting, Inc., in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The

Initial Study examined the Proposed Project's impacts on the environment. The Initial Study/Mitigation Negative Declaration (IS/MND) provides information in support of the finding that a Mitigated Negative Declaration serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality and Global Climate Change Impact Analysis, Burrowing Owl Focused Survey Report, Cultural Report, Paleontological Report, Geotechnical Investigation and Percolation Test Results, EDR Radius Map, Preliminary Drainage Analysis, Preliminary Water Quality Maintenance Plan, and Traffic Impact Analysis. The electronic files for the IS/MND with appendices are attached to this staff report. Anyone wishing to view the documents can also do so at City Hall.

Mitigation Measures are recommended for the Proposed Project in the following areas: Air Quality, Biological Resources, Cultural Tribal Resources, and Hydrology. The measures for Tribal resources have been included to address input from the Tribal governments. The measures are intended to ensure that potential resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study, and the proposed mitigation measures, the Proposed Project will not cause any significant impacts or environmental damage.

The public comment period for the Notice of Availability for the Initial Study/Mitigated Negative Declaration began on September 29, 2022, and ended on October 18, 2022, which satisfies the required 20-day review period. As of the preparation of this staff report, no comments have been received. Should comments regarding the Proposed Project be received prior to the Planning Commission they will be provided at the public hearing.

NOTIFICATION

Consistent with the City Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper.

REVIEW AGENCY COMMENTS

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

- A. That the Planning Commission **ADOPT** Resolution No. 2022-41, attached hereto,
AND:

1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan (PEN21-0102) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the proposed Project's potential environmental impacts; and
2. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Project, which consists of Plot Plan (PEN21-0102) pursuant to CEQA and the CEQA Guidelines.

B. That the Planning Commission **ADOPT** Resolution No. 2022-42 attached hereto, **AND:**

1. **APPROVING** Plot Plan (PEN21-0102) based on the Recital, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-42.

Prepared by:
Julia Descoteaux
Associate Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. Resolution No. 2022-41 - IS/ MND
2. Exhibit A to Resolution No. 2022-41 - IS/MND
3. Appendix A Air Quality and Global Climate Change Impact Analysis (October 12, 2021)
4. Appendix B Burrowing Owl Focused Survey Report (June 16, 2021)
5. Appendix C Cultural Report (September 25, 2021)
6. Appendix D Paleontological Report (September 27, 2021)
7. Appendix E Geotechnical Investigation and Percolation Test Results (March 18, 2021)
8. Appendix F EDR Radius Map (October 6, 2021)
9. Appendix G Preliminary Drainage Analysis-Proposed Heacock Logistics (April 2022)
10. Appendix H Preliminary Water Quality Maintenance Plan (WQMP) (April 18, 2022)
11. Appendix I Traffic Impact Analysis (May 19, 2022)
12. Exhibit B to Resolution No. 2022-41 - Notice of Availability and Intent to Adopt a Mitigated Negative Declaration

13. Exhibit C to Resolution No. 2022-41 - Mitigation Monitoring and Reporting Program (MMRP)
14. Resolution No. 2022-42 - Plot Plan
15. Project Plans
16. Initial Study Comment
17. Project Comment
18. Zoning Map

RESOLUTION NUMBER 2022-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PLOT PLAN (PEN21-0102) FOR AN AUTOMOBILE PARKING LOT LOCATED ON THE EAST SIDE OF HEACOCK STREET NORTH OF THE PERRIS VALLEY STORM DRAIN (APN 316-211-014)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Lawrence Family Trust (“Applicant”) has submitted applications for a Plot Plan (PEN21-0102) to develop an automobile Parking Lot project and public improvements on 9.14-acres (“Proposed Project”) which is currently vacant and unimproved and located on the east side of Heacock Street north of the Perris Valley Storm Drain (APN 316-211-014) (“Project Site”); and

WHEREAS, Section 9.02.070 (Plot Plan) of the Moreno Valley Municipal Code acknowledges that the purpose of plot plans is to provide a mechanism by which all new construction of industrial, commercial, or multiple-family residential can be reviewed when not subject to other discretionary review processes which have review authority over the Proposed Project’s design; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.070 (Plot Plan) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, the Moreno Valley Industrial Area Specific Plan 208I, and other applicable laws and regulations; and

WHEREAS, Section 9.02.070 of the Municipal Code imposes conditions of approval upon projects for which a Plot Plan is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used, and any other conditions as may be deemed necessary to protect the public health, safety, and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, Staff has presented for the Planning Commission’s consideration Conditions of Approval to be imposed upon the Plot Plan which conditions have been deemed necessary to protect the public health, safety, and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code section 65905, a public hearing was scheduled for October 27, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on October 27, 2022, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Plot Plan PEN21-0102 for the Plot Plan, which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.070 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by Conditions of Approval; and

WHEREAS, on October 27, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines,² the Planning Commission considered and approved Resolution 2022-41 certifying a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed Project.

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

Section 1. Recitals and Exhibits

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

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the Proposed Project, including, but not limited to, the following:

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Moreno Valley Industrial Area Specific Plan 208I;
- (c) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code, and all other relevant provisions referenced therein;
- (d) Application for the approval of Plot Plan PEN21-0102 and all documents, records, and references contained therein;
- (e) Conditions of Approval for Plot Plan PEN21-0102, attached hereto as Exhibit A;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings in approving the Proposed Project (Plot Plan PEN21-0102):

- (a) The Proposed Project is consistent with the goals, objectives, policies, and programs of the General Plan;
- (b) The Proposed Project is consistent with the goals, objectives, policies, and requirements of the Moreno Valley Industrial Area Specific Plan 208I;
- (c) The Proposed Project complies with all applicable zoning and other regulations;
- (d) The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and
- (e) The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Approval

That based on the foregoing Recitals, Evidence contained in the Administrative Record, and Findings set forth above, the Planning Commission hereby approves the Proposed Project (Plot Plan PEN21-0102) subject to the Conditions of Approval for Plot Plan PEN21-0102 attached hereto as Exhibit A.

Section 6. Repeal of Conflicting Provisions

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

Section 7. Severability

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

Section 8. Effective Date

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

Section 9. Certification

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

PASSED AND ADOPTED THIS 27th day of October 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean Kelleher, Planning Manager

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution No. 2022-42 - Plot Plan [Revision 2] (5957 : PEN21-0102 Heacock Logistics Parking Lot)

Exhibit A

CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN21-0102)

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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 2

above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. This project is located within Specific Plan 208. 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)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department, and as conditioned - 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)

Special Conditions

8. The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.
9. The site has been approved for an automobile parking lot with approximately 194 parking stalls designed to meet all on-site parking requirements, fencing, landscaping, and street improvements. A change or modification shall require separate approval.
10. Tubular steel fencing is required along Heacock Street wrapping a minimum of 100 feet east on each the northern property line and the south property line. Coated Chain Line fencing shall be used along the remaining perimeter property line.
11. Included in the grading plan submittal, the parking lot shall be designed consistent with the City's Municipal Code (9.11 and 9.17.050) requirements to include the following:
 - a. Parking lot design shall include openings in curbs to convey water runoff into landscape areas for water quality, retention, and absorption.
 - b. Auto parking spaces shall be clearly outlined with white double lines on the surface of the parking facility (three-inch line – six-inch space - three-inch line) for a

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 3

total of twelve (12) inches or as otherwise specified by the Building Official.

c. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or the public right-of-way. Low hedge planting or wall may be required.

d. Finger planters shall have a minimum interior dimension of five (5) feet by sixteen (16) feet, (or as approved by the Community Development Director), exclusive of curbs, step-outs, and other hard surfaces. A finger planter with parking on one side has a minimum curb-to-curb face dimension of seven feet. A finger planter with parking on both sides has a minimum curb-face-to-curb-face dimension of eight (8) feet.

e. Diamond planters are required where double rows of parking are provided.

f. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet.

g. End islands or finger planters are provided at the end of each aisle of parking to define parking lot circulation and provide sight distance at the intersection of drive aisles and places for trees.

Prior to Grading Permit

12. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.
13. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
14. 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.
15. Prior to the issuance of any grading 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 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.
 - d. Drought tolerant landscape shall be used. No sod shall be installed.
 - e. Enhanced landscaping shall be provided at all driveway entries and street

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 4

corner locations The review of all utility boxes, transformers, etc. shall be coordinated to provide adequate screening from public view.

f. All site perimeter and parking lot landscape and irrigation shall be installed prior to any occupancy of the parking lot.

16. Prior to issuance of a grading 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)
17. Prior to parking lot 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)
18. Prior to the issuance of a grading permit, 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, 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)

Prior to Building Final or Occupancy

19. Prior to final occupancy, 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).
20. Prior to final occupancy, all required and proposed fences shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

21. 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.
22. Prior to submittal, all new development are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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Building Safety Division at 951.413.3350.

23. Building applications for permits will be required for site development of this project including but not limited to accessible parking, stripping, walkways, access aisles, access point to the public way, and electrical installations. Building applications and permit issuance will be required prior to issuance of any grading permits associated with this project. Contact the Building Safety Division for permit application submittal requirements.
24. 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.
25. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
26. 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.
27. 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.
28. 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**

29. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
30. 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

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 6

Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)

31. 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)
32. 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)
33. Prior to issuance of Grading Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
34. 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)
35. Prior to issuance of Certificate of Occupancy or Building Final, street numbers shall be displayed 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])
36. 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)
37. 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.
38. 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.

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39. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
40. 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])
41. Prior to issuance of the grading 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)
42. 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)
43. 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)
44. 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)
45. 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)
46. 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)
47. 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

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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)

48. 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)
49. Prior to issuance of Grading 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.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**Moreno Valley Utility**

50. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility prior to issuance of a grading permit and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
51. This project requires the installation of electric distribution facilities. Prior to issuance of a grading permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. Prior to issuance of a grading permit, in accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

Prior to issuance of a grading permit, the Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults,

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ducts, wires (including fiber optic cable), switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system” (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “utility services” to and within the project. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

The City, or the City’s designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer’s sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

52. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer’s expense, for any and all costs associated with the relocation of any of Moreno Valley Utility’s underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.
53. Prior to issuance of a grading permit, this project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “street light services” to and within the project.
54. If this project will include the installation and interconnection of any generating or energy storage equipment, this project shall submit an application, coordinate and receive approval from the Moreno Valley Electric Utility. For the most recent application requirements and for submitting interconnection applications, email mvusolar@moval.org or go to our website at <https://www.moval.org/mvu/solar-prog.html>. All interconnection applications shall be submitted to the Moreno Valley Electric Utility by email to mvusolar@moval.org.

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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 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.

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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. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
61. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained.
62. Within 15 days of grading completion, an engineered-fill certification, rough grade certification, compaction report and final/precise grade certification 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.
63. Within 15 days of grading completion (Grading Plan) or Street Improvements (Street Plan), 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.
64. 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, project entrance improvements, signing, striping, 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.
65. Within 15 days of the construction of the water quality Best Management Practices, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant" shall be recorded to provide public notice of the maintenance

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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.

66. 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.
67. 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.

Prior to Grading Plan Approval

68. 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.
69. 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

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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.

70. 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.
71. 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.
72. 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.
73. The developer shall coordinate and obtain any permits required by the Riverside County Flood Control District regarding drainage outletting into their open channel on the southside of the project.
74. Prior to grading plan approval, the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facility Line C.

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Prior to Grading Permit

75. 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)]
76. 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)]
77. 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]
78. For non-subdivision projects, the developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
79. 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.
80. The developer shall dedicate a 24' wide access easement along the northerly boundary for the owner of the parcel to the east (APN 316-211-015) to have access to their property.
81. 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.

Prior to Improvement Plan Approval

82. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
83. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
84. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards

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shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]

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. 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.
87. The developer shall widen Heacock Street to a 24' total width with an 8' wide graded dirt shoulder on both sides of the street. The limits of this widening shall begin from the "bulb" on Heacock Street to the project's southerly boundary. The structural section shall be per standard MVSI-104A-0, with a minimum TI=11.
88. Prior to release of Public Improvement Agreement (PIA) security, all public improvements shall be completed and accepted by the City.

Prior to Encroachment Permit

89. 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]
90. Any work performed within public right-of-way requires an encroachment permit.

Special Districts Division

91. Major Infrastructure SFD Major Infrastructure Financing District. Prior to issuance of a grading permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the Grading Permit. This condition

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must be fully satisfied prior to Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

92. Maintenance Services Funding. Prior to issuance of a grading permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the Grading Permit.

This condition must be fully satisfied prior to Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to determine if this condition is applicable.

93. Public Safety Funding. Prior to issuance of a Grading Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the Grading Permit.

This condition must be fully satisfied prior to issuance of the Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to determine if this condition is applicable.

94. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.

Transportation Engineering Division

95. All gated entrances (except emergency-only access or exit only access) shall be provided with the following:

a) A storage lane with a minimum of 75' provided for queuing.

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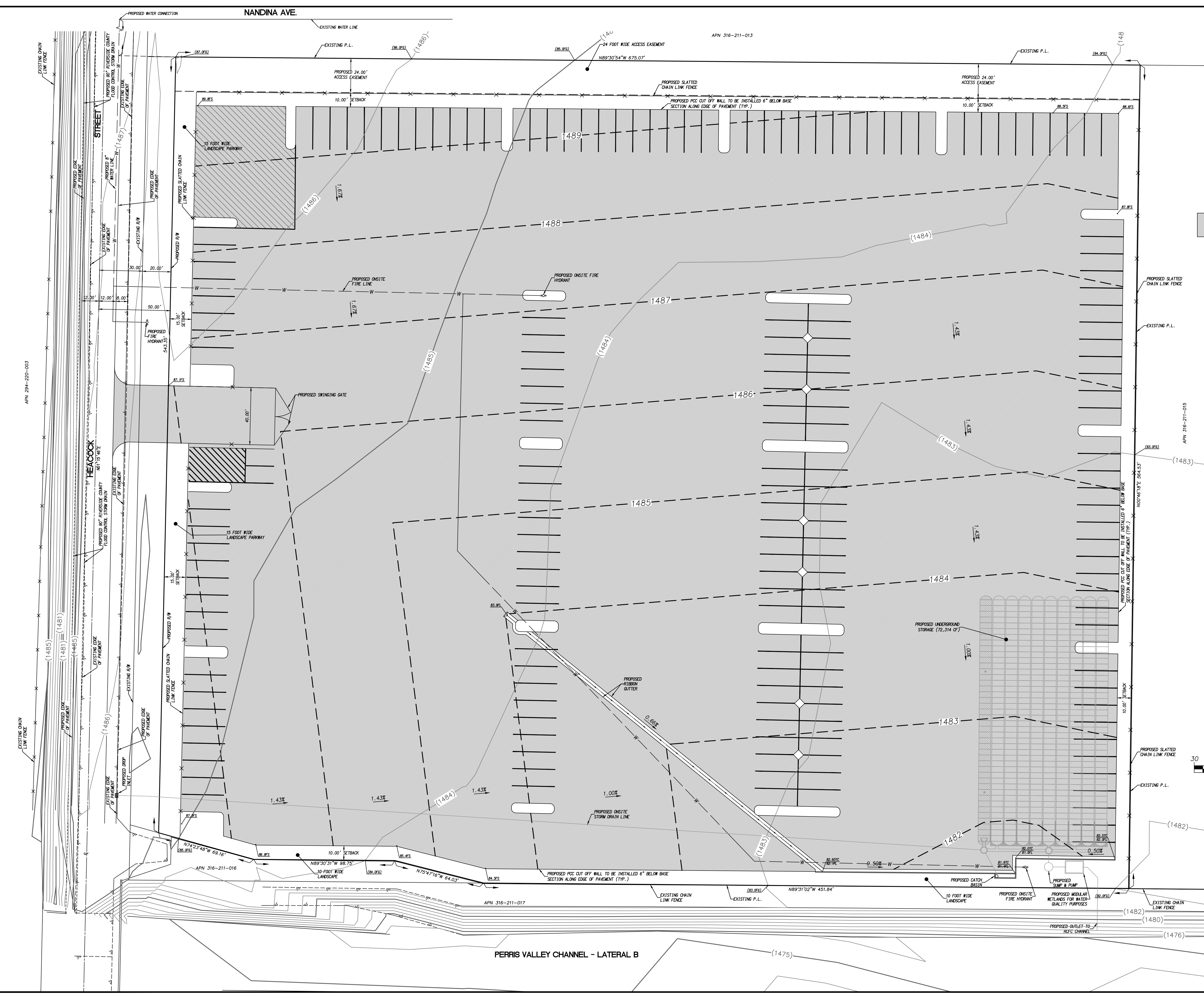
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b) No Parking signs shall be posted in the turnaround areas.

All of these features must be kept in working order.

96. Project driveway approach along Heacock Street shall provide an AC Pavement Connection (Paved Driveway) with 50-ft radii.
97. Prior to final approval of any grading, landscape, monument sign, or street improvement plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
98. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans – Section 4 for all streets. 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.
99. Prior to the issuance of encroachment permit for work in the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
100. Prior to release of Public Improvement Agreement (PIA) security, all approved street improvements shall be installed to the satisfaction of the City Engineer.
101. Prior to release of Public Improvement Agreement (PIA) security, all approved signing and striping shall be installed to the satisfaction of the City Engineer.
102. Prior to building permit issuance, the applicant shall provide receipt for or letter from the City of Perris demonstrating they have provided for their fair share sum for the impacts to City of Perris' roadways.



LEGEND

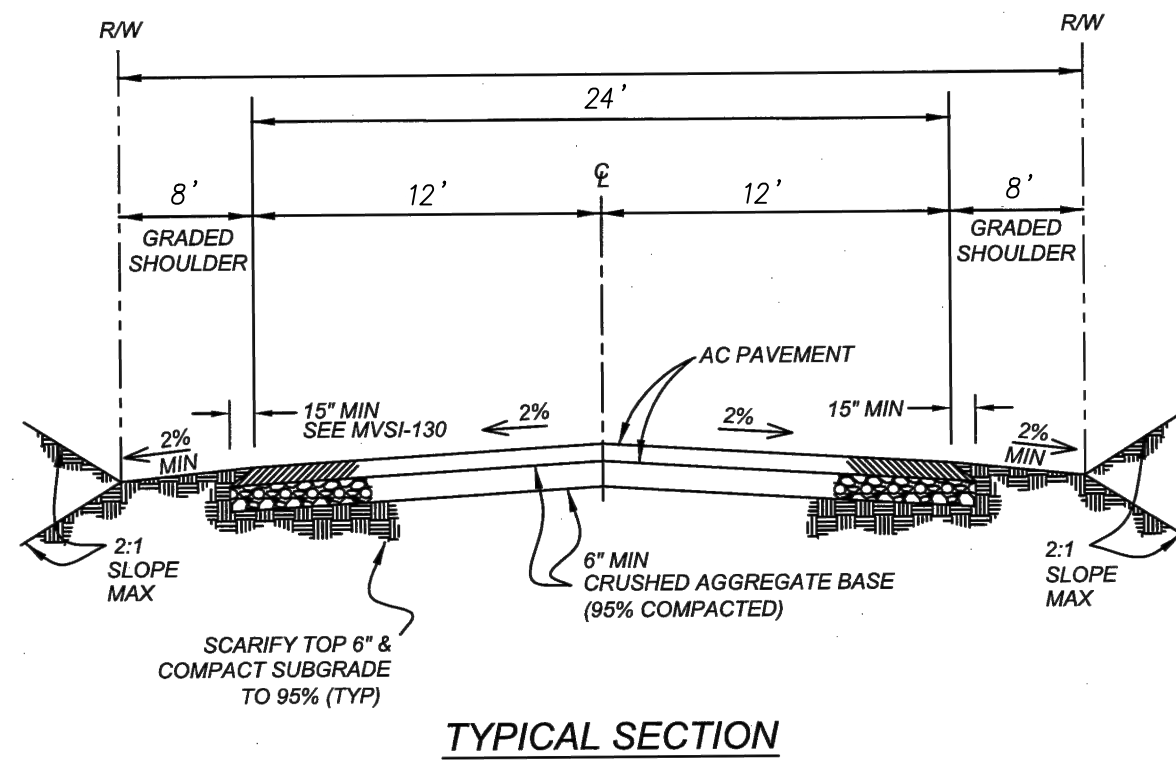
AC	ASPHALT CONCRETE
BLDG.	BUILDING
C&G	CURB & GUTTER
C/L	CENTERLINE
ELEC.	ELECTRIC
EX.	EXISTING
FG	FINISHED GRADE
FS	FINISHED SURFACE
MH	MANHOLE
R/W	RIGHT OF WAY
SD	STORM DRAIN
S/W	SIDEWALK
TELE.	TELEPHONE
TYP.	TYPICAL
POC	POINT OF CONNECTION
PCC	PORTLAND CEMENT CONCRETE
PROP.	PROPOSED
XX.X	PROPOSED ELEVATION
(XX.X)	EXISTING ELEVATION

PROPOSED AC PAVEMENT

PRELIMINARY EARTHWORK QUANTITIES:
 CUT 7,600 CY*
 FILL 6,900 CY*
 (RAW/UNADJUSTED)
 *NOTE: THE PROPOSED GRADING ON THIS PLAN IS STRICTLY CONCEPTUAL AND SHOULD ONLY BE USED FOR PLANNING PURPOSES. SITE IS EXPECTED TO BALANCE AFTER LOSSES.

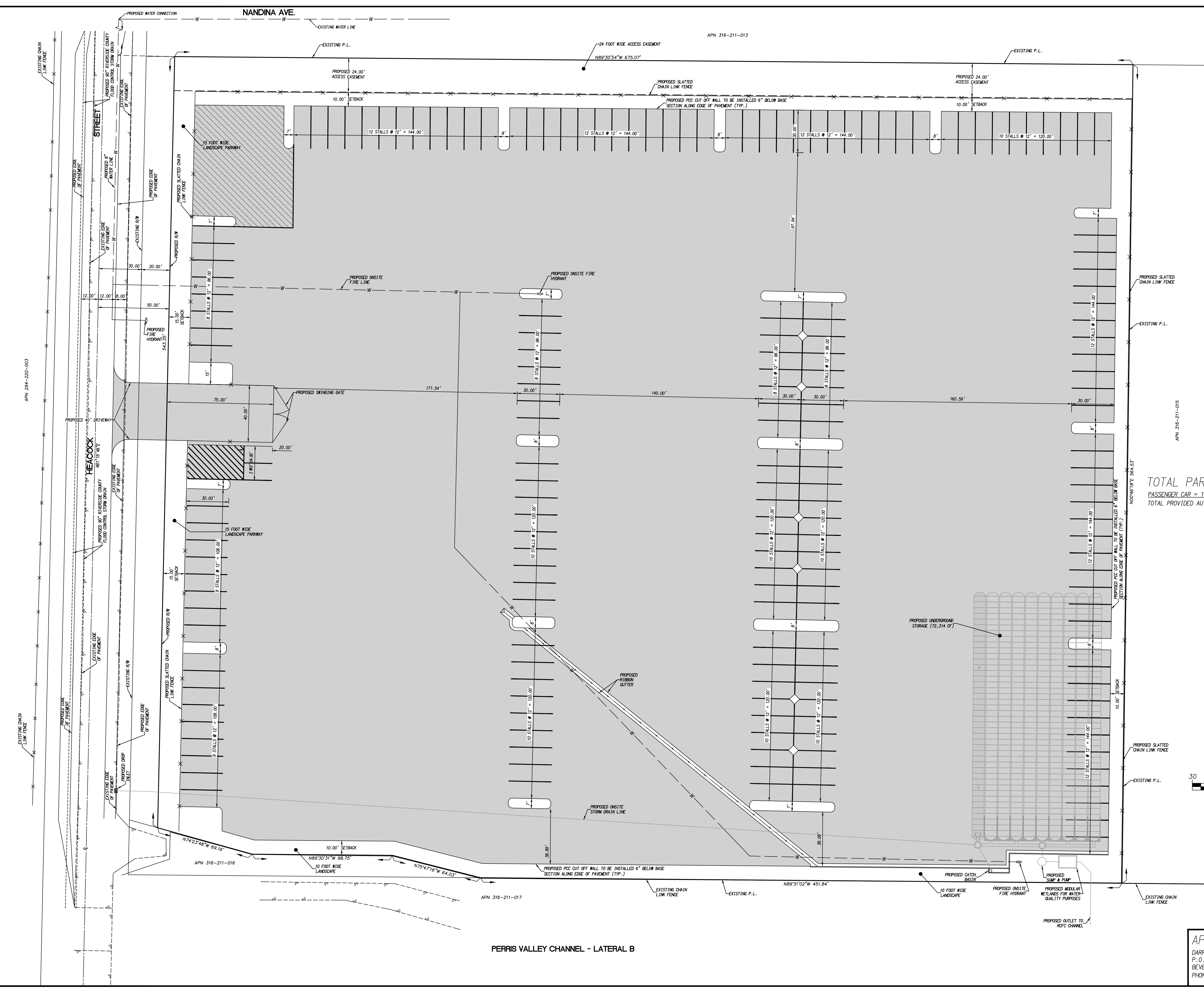
LEGAL DESCRIPTION:
 ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 THE WEST HALF OF LOT 29 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
 EXCEPTING THEREFROM THE SOUTHERLY 70 FEET THEREOF.
 ALSO EXCEPTING THEREFROM THE WESTERLY 10 FEET THEREOF.
 ALSO EXCEPTING THAT PORTION GRANTED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED MAY 9, 2004 AS INSTRUMENT NO. 2004-0441404 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

- EASEMENTS:**
1. A CLEARANCE EASEMENT FOR A RUNWAY APPROACH ZONE AND GLIDE ANGLE PLANS OVER SAID LAND, AS GRANTED TO THE UNITED STATES OF AMERICA, IN DEED RECORDED FEBRUARY 14, 1956 IN BOOK 1862, PAGE 210 OFFICIAL RECORDS. SAID EASEMENT COVERS ENTIRE PARCEL.
 2. AN EASEMENT FOR A CLEAR ZONE IN FAVOR OF THE UNITED STATES OF AMERICA, RECORDED SEPTEMBER 27, 1984 AS INSTRUMENT NO. 1984-209559 OFFICIAL RECORDS. SAID EASEMENT COVERS THE ENTIRE PARCEL.



**CONCEPTUAL GRADING PLAN
 HEACOCK PARKING LOT
 MORENO VALLEY, CA
 SHEET 1 OF 1**

CASC
 Engineering and Consulting
 1470 EAST COOLEY DRIVE, COLTON, CA 92324
 PH. (909) 783-0101 FAX (909) 783-0108
 www.cascinc.com



LEGEND

AC	ASPHALT CONCRETE
C/L	CENTERLINE
EX.	EXISTING
R/W	RIGHT OF WAY
TYP.	TYPICAL
PROP.	PROPOSED
[Hatched Box]	PROPOSED AC PAVEMENT

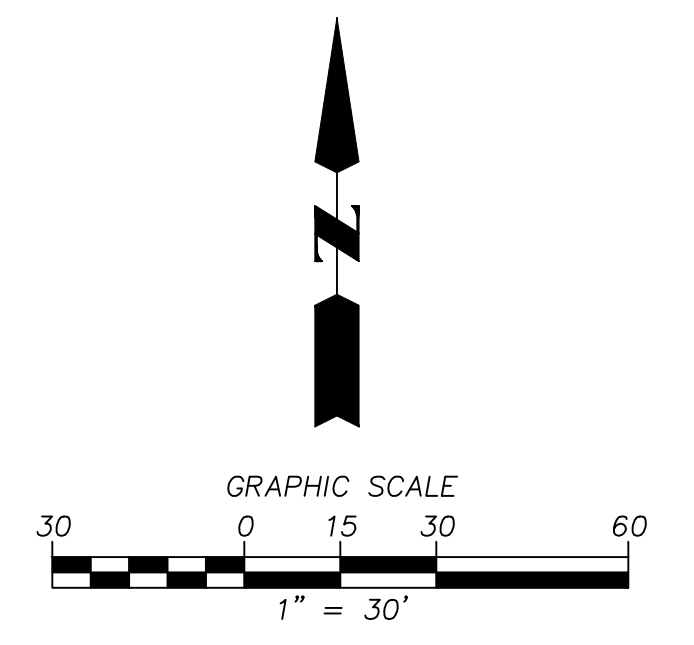
LEGAL DESCRIPTION:
 ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 THE WEST HALF OF LOT 29 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
 EXCEPTING THEREFROM THE SOUTHERLY 70 FEET THEREOF.
 ALSO EXCEPTING THEREFROM THE WESTERLY 10 FEET THEREOF.
 ALSO EXCEPTING THAT PORTION GRANTED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED MAY 9, 2004 AS INSTRUMENT NO. 2004-0441404 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EASEMENTS:

1. A CLEARANCE EASEMENT FOR A RUNWAY APPROACH ZONE AND GLIDE ANGLE PLANS OVER SAID LAND, AS GRANTED TO THE UNITED STATES OF AMERICA, IN DEED RECORDED FEBRUARY 14, 1956 IN BOOK 1862, PAGE 210 OFFICIAL RECORDS. SAID EASEMENT COVERS ENTIRE PARCEL.
2. AN EASEMENT FOR A CLEAR ZONE IN FAVOR OF THE UNITED STATES OF AMERICA, RECORDED SEPTEMBER 27, 1984 AS INSTRUMENT NO. 1984-209559 OFFICIAL RECORDS. SAID EASEMENT COVERS THE ENTIRE PARCEL.

TOTAL PARKING:
 PASSENGER CAR = 194
 TOTAL PROVIDED AUTOMOBILE PARKING = 194

- NOTES:**
1. ASSESSOR'S PARCEL NUMBERS: 316-211-014
 2. EXISTING GROSS AREA: 413,979 SF = 9.50 AC
 3. EXISTING NET AREA: 397,840 SF = 9.13 AC
 4. PROPOSED NET AREA: 387,027 SF = 8.88 AC
 5. AREA OF DEDICATION: 10,813 SF = 0.25 AC
 6. BOLLARDS WILL BE PROVIDED IN PARKING LOT FOR NIGHT LIGHTING.
 7. ALONG PROPERTY BOUNDARIES VISIBLE FROM PUBLIC VIEW AND ACCESSIBLE TO THE GENERAL PUBLIC SHRUBS WILL BE PLANTED AT A RATE OF ONE SHRUB PER 30 LINEAR FEET OF THE INTERIOR PROPERTY LINE.
 8. THE PLANTER ALONG THE PERIMETER OF THE PARKING LOT WILL HAVE A MINIMUM WIDTH OF FIVE FEET.
 9. PARKING LOT LANDSCAPING WILL BE DESIGNED IN ACCORDANCE WITH THE STANDARDS PROVIDED IN SECTION 9.17.050 OF THE MORENO VALLEY MUNICIPAL CODE.



**SITE PLAN
 HEACOCK PARKING LOT
 MORENO VALLEY, CA
 SHEET 1 OF 1**

DATE PREPARED: 8/10/22

PREPARED BY:
CASC
 Engineering and Consulting

APPLICANT:
 DARREN EMERY
 P.O. BOX 7200
 BEVERLY HILLS, CA 90210
 PHONE: (323) 481-9178

1470 EAST COOLEY DRIVE, COLTON, CA 92324
 PH. (909) 783-0101 FAX (909) 783-0108
 www.cascinc.com

MARCH JOINT POWERS AUTHORITY

October 12, 2022

Julia Descoteaux
Senior Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92552

Subject: CEQA Review for the Heacock Logistics Parking Lot

Dear Ms. Descoteaux:

March JPA has reviewed the initial study pertaining to the Heacock Logistics Parking Lot. It is worth noting that this site is within the south Clear Zone: 1) which is an area of elevated aviation accident potential; 2) that the United States Air Force has provided policies through the Air Installation Compatibility Use Zone program that parking lots should not be developed within the Clear Zone; and 3) most importantly, the United States has purchased restrictive land use easements within this area to assure that development does not occur within the area of elevated risk. Accordingly, March JPA provides the following comments to the draft Initial Study:


1. Within the Hazards and Hazardous Materials Section of the Initial Study, threshold F identifies: would the project result in a safety hazard or excessive noise for people residing or working in the project area? March JPA requests that this section identify the historic occurrence of aviation accidents within the Clear Zone. Specifically, March JPA requests that the Initial Study cite that in conformance with military accident data from 1968 – 1995 involving 838 aviation accidents, that 27.4% of those military aviation accidents occur within the Clear Zone. (Source: 1998 March Air reserve base AICUZ, p. B-3).
2. Within the Land Use and Planning Section, threshold b identifies: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA requests that this section fully disclose the existence of Riverside County document number 209559, "DEED FOR CLEAR ZONE EASEMENT", conveying interest in this property (APN# 316-211-014) to the United States of America. This easement specifically states, as identified on page 3 through 4, that the United States has acquired an interest in this property to prohibit all land uses except: a) agriculture; 2) grazing; c) permanent open space; d) existing water areas; e) rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and f) communication and utilities rights-of-way.

Attachment: Initial Study Comment (5957 : PEN21-0102 Heacock Logistics Parking Lot)

3. Within the Land Use and Planning Section, threshold b identifies:) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA also requests this section fully disclose the AICUZ land use compatibility table (p. A-3) recommendation for standard land use coding manual (SLUCM) use 46 (Auto Parking) for the Clear Zone, which recommends Automobile Parking not occur in the Clear Zone.
4. March JPA believes this new information constitutes substantial evidence of a potential significant impact relating to Land Use and Planning, and that after further consultation with the United States Air Force and Air Force Reserve, the proposal should move forward on the preparation of an Environmental Impact Report.
5. March JPA believes this item is subject to Riverside County Airport Land Use Commission (RCALUC). Please contact Paul Rull at (951) 955-6893.

Please contact me if I may provide further information.

Sincerely,



Dan Fairbanks

March JPA Planning Director

cc: Major David N. Shaw, 452 Base Civil Engineer
Paul Rull, Director, Riverside County Airport Land Use Commission

Attach: Riverside County record document #209559
Assessor Parcel Map for parcel number 316-211-014

449370 ✓K
209559

When Recorded Return To:
Commander
Los Angeles District, Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
ATTN: Closing Officer (213-688-4530)

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
At Request of
TICOR TITLE INSURANCE CO.
Book 1984, Page 209559
SEP 27 1984
Recorded in Official Records
of Riverside County, California
William F. Pinsky
Recorder
Fees \$ 8

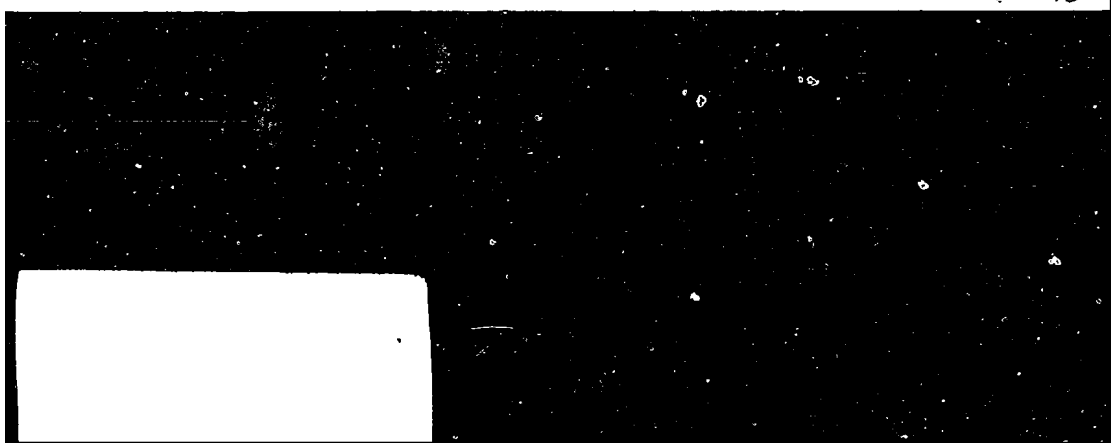
DEED FOR CLEAR ZONE EASEMENT

(This deed does not convey fee title. This is a deed to a tax exempt public agency -- thus documentary stamps are not required.)

In consideration of the sum of SEVENTY-SEVEN THOUSAND AND NINETY AND NO/100 DOLLARS (\$77,090.00) the receipt and sufficiency of which is hereby acknowledged, JENNIE IPARACURRIE

hereby grants to the United States of America and its assigns a clear zone easement as described in exhibit "A," over the land described in exhibit "B," said exhibits being attached hereto and made a part hereof.

Said easement is being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project, Riverside County, California, and is designated as Tract No. 1203-E in the records of the U.S. Army Engineer District, 300 North Los Angeles Street, Los Angeles, California 90012.



Attachment: Initial Study Comment (5957 : PEN21-0102 Heacock Logistics Parking Lot)

209559

This conveyance is made subject to existing easements for public highways, public roads, public utilities, railroads, pipelines, covenants, conditions and restrictions of record, and to any water rights, claims or title to water on or under said land.

Executed this 23 day of AUGUST, 1984.

Jennie Iparaguirre
JENNIE IPARAGUIRRE

Dated: August 23, 1984

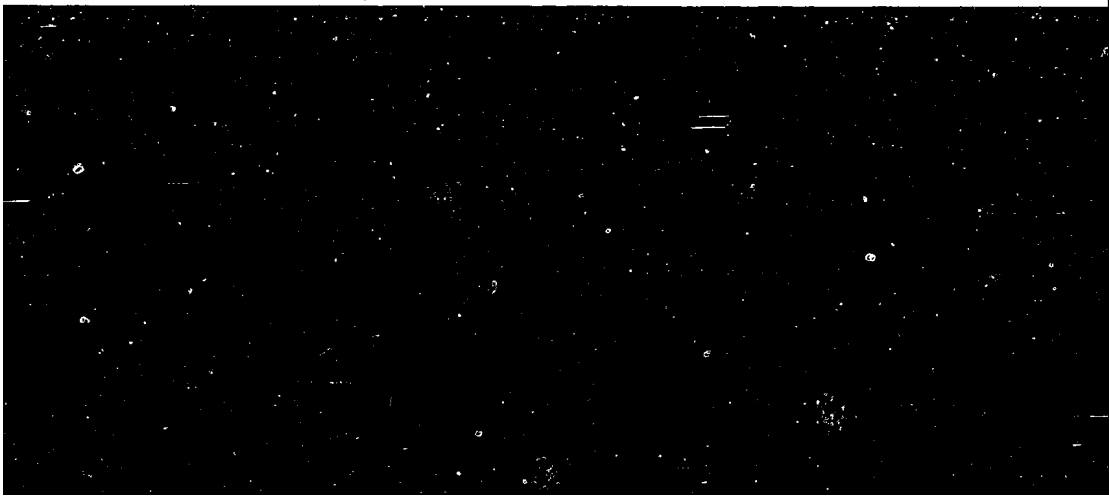
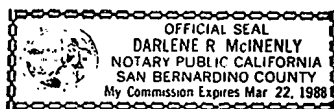
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

On AUGUST 23, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIE IPARAGUIRRE

personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that SHE executed the same.
WITNESS my hand and official seal.

Signature Darlene R. McInenly

(This space for Official Notarial Seal)



Attachment: Initial Study Comment (5957 : PEN21-0102 Heacock Logistics Parking Lot)

March Air Force Base, CA
 Tract No. 1203-E
 Expanded Clear Zone

209559

RESTRICTIVE EASEMENT

A perpetual and assignable easement is hereby created in the United States of America, hereinafter called the Government, for the establishment, maintenance and operation of a restrictive use area for the operation of aircraft to and from the air installation currently known as March Air Force Base, hereinafter called the Base, consisting of the following rights in the land described in Exhibit "A" for the following purposes:

1. The right to make low and frequent flights over said land to generate noises associated with:
 - a. aircraft in flight, whether or not while directly over said land;
 - b. aircraft and aircraft engines operating on the ground at said Base;
 and
 - c. aircraft engine test-stand operations at said Base.
2. The right to regulate or prohibit the release into the air of any substance which would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, steam, dust and smoke.
3. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.
4. The right to prohibit electrical emissions which would interfere with aircraft and Air Force communications systems or aircraft navigational equipment.
5. The right to prohibit and remove any buildings or other non-frangible structures.
6. The right to top, cut to ground level, and to remove trees, shrubs, brush or other forms of obstruction which the officer having command of the Base determines might interfere with the operation of aircraft, including emergency landings.
7. The right of ingress and egress upon, over and across said land for the purpose of exercising the rights set forth herein.
8. The right to post signs on said land indicating the nature and extent of the United States' control over said land.
9. The right to prohibit all land uses other than the following:
 - a. agriculture;
 - b. grazing (excluding feed lots and dairy herds);

EXHIBIT A

209559

March Air Force Base, CA
Tract No. 1203-E
Expanded Clear Zone

RESTRICTIVE EASEMENT (cont'd)

- c. permanent open space;
- d. existing water areas;
- e. rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and
- f. communications and utilities rights-of-way.

10. The right to prohibit entry of persons onto the land except in connection with activities authorized under a., b., e., and f. above.

Subject, however, to existing easements for public roads and highways, public utilities, railroad, and pipelines, reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easements hereby acquired.

For the consideration recited above, the Grantor agrees to abide by the following covenant which shall run with the land: That the payment by the Government of the consideration recited above shall constitute full fair value and full compensation to the Grantor for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, and the Grantor expressly releases and relinquishes any and all claims against any of the aforesaid for further or future payment of consideration for the aforesaid easement and rights granted herein.



209559

DATE: 5 July 1983
 TRACT: 1203-E-1
 OWNER: Jennie Iparagurrie
 ACREAGE: 9.72
 PROJECT: March Air Force Base (AICUZ)
 LOCATION: Riverside County, California
 FILE: 281-T-1203-E-1

A parcel of land situate in the County of Riverside, State of California, being that portion in the West one-half of Lot 29 in Block 1 of Riverside Alfalfa Acres, as shown on map recorded in Book 8, page 21 of Maps, in the office of the Recorder of said County, and being that portion of the Southwest one-quarter of Section 31, Township 3 South, Range 3 West, San Bernardino Meridian, described as follows, basis of bearings being California Coordinate System, Zone 6, (Chap. 1307, Statues of 1947):

Commencing at the Southwest corner of said Section 31, and the centerline intersection of Heacock Street and Oleander Avenue; thence leaving said Oleander Avenue North $01^{\circ} 15' 51''$ East along the centerline of said Heacock Street a distance of 90 feet to the TRUE POINT OF BEGINNING; thence continuing North $01^{\circ} 15' 51''$ East a distance of 576.50 feet to the North line of said Lot 29; thence South $89^{\circ} 31' 20''$ East along last said lot line a distance of 693.92 feet; thence South $00^{\circ} 15' 48''$ East a distance of 596.54 feet; thence North $89^{\circ} 31' 34''$ West a distance of 731.99 feet to the TRUE POINT OF BEGINNING.

Containing 9.72 acres, more or less, including 0.397 acre lying within Heacock Street.

EXCEPTING any portion lying within the Riverside Flood Control 90 foot strip which includes the South 70 feet of said Lot 28.

ALSO EXCEPTING the West 10 feet of said Lot 28.

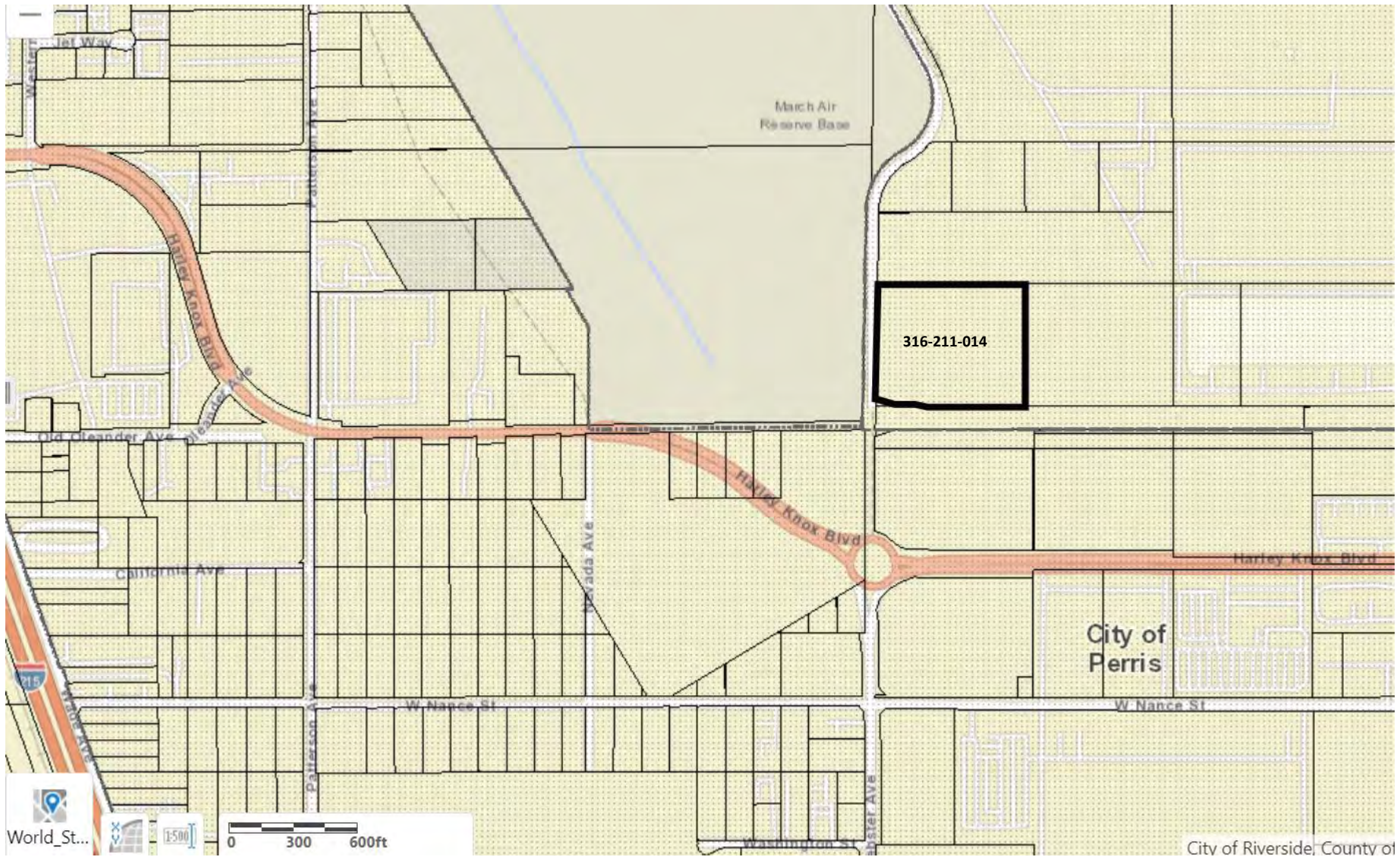
Written by: EP

FILE NO: 281-T-1203-E-1

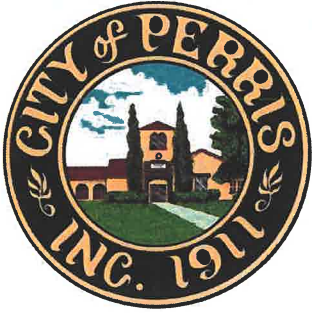
Checked by: CU

EXHIBIT B

Attachment: Initial Study Comment (5957 : PEN21-0102 Heacock Logistics Parking Lot)



Attachment: Initial Study Comment (5957 : PEN21-0102 Heacock Logistics Parking Lot)



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

October 18, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley
Community Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: CITY OF PERRIS COMMENTS - INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR PROPOSED HEACOCK LOGISTICS PARKING LOT, LOCATED ON THE EAST SIDE OF HEACOCK STREET AND NORTH OF THE PERRIS VALLEY STROM DRAIN AND PERRIS CITY LIMITS (APNs: 316-211-014)

Dear Ms. Descoteaux:

The City of Perris appreciates the opportunity to comment on the Notice of Intent to adopt a Mitigated Negative Declaration prepared for a proposed Heacock Logistics Parking Lot consisting of 194 spaces, 12 feet in width by 30 feet in depth, located on the east side of Heacock Street and north of the Perris Valley Storm Drain and Perris City limits.

The City provides the below comments in light of the Project's proximity to the City of Perris:

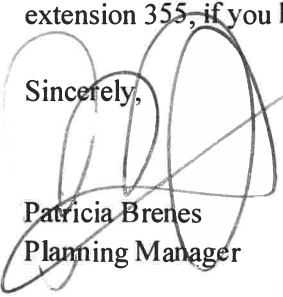
1. **Transportation** – Site Plan shows parking spaces 12' x 30' in size, which were analyzed in the project specific Traffic Impact Analysis under two options. Option 1 for passenger vehicles and option 2 for semi trucks. Since the project has been designed for parking and circulation of semi trucks and passenger vehicles with impacts onto Harley Knox Boulevard, the following traffic related comments are provided:
 - a. Prior to issuance of any permits, a fair share sum for the impacts to City of Perris' roadways shall be paid to the City of Perris. To determine the extent of the impacts, a Traffic Impact Analysis (TIA) shall be submitted for review. Refer to Memorandum prepared by Fehr & Peers, dated September 9, 2022.
 - b. Also, the extension/connection of Heacock Street to Harley Knox Boulevard is identified as a City of Moreno Valley Transportation Uniform Mitigation Fee (TUMF) roadway project in the Riverside County Transportation Commission (RCTC) regional roadway system. Subsequently, to ensure consistency, the right-of-way width and alignment of Heacock Street shall be coordinated with the roadway designation and classification per City of Perris' General Plan. The correlation will provide the required data to determine the roadway's design criteria and the

extent of improvements at the Harley Knox Boulevard/Webster Avenue roundabout. City of Perris' roadway designations for Harley Knox Boulevard and Webster Avenue are as follows:

- c. Harley Knox Boulevard is classified as a Primary Arterial (128'/94') with a 14 foot wide raised landscaped median.
 - d. Webster Avenue is classified as a Secondar Arterial (94'/64').
2. **CEQA.** Please provide future notices prepared for the Project site pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, extension 355, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Patricia Brenes
Planning Manager

Cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khuu City Attorney
Kenneth Phung, Director of Development Services
Stuart McKibbin, City Engineer

Enclosure

Memorandum

Date: September 9, 2022

To: City of Perris
Habib Motlagh
Grace Alvarez

From: Jason D. Pack, PE
Biling Liu

Subject: I-215 / Harley Knox Interchange Improvements Fair Share Assessment for the City of Perris

OC21-0858.01

The City of Perris, in cooperation with the California Department of Transportation (Caltrans) District 8, is evaluating proposed improvements at the Interstate 215 (I-215) and Harley Knox Boulevard interchange. The project is needed to address the current and future operational deficiencies.

Fehr & Peers is working with Mark Thomas to prepare the Traffic Volumes Report and Traffic Operations Analysis Report (TOAR) in support of the Project Approval and Environmental Document (PA/ED) phase of the project.

To assist with delivering the project, the City is considering a variety of funding opportunities. Since the Harley Knox interchange is located at the northernmost area of the City, development from nearby communities will also benefit from the improvements to the interchange. As such, Fehr & Peers has completed a fair share assessment to determine where new trips to the interchange are expected to come from.

The remainder of this memorandum consists of the following sections:

- RICOM Modeling
- Fair Share Estimation
- Cost Estimation
- Conclusion



RIVCOM Modeling

Fehr & Peers utilized the RIVCOM travel demand forecasting model to complete a select link analysis between base year and future year. In a select link analysis, the model can track where trips using a specific link come from/go to as predicted by the travel demand forecasting model.

We completed the select link for each on and off ramp in addition to the railroad overcrossing and the freeway overcrossing. Our fair share calculation estimates the amount of new traffic added to each of these interchange components individually, but also aggregated the data as a weighted average to estimate an overall interchange cost consideration.

The select link was run for the RIVCOM model base year model and future year model. The difference between the two, or the growth anticipated by the model, was then estimated and aggregated up to where each trip end is located. This was then identified by jurisdictional boundary to where the trips using the interchange originated from or were destined to which allowed us to estimate a fair-share contribution by agency.

Prior to running the future year travel demand forecasting model, we coordinated with the County of Riverside, City of Perris, and the City of Moreno Valley to ensure that we incorporated all planned development in the area that may use the interchange into the RIVCOM travel demand model. The lists of projects received from these agencies is attached.

Fair Share Estimation

As noted above, fair share was estimated for each interchange component and for the interchange as a whole using the weighted average of traffic to each interchange component. This could be useful if the City moves forward with a fair share funding agreement with nearby agencies to assist in delivering improvements to the interchange.

The fair share estimates focused in on growth – e.g. the growth in traffic between the base year model and the future year model. This growth was also allocated to the locations where trips came from/went to and was allocated to those jurisdictions accordingly. The resulting fair share calculations presented in **Table 1**. Detailed model output information is attached to this memorandum.

Cost Estimates

Preliminary draft cost estimates were developed for the project by Mark Thomas & Company, the civil engineering lead for the PA/ED phase of the project. Cost estimates for the interchange were prepared denoting costs for each interchange component in addition to the total cost of the interchange. The cost estimate is presented as Attachment C. For this effort, Fehr & Peers utilized the escalated cost estimate for the Diverging Diamond Alternative.

Please note that Mark Thomas & Company provided Fehr & Peers with direction about key cost estimate assumptions and how they should be allocated to each interchange component. For example, although the bridge components are a stand-alone cost estimate, the roadway and right-of-way information is not broken out by interchange component. Mark Thomas & Company identified that the ramp improvements are fairly comparable and should be split up proportionately (e.g. 25% to each ramp), but the right-of-way costs should be split only between the northbound ramps (50% to each ramp). The following costs were included into the fair share assessment (note, total component costs may not add up to total interchange costs due to rounding):

- Total interchange cost - \$68,300,000
 - Freeway Overcrossing Structure - \$16,414,000
 - Railroad Overcrossing Structure - \$12,403,000
 - Southbound Off-Ramp - \$9,601,000
 - Southbound On-Ramp - \$9,601,000
 - Northbound Off-Ramp - \$10,111,000
 - Northbound On-Ramp - \$10,111,000

These cost estimates were combined with the fair share estimates by agency to estimate the fair share attributable to each agency.

Conclusions

The results of the fair share assessment indicate that most of the traffic expected to be added to the Harley Knox interchange is not to/from the City of Perris – rather origins/destinations in unincorporated Riverside County, City of Moreno Valley, and locations that are external to the travel demand model. Specifically, the six largest contributions the model anticipated are:

1. Unincorporated Riverside County – 53%
2. Moreno Valley – 16%
3. Model Externalities (e.g. outside of the model area) – 9%
4. Perris – 6%
5. Riverside – 3%
6. Menifee – 3%

The top five nearby local agencies (Riverside County, Moreno Valley, Perris, Riverside, and Menifee) fair share contributions were applied to the cost estimates to estimate the total fair share contribution for each agency based on the traffic they add to the interchange. **Table 2** summarizes the estimated fair share estimates for the interchange as a whole (using the total interchange cost and the weighted average fair share estimates). **Table 3** summarizes the fair share estimates



Table 2 – Fair Share Estimates; Interchange as a Whole

Perris Fair Share	\$4,608,000
Riverside County Fair Share	\$35,118,000
Moreno Valley Fair Share	\$12,009,000
Menifee Fair Share	\$1,534,000
Riverside Fair Share	\$497,000
Total Interchange Cost	\$68,300,000

Source; Fehr & Peers, 2022

Note – Only the five agencies with the highest level of contribution are presented above. The remaining agencies contribute less than 2% of the total traffic to the interchange.

Table 3 – Fair Share Estimates; Contribution to Each Interchange Component

	Freeway Overcrossing	Railroad Overcrossing	Southbound Off-Ramp	Southbound On-Ramp	Northbound Off-Ramp	Northbound On-Ramp	Total Fair Share Cost
Perris	\$ 1,015,000	\$ 887,000	\$ -	\$ 1,488,000	\$ 1,885,000	\$ -	\$ 5,274,000
Riverside County	\$ 8,879,000	\$ 6,077,000	\$ 5,018,000	\$ 4,756,000	\$ 5,264,000	\$ 5,788,000	\$ 35,783,000
Moreno Valley	\$ 4,122,000	\$ 2,404,000	\$ 530,000	\$ 552,000	\$ 21,000	\$ 1,870,000	\$ 9,499,000
Menifee	\$ 117,000	\$ 55,000	\$ -	\$ 311,000	\$ 312,000	\$ -	\$ 794,000
Riverside	\$ 356,000	\$ 167,000	\$ -	\$ 971,000	\$ 966,000	\$ -	\$ 2,461,000

As shown above, although the interchange is within the City of Perris, most of the growth anticipated to be added to the interchange comes from other jurisdictions. As such, it appears appropriate to coordinate with nearby agencies to develop a funding approach that is inclusive in nature. Specifically, for nearby agencies who contribute traffic to the Harley Knox interchange, it would be appropriate for them to contribute to the interchange delivery.

Habib Motlagh
Grace Alvarez
September 9, 2022
Page 6 of 6



If you have any questions about the information presented above, please contact Jason Pack directly at 949.308.6312. We look forward to our continued work with the City of Perris on this improvement project.

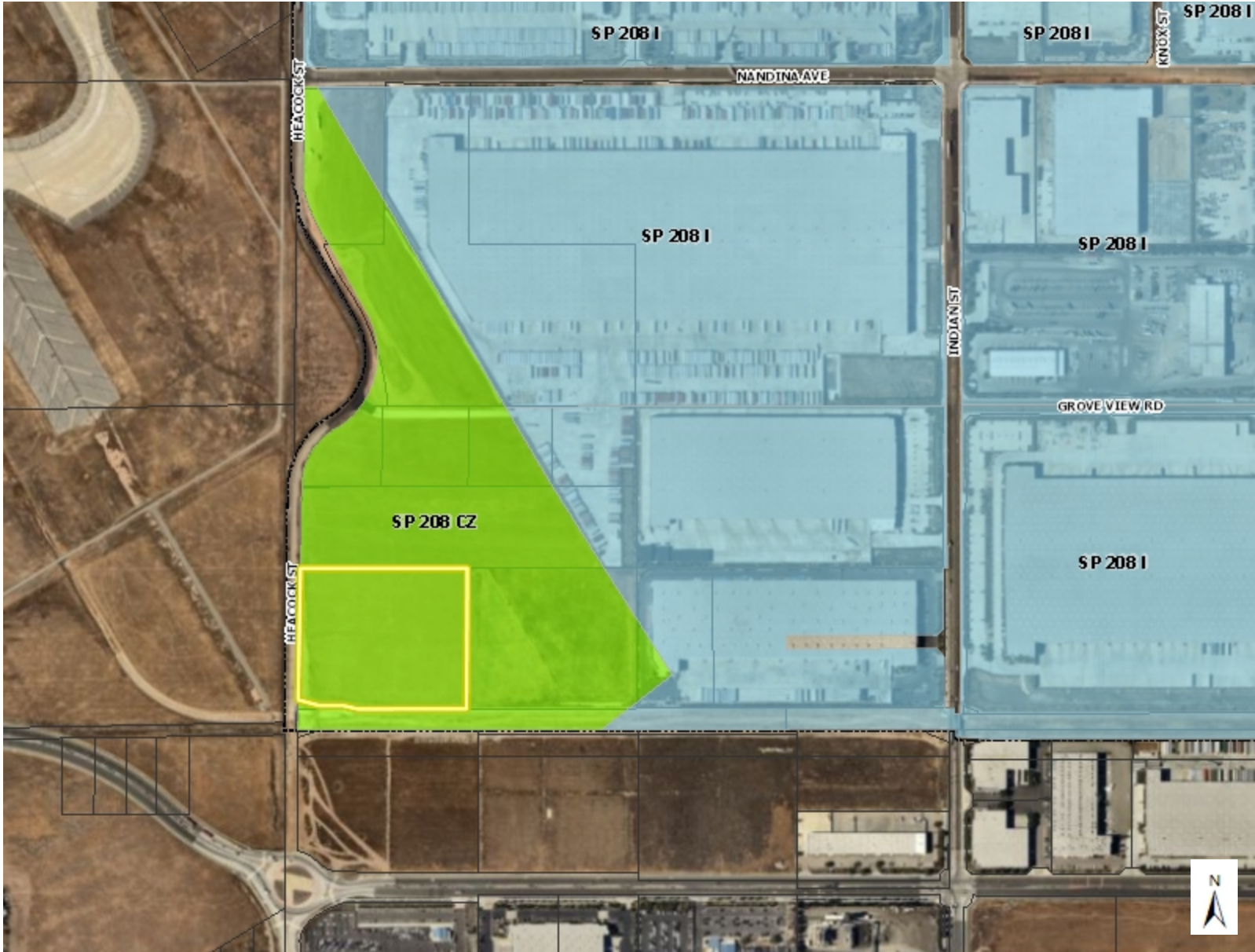
Attachments:

Attachment A – Future Land Use Project Lists

Attachment B – Model Output Calculations

Attachment C – Interchange Cost Estimates

PEN21-0102 SP208



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

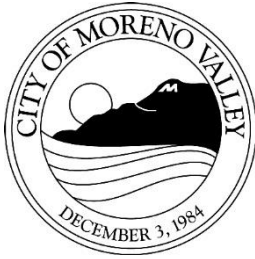
Image Source: Nearmap

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: Zoning Map (5957 : PEN21-0102 Heacock Logistics Parking Lot)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: October 27, 2022

PROPOSED PLOT PLAN AND CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A FOUR-STORY HOTEL WITH NINETY-THREE SUITES WITHIN THE MORENO VALLEY TOWNGATE SPECIFIC PLAN

Case: PEN22-0071 - Plot Plan
PEN22-0072 - Conditional Use Permit

Applicant: Gateway Company, LLC

Property Owner: Gateway Company, LLC

Representative: Jigish Shah

Project Site: North of Eucalyptus Avenue east of Day Street (APN: 29165003)

Case Planner: Ayida Smith, Assistant Planner

Council District: 1

Proposed Project: 1) a Plot Plan and 2) a Conditional Use Permit for the construction of a 4-story hotel with 93 suites within the Moreno Valley Towngate Specific Plan.

SUMMARY

Gateway Company, LLC ("Applicant") is requesting approval of a four-story hotel with 93 guest suites on a 1.75-acre parcel located north of Eucalyptus Avenue east of Day Street within the Moreno Valley Towngate Specific Plan Office Commercial (OC) District.

PROJECT DESCRIPTION

Proposed Project

The Applicant is proposing a Plot Plan and Conditional Use Permit for the development of a 4-story hotel with 93 suites and amenities that include kitchenettes, a fourth-floor lounge, an outdoor deck, a fitness center, and a small lounge area in the lobby.

Plot Plan (PEN22-0071)

A Plot Plan application is required for the review of the Project's site and architectural design.

Conditional Use Permit (PEN22-0072)

The Towngate Specific Plan allows for the development of a hotel in the Office Commercial (OC) zone with the approval of a Conditional Use Permit.

A Conditional Use Permit allows the City to impose special development requirements to ensure that certain uses will not be detrimental to a project's surrounding properties. Conditional uses may be appropriate at one location but not at another because of the potential for impacts on surrounding properties.

The Proposed Project as designed and conditioned satisfies all requirements of the General Plan, the Towngate Specific Plan, and the City of Moreno Valley Municipal Code.

Project Site/Surrounding Area

The approximately 1.75-acre Proposed Project site is a vacant and unimproved parcel within the Moreno Valley Towngate Specific Plan located along Eucalyptus Avenue approximately 750 feet east of the Day Street intersection. The existing topography of the Proposed Project site is primarily flat.

Surrounding land use to the north and west of the Project Site include hotels within commercial shopping Centers, TownGate Square and The District, within the Community Commercial (CC) District, Towngate Specific Plan Office Commercial District, and Towngate Specific Plan Community Commercial District. Moreno Valley Fire Station No. 6 is located to the east of the Project Site within the Towngate Specific Plan Office Commercial District. Single-family residences are located to the south of the Project Site across Eucalyptus Avenue in the Towngate Specific Plan Residential 5000 District.

Access/Parking

The Proposed Project's primary direct access will be from a single full-access driveway located on Eucalyptus Avenue along with existing internal driveways with the TownGate Square Shopping Center. Additionally, the Proposed Project complies with the minimum parking requirements of the Municipal Code, upon the Applicant entering into an agreement with the adjacent hotel, Fairfield Inn and Suites, to purchase 11 parking spaces to gain the amount of parking required. A Condition of Approval has been placed on the Proposed Project requiring the applicant to provide evidence of compliance. As proposed, the driveways and interior drive aisles within the Project Site

provide adequate truck maneuvering and turnaround for delivery trucks, trash pick-up, and fire truck access.

Design/Landscaping

The Proposed Project's hotel building has been designed with a color palette that predominately includes earth tones, with a complementary mix of materials that includes stucco, stone, cement board siding, and glass. Staff worked with the Applicant to ensure that all sides of the building include enhanced architectural treatments consistent with the City design guidelines.

The Proposed Project has been designed to meet and exceed the required design and landscape standards and objectives set forth in the Towngate Specific Plan and the City's Municipal Code.

REVIEW PROCESS

The Proposed Project has been considered by all appropriate agencies within and outside of the City, which is part of the standard review process for development applications. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project was determined to be complete with a recommendation to approve the Proposed Project as designed and conditioned.

ENVIRONMENTAL

Staff recommends that the Planning Commission find that the Proposed Project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 32 Exemption (Section 15332, In-Fill Development Projects) and that the Proposed Project does not fall within one of the exceptions to categorical exemptions. Pursuant to the California Code of Regulations a Class 32 exemption can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size substantially surrounded by urban uses; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services.

The Proposed Project has been found to meet all of the conditions of the Class 32 exemptions as the Proposed Project is consistent with the applicable General Plan designation and policies; is located on a site less than five acres in size substantially surrounded by urban uses; contains no valuable habitat for rare or endangered species; will not result in significant traffic, noise, air quality or water quality effects, and is adequately served by utilities and public services.

NOTIFICATION

Consistent with the City Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper.

REVIEW AGENCY COMMENTS

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **ADOPT** Resolution No. 2022-40, and thereby:

1. **FINDING** that Plot Plan (PEN22-0071) and Conditional Use Permit (PEN22-0072) are categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, under Section 15332 In-fill Development Projects: and
2. **APPROVING** Plot Plan (PEN22-0071) and Conditional Use Permit (PEN22-0072) subject to the attached Conditions of Approval included as Exhibit A to this Resolution.

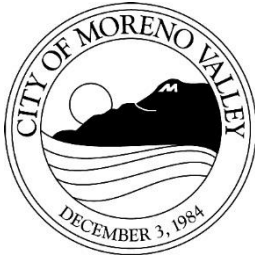
Prepared by:
Mindy Davis
Principal Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. Resolution 2022-40 - Plot Plan / CUP
2. Project Plans
3. Zoning Map



PLANNING COMMISSION

STAFF REPORT

Meeting Date: October 27, 2022

A CONDITIONAL USE PERMIT APPLICATION FOR A NEW 65-FOOT TALL MONOPINE WIRELESS CELL SITE FACILITY, WITH GROUND-MOUNTED EQUIPMENT SCREENED BY A 10-FOOT-TALL WALL BLOCK WITHIN A 30-FOOT BY 30-FOOT EQUIPMENT LEASE AREA.

Case:	PEN22-0106, Conditional Use Permit
Applicant:	New Cingular Wireless PCS, LLC aka AT&T Wireless
Property Owner	Palm Canyon Community Church
Representative	New Cingular Wireless PCS, LLC aka AT&T Wireless
Project Site:	25550 Ironwood Avenue (APN: 474-190-009)
Case Planner:	Ayida Smith, Assistant Planner
Council District:	2
Proposed Project:	Conditional Use Permit for the construction of a new wireless cell site facility, including a 65-foot-tall monopine tower, with ground-mounted equipment screened by a 10-foot-tall block wall within a 30-foot by 30-foot equipment lease area.

SUMMARY

The Applicant, New Cingular Wireless PCS, LLC, aka AT&T Wireless, is requesting approval of a Conditional Use Permit (PEN22-0106) to construct and operate a new wireless facility, that will include a 65-foot-tall monopine tower, with ground-mounted equipment screened by a 10-foot-tall block wall within a 30-foot by 30-foot equipment lease area.

PROJECT DESCRIPTION

Conditional Use Permit

New Cingular Wireless PCS, LLC aka AT&T Wireless (Applicant) submitted an application requesting approval of a Conditional Use Permit (PEN22-0106), for the purposes of developing a new wireless cell site facility on the existing church grounds of Movement Church, within the Residential 5 (R5) District.

The Proposed Project will include a new 65-foot tall monopine with 15-pole mounted panel antennas, 36 Remote Radio Units, and one GPS antenna. The monopine and ground-mounted equipment will be located within a 30'x30' lease area. A 10-foot-tall split face block wall will be constructed around the perimeter of the lease area and will screen the ground-mounted equipment including 4 surge suppressors and a 20kw diesel generator, from public view.

Project Site/Surrounding Area

The proposed Project Site is located at 25550 Ironwood Avenue. The Project Site is developed with an existing religious institution within the Residential 5 (R5) District. Properties to the north, east, and west of the Project Site are developed with single-family residences within the Residential 2 (R2) and Residential 5 (R5) Districts. The Cloverdale Elementary School is located to the south within the Public (P) District.

The Proposed Project is consistent with the City's General Plan and the Moreno Valley Municipal Code requirements for communication facilities and is compatible with surrounding public and residential uses.

Access/Parking

Access to the new cell Project Site will be from Tuscola Street. As such, the Proposed Project will only require periodic routine maintenance visits, and all access to the Project Site will be coordinated with the property owner.

Design/Landscaping

The Proposed Project has been reviewed, and as proposed, the design of the monopine conforms to the standards of the Residential 5 (R5) District and has been designed and conditioned for consistency with Municipal Code Section 9.09.040 Communication Facilities.

As conditioned, the branches of the monopine will be located higher than 12 feet above grade and installed to ensure full and complete coverage of the antennas. The antennas and all ancillary equipment and hardware attached to the monopine will be painted to match the monopine.

REVIEW PROCESS

All appropriate outside agencies have considered the Proposed Project part of the standard review process. The Proposed Project was reviewed by the Project Review

Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project was determined to be complete.

ENVIRONMENTAL

Staff recommends that the Planning Commission find that the Proposed Project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 3 Exemption (Section 15303, New Construction) and a Class 32 Exemption (Section 15332, In-Fill Development Projects). Pursuant to the California Code of Regulations, a Class 3 Exemption can be applied to a project when the project consists of construction and location of limited numbers of new, small facilities or structures. Pursuant to the California Code of Regulations a Class 32 exemption can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services.

The Proposed Project has been found to be in compliance with the Class 3 Exemption and the proposed wireless cell site facility meets the definition of a new small facility. Additionally, the Proposed Project has been found to meet all of the conditions of the Class 32 exemptions as the project is consistent with the applicable General Plan designation and policies; is located on a site less than five acres in size; contains no valuable habitat for rare or endangered species; will not result in significant effects related to traffic, noise, air quality, or water quality; and is adequately served by utilities and public services.

NOTIFICATION

Consistent with the City Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper.

REVIEW AGENCY COMMENTS

The Proposed Project's 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 **ADOPT** Resolution No. 2022-39, attached hereto, and thereby:

1. **DETERMINE** that Conditional Use Permit PEN22-0106 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 3 Exemption, (Section 15303 New Construction), and as a Class 32 Exemption (Section 15332 In-fill Development Projects); and

2. **APPROVE** Conditional Use Permit PEN22-0106 subject to the attached Conditions of Approval included as Exhibit A.

Prepared by:
Mindy Davis
Principal Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. Resolution 2022-39 - CUP
2. Project Plans
3. Zoning Map