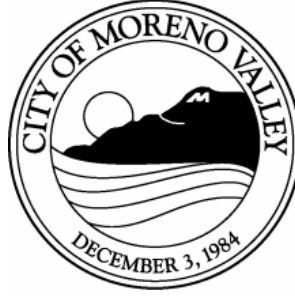

PLANNING COMMISSIONERS

ALVIN DEJOHNETTE
Chairperson

MATTHEW CHEN
Vice Chairperson

JEFFREY SIMS
Commissioner



OMAR COBIAN
Commissioner

JOANN STEPHAN
Commissioner

RAY BAKER
Commissioner

VACANT
Commissioner

PLANNING COMMISSION

Regular Meeting

Agenda

Thursday, December 22, 2022 at 6:00 PM
City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

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: 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: A Continued Public Hearing:

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).

CEQA: Adopt Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
2. Case: PEN21-0174 – Conditional Use Permit
Applicant: I.E. Gardens I, LLC, Shade Awad
Property Owner: K & R Investments
Representative: Shade Awad
Project Site: Sunnymead Village Center
Southeast corner of Alessandro Boulevard and Indian Street.
APN: 482-520-004
Case Planners: Senior Planner, Julia Descoteaux
Contract Planner, Malinda Lim
Council District: 3
Proposed Project: Conditional Use Permit (PEN21-0174) for the operation of a cannabis microbusiness within an existing 30,905 square-foot building at 24595 Alessandro Boulevard.

CEQA: Exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 1 Exemption (Section 15301, Existing Facilities) ad 15061(b)(3) common sense exemption

OTHER COMMISSION BUSINESS

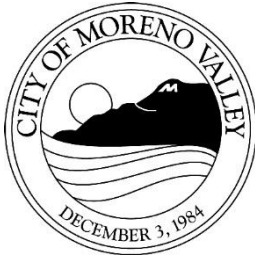
No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting Thursday, January 12 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: December 22, 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: A Continued Public Hearing:

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).

CEQA: Adopt Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

Background

At the Applicant's request, this item was continued at the Planning Commissions October 27, 2022 Meeting to December 22, 2022. A copy of the requests is provided as an attachment to this report.

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. October 27, 2022 - Request for Continuance
2. Resolution No. 2022-41 - IS/ MND
3. Exhibit A to Resolution No. 2022-41 - IS/MND
4. Appendix A Air Quality and Global Climate Change Impact Analysis (October 12, 2021)
5. Appendix B Burrowing Owl Focused Survey Report (June 16, 2021)
6. Appendix C Cultural Report (September 25, 2021)
7. Appendix D Paleontological Report (September 27, 2021)

8. Appendix E Geotechnical Investigation and Percolation Test Results (March 18, 2021)
9. Appendix F EDR Radius Map (October 6, 2021)
10. Appendix G Preliminary Drainage Analysis-Proposed Heacock Logistics (April 2022)
11. Appendix H Preliminary Water Quality Maintenance Plan (WQMP) (April 18, 2022)
12. Appendix I Traffic Impact Analysis (May 19, 2022)
13. Exhibit B to Resolution No. 2022-41 - Notice of Availability and Intent to Adopt a Mitigated Negative Declaration
14. Exhibit C to Resolution No. 2022-41 - Mitigation Monitoring and Reporting Program (MMRP)
15. Resolution No. 2022-42 - Plot Plan
16. Project Plans
17. Initial Study Comment
18. Project Comments
19. Zoning Map

HISTORY:

10/27/22

Next: 12/22/22

Planning Commission

CONTINUED

October 27, 2022

Colin D. Kirkpatrick, Interim-Assistant City Attorney
City of Moreno Valley
Law Offices of Quintanilla & Associates
777 E. Tahquitz Canyon Way, Suite 200-41
Palm Springs, CA 92262

Re: Request for Continuance for Heacock Parking Lot Proposal, Plot Plan (PEN21-0102)

Dear Mr. Kirkpatrick:

I represent the Lawrence Family Trust, the Applicant in the above-referenced matter. On behalf of the Applicant, please continue the Planning Commission matter scheduled for tonight until December 8th, 2022, to allow adequate time to respond to the comments recently received regarding the project.

Sincerely,

Alicen Wong

Alicen Wong, Esquire

Cc: David Schiepe
Frank Coyle

Attachment: October 27, 2022 - Request for Continuance (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

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] (2022-183 : 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)

Page 5

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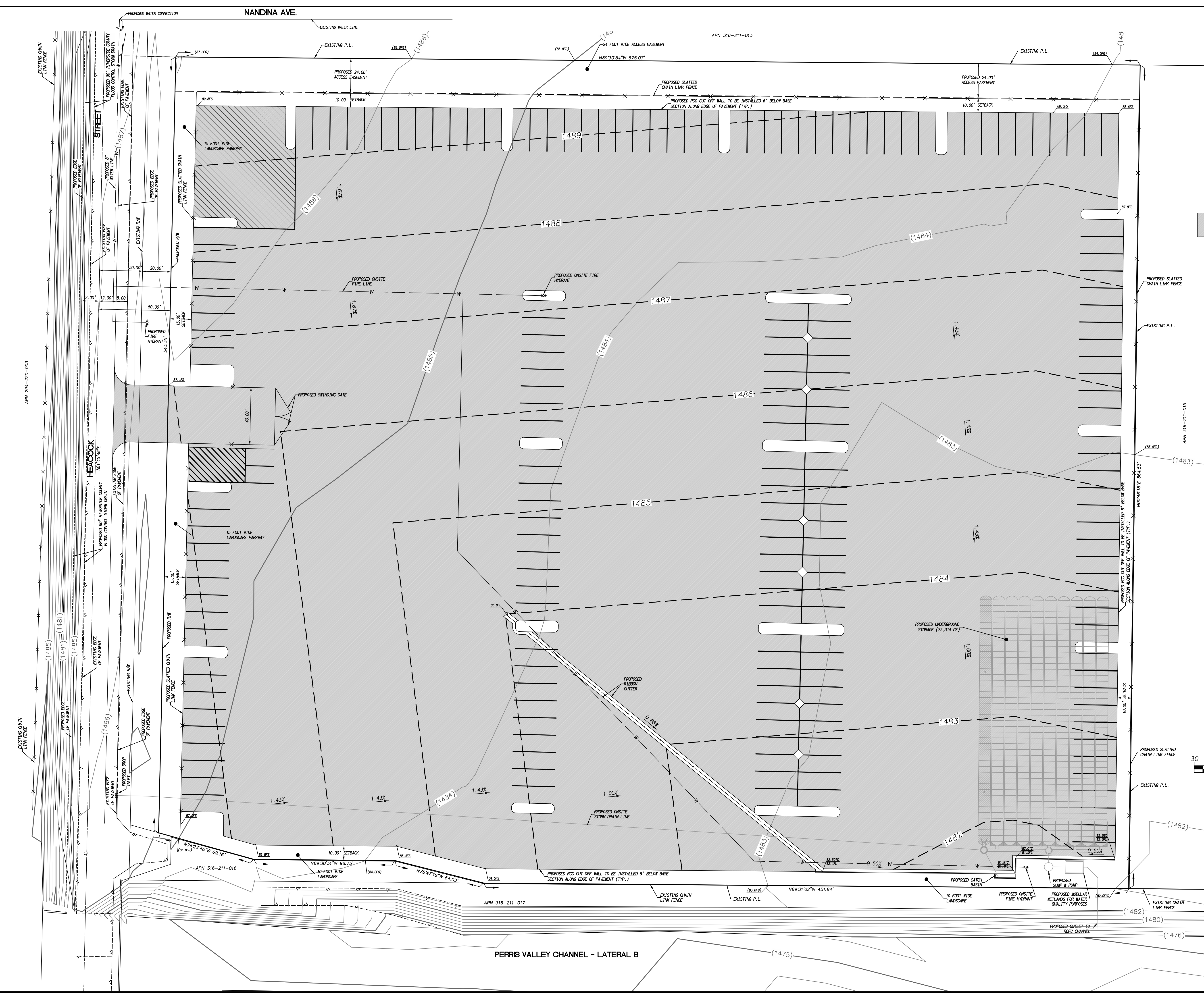
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b) No Parking signs shall be posted in the turnaround areas.

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

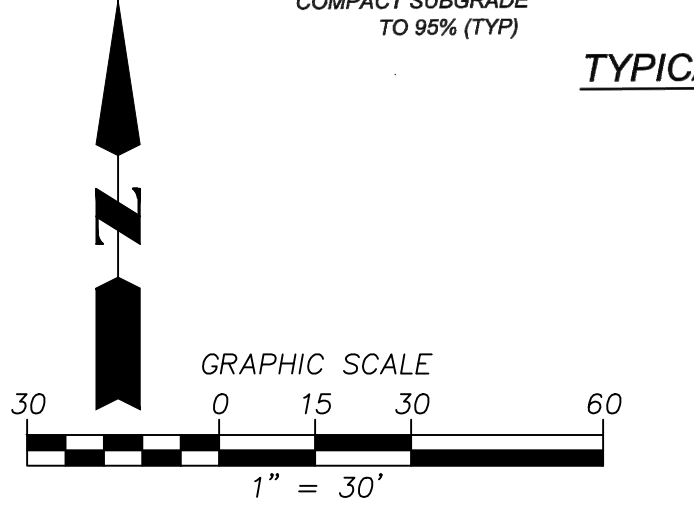
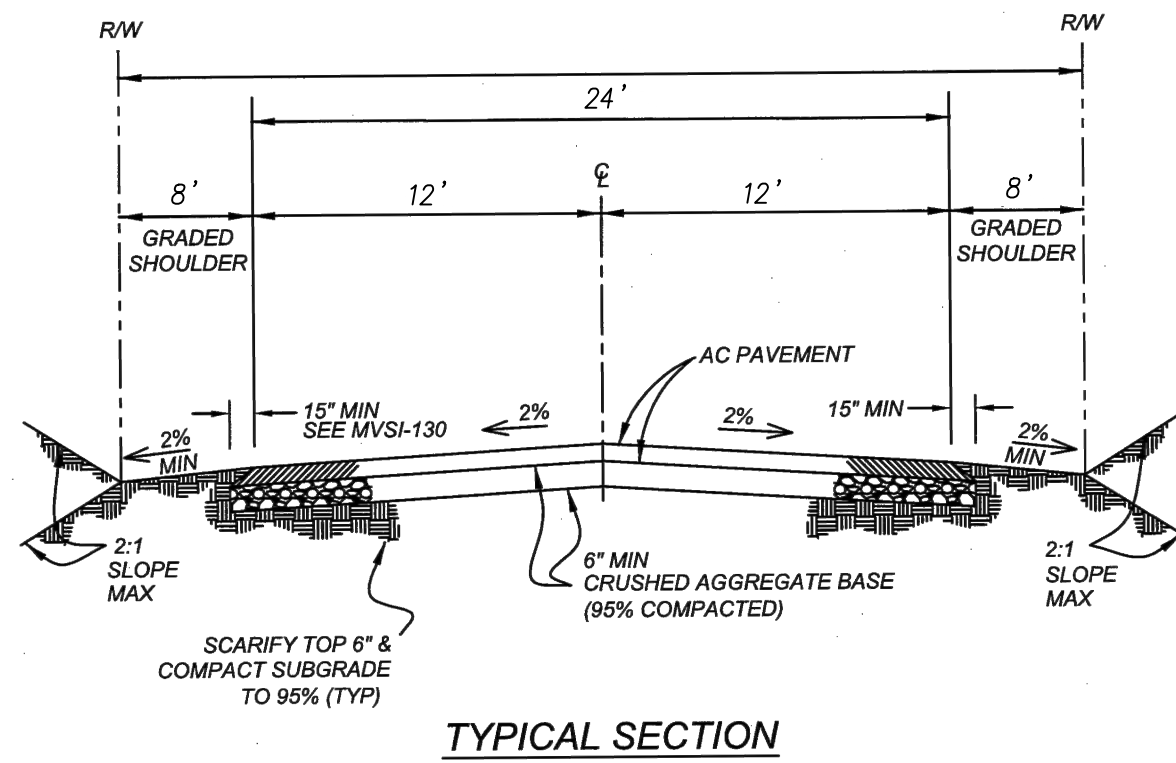
AC	ASPHALT CONCRETE
BLDG.	BUILDING
C&G	CURB & GUTTER
C/L	CENTERLINE
ELEC.	ELECTRIC
EX.	EXISTING
FG	FINISHED GRADE
FS	FINISHED SURFACE
MH	MANHOLE
R/W	RIGHT OF WAY
SD	STORM DRAIN
S/W	SIDEWALK
TELE.	TELEPHONE
TYP.	TYPICAL
POC	POINT OF CONNECTION
PCC	PORTLAND CEMENT CONCRETE
PROP.	PROPOSED
XX.X	PROPOSED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

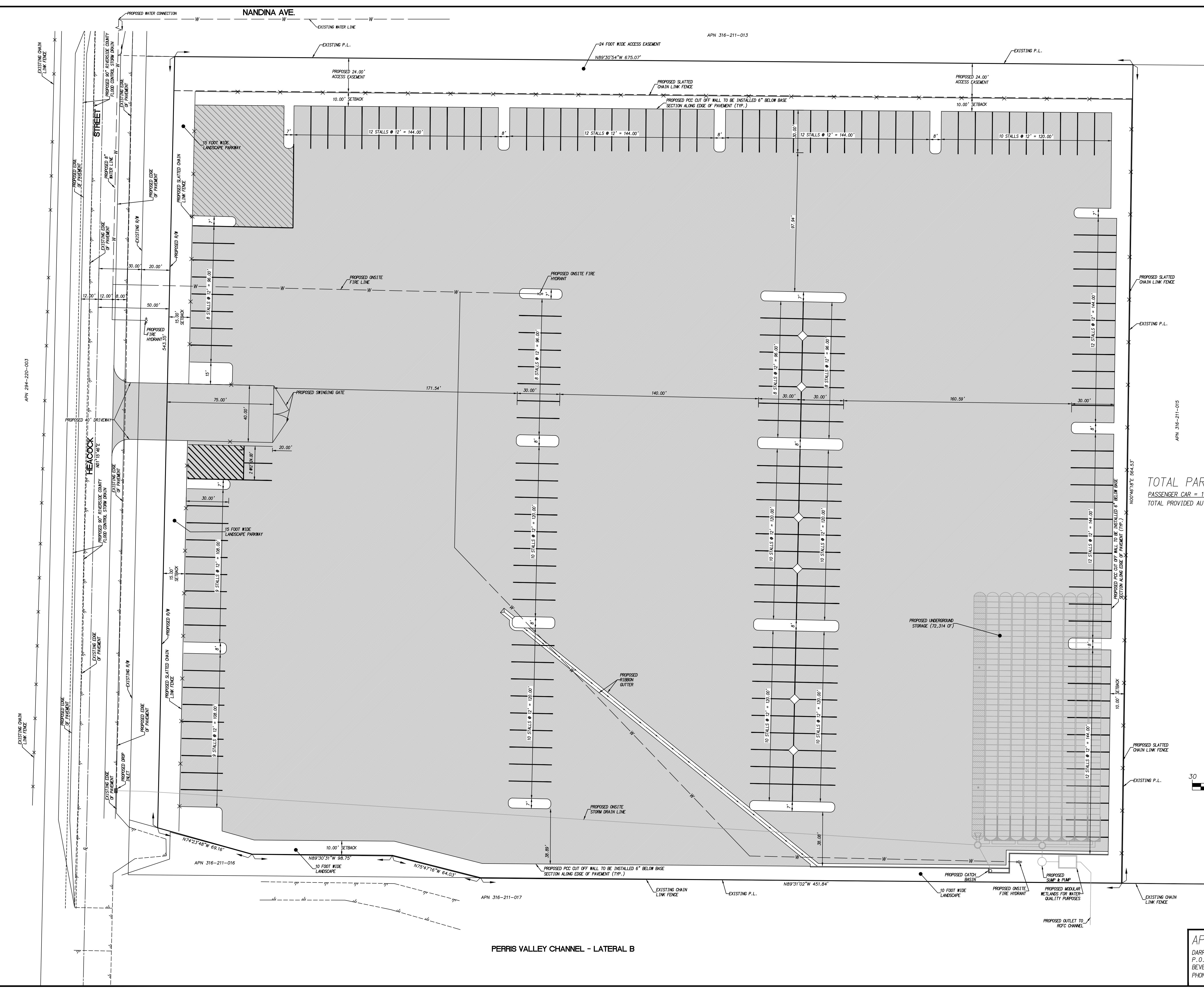
LEGAL DESCRIPTION:
 ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 THE WEST HALF OF LOT 29 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8, 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
	PROPOSED AC PAVEMENT

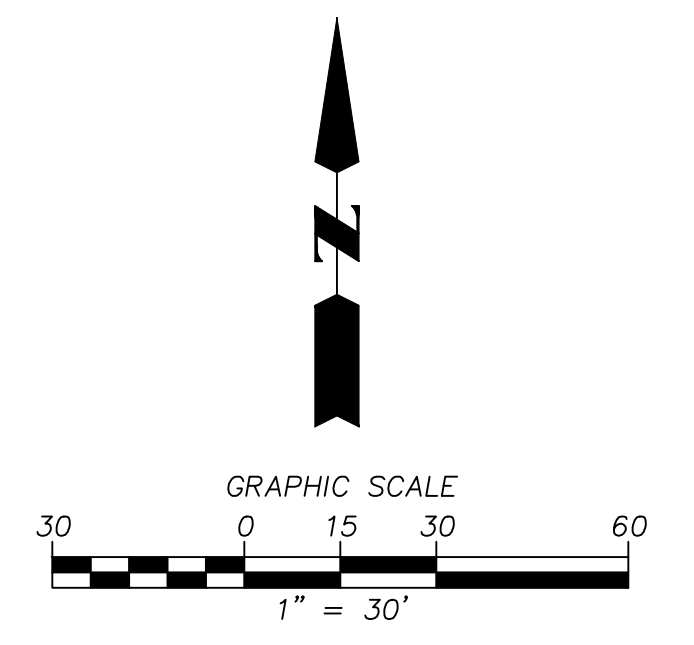
LEGAL DESCRIPTION:
 ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 THE WEST HALF OF LOT 29 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8, 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 (2022-183 : 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. Pomeroy
Recorder
Fees \$ 8

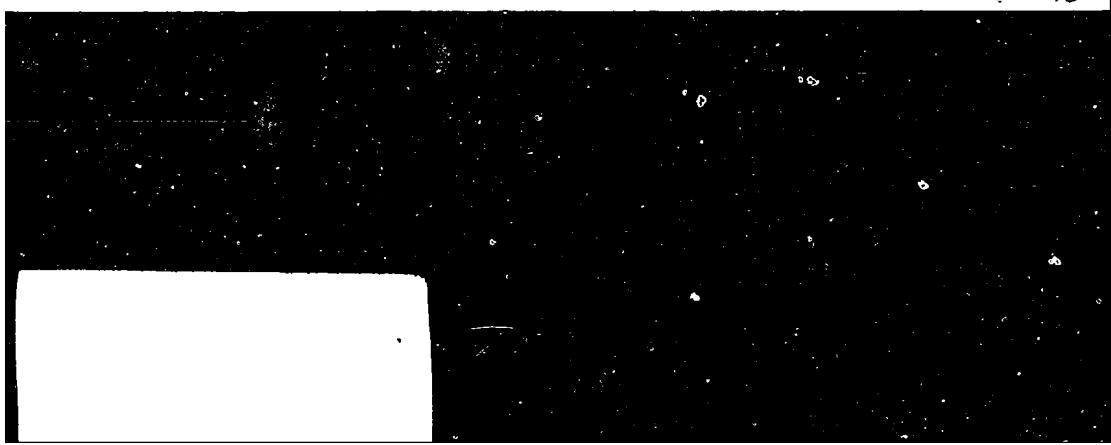
DEED FOR CLEAR ZONE EASEMENT

(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 (2022-183 : 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

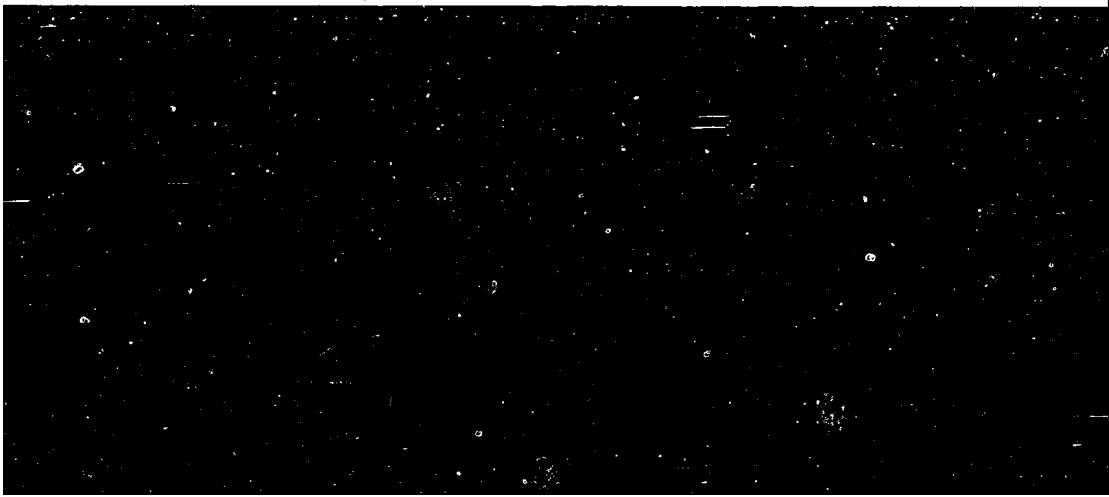
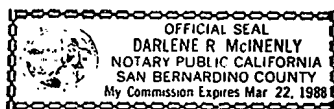
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

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 (2022-183 : 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

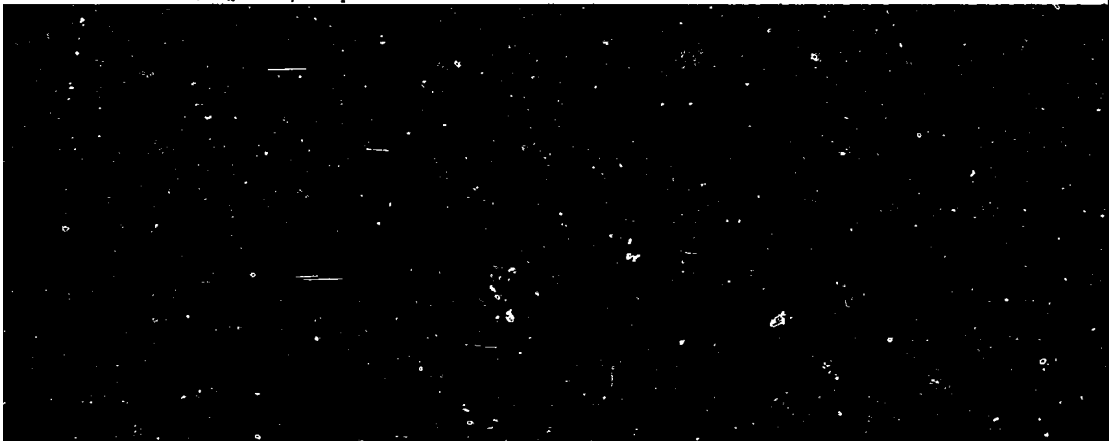
RESTRICTIVE EASEMENT (cont'd)

- 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, Statutes 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.

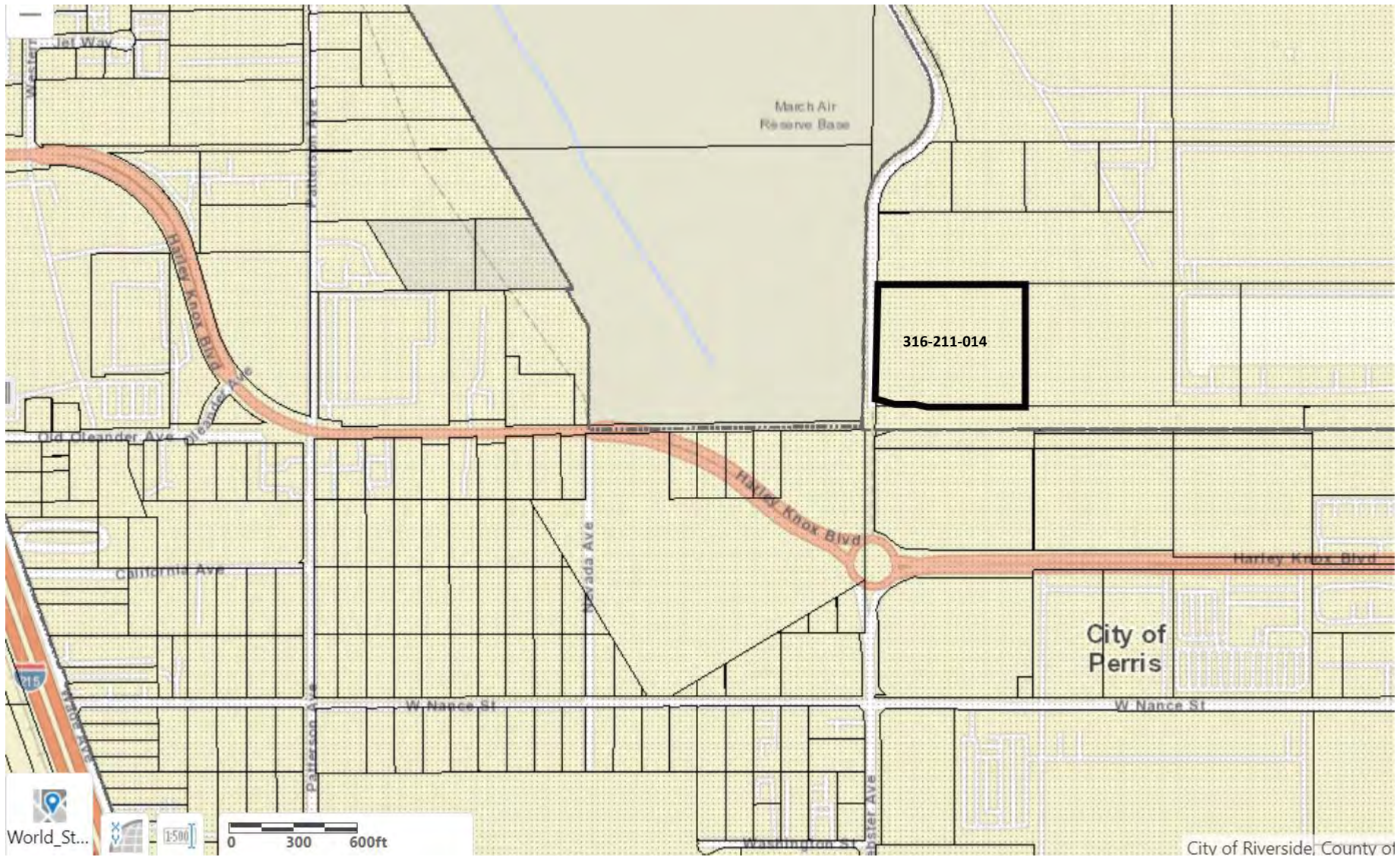
ALSO EXCEPTING the West 10 feet of said Lot 28.

Written by: EP

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

Checked by: CU

EXHIBIT B



Attachment: Initial Study Comment (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

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.

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
Walter J. Pomeroy
Recorder
Fees \$ 8

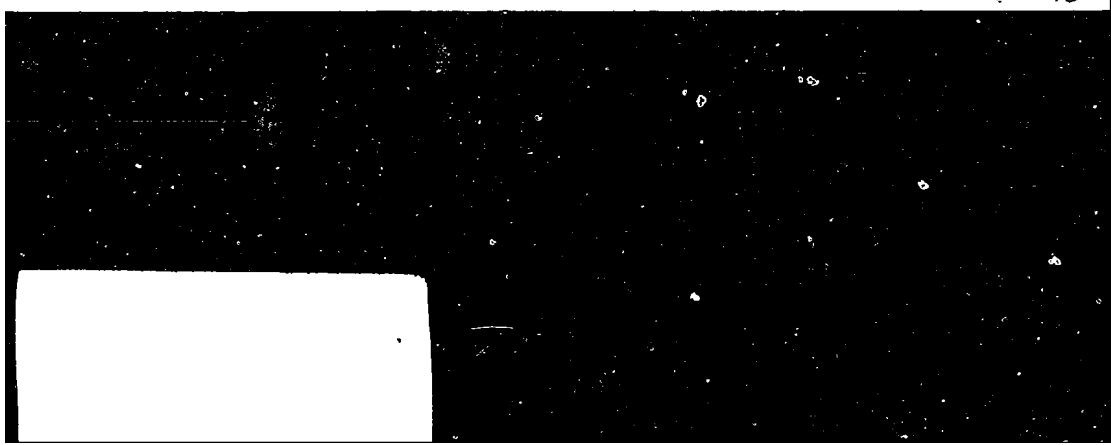
DEED FOR CLEAR ZONE EASEMENT

(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: Project Comments [Revision 1] (2022-183 : 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 Iparagurrie
JENNIE IPARAGURRIE

Dated: August 23, 1984

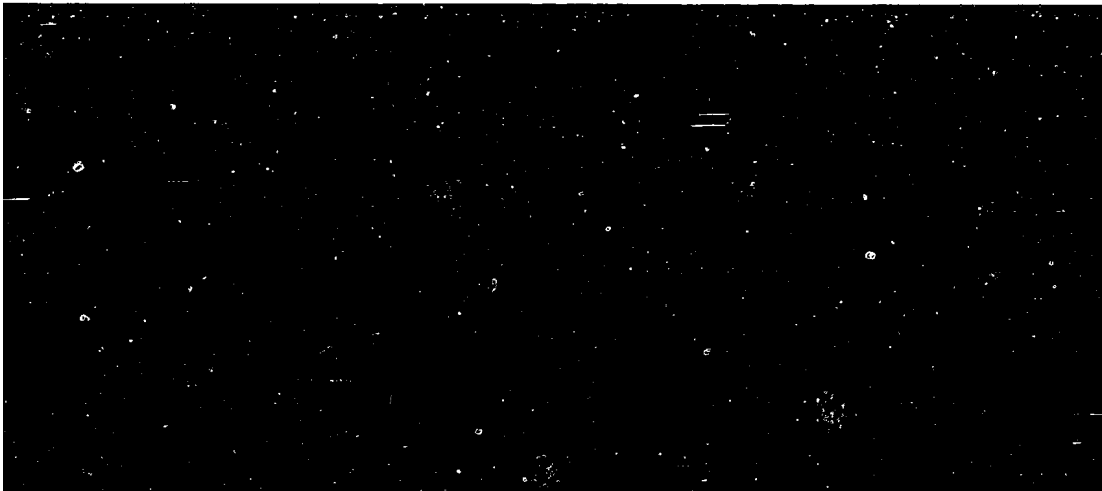
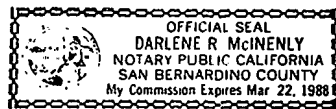
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

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

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: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

209559

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

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

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

209559

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

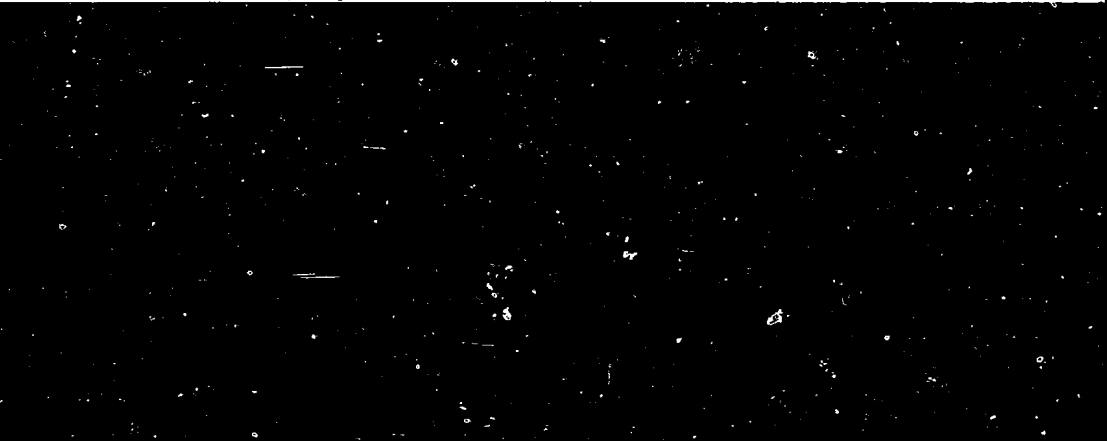
RESTRICTIVE EASEMENT (cont'd)

- 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
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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 aforementioned 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, Statutes 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.

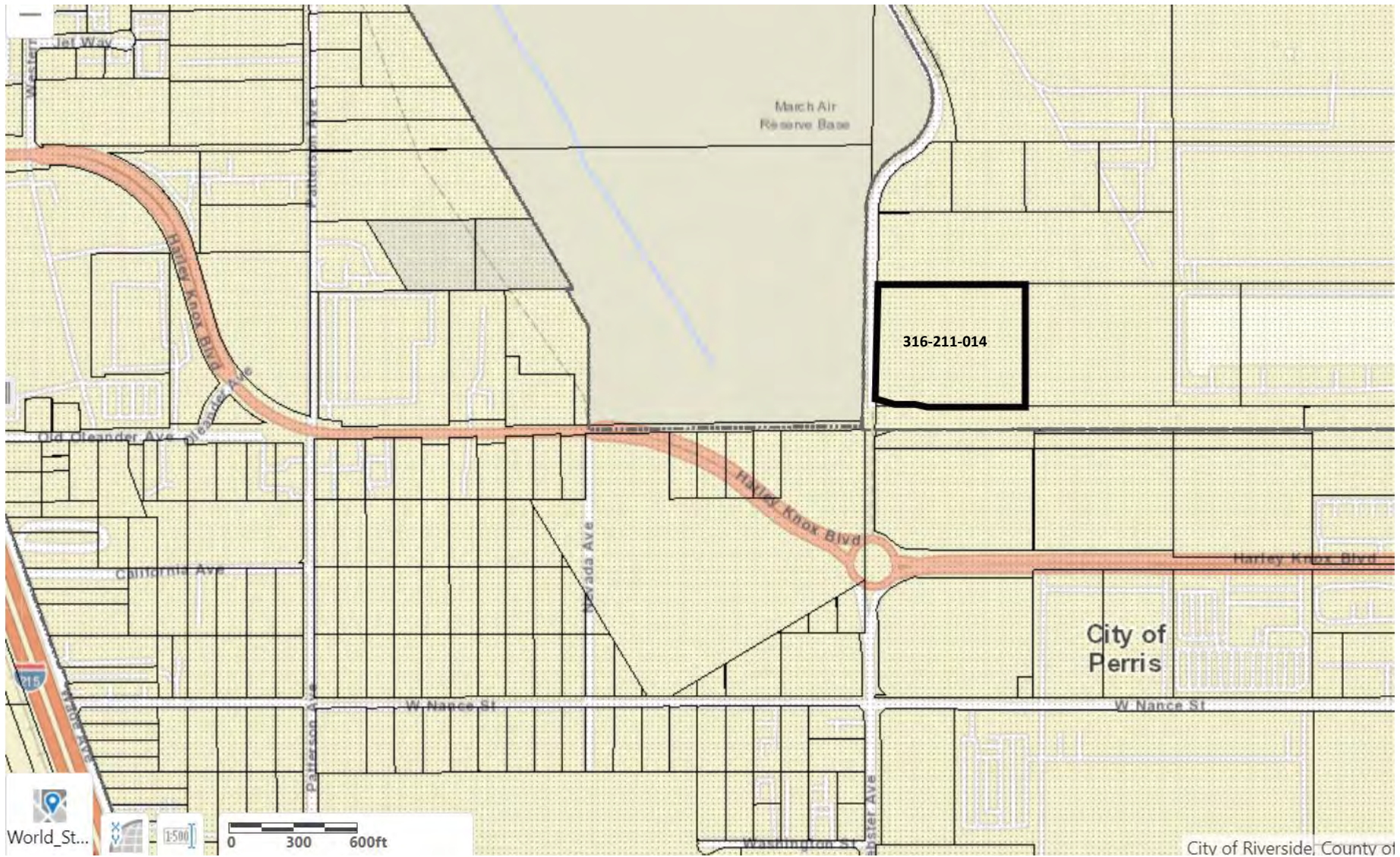
Written by: EP

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

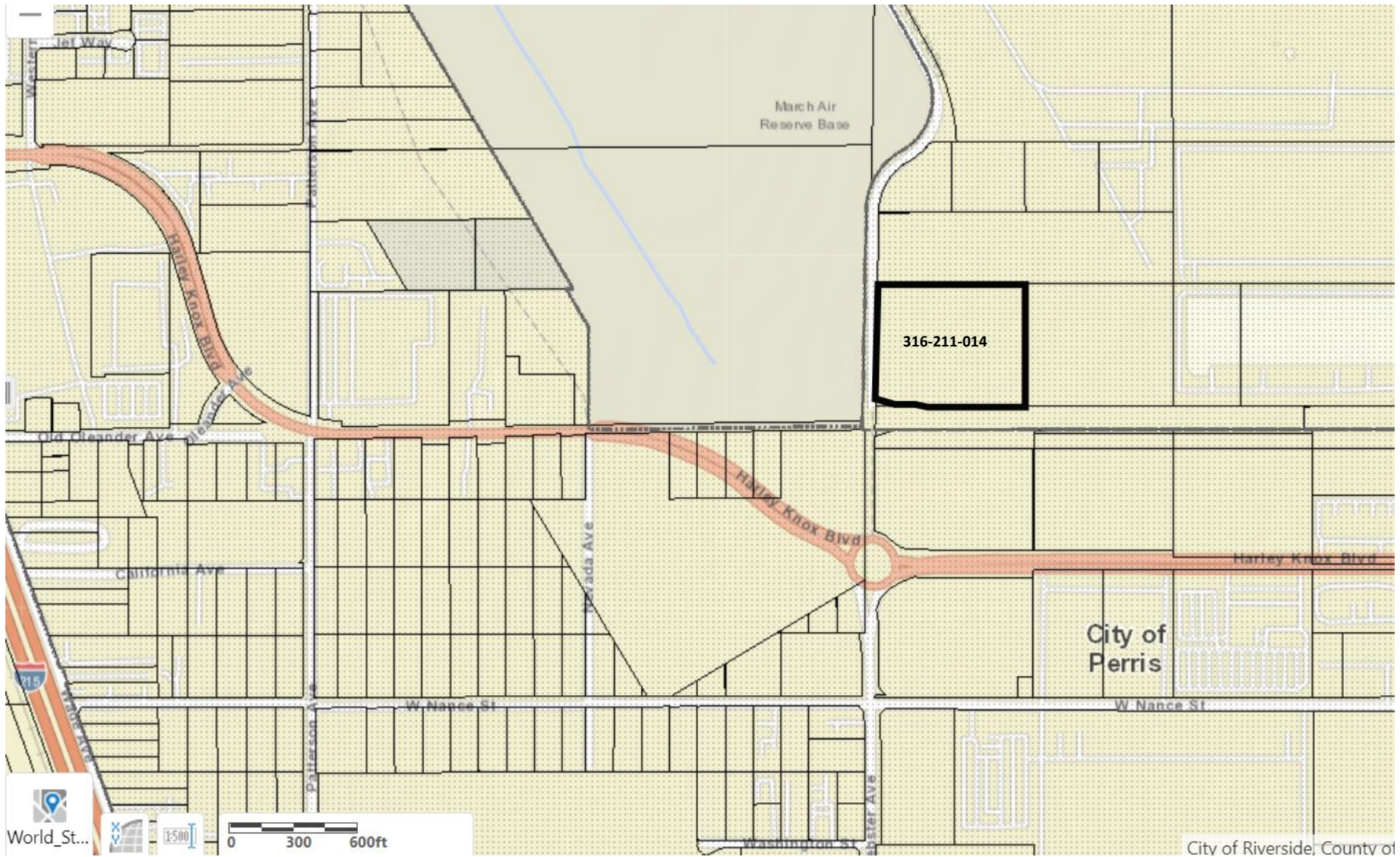
Checked by: CU

EXHIBIT B

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

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
Walter J. Pomeroy
Recorder
Fees \$ 8

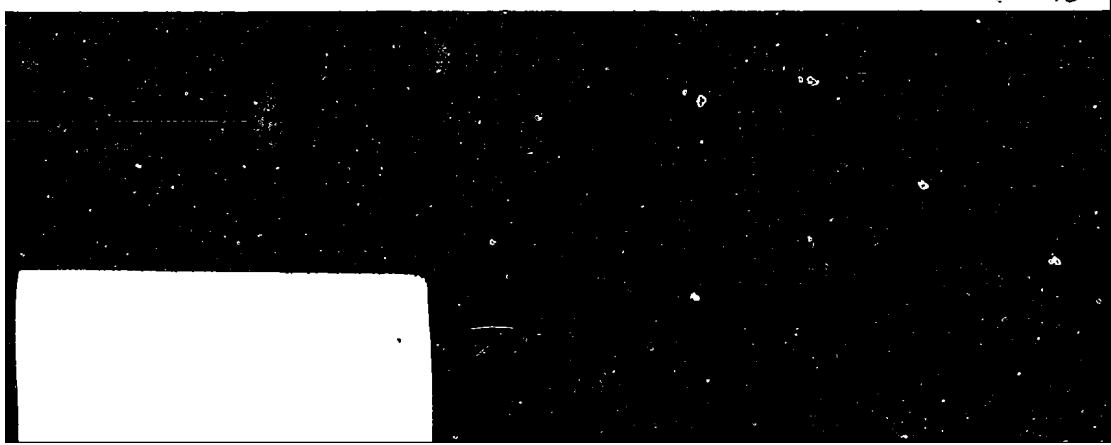
DEED FOR CLEAR ZONE EASEMENT

(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.



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: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

209559

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

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

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

209559

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

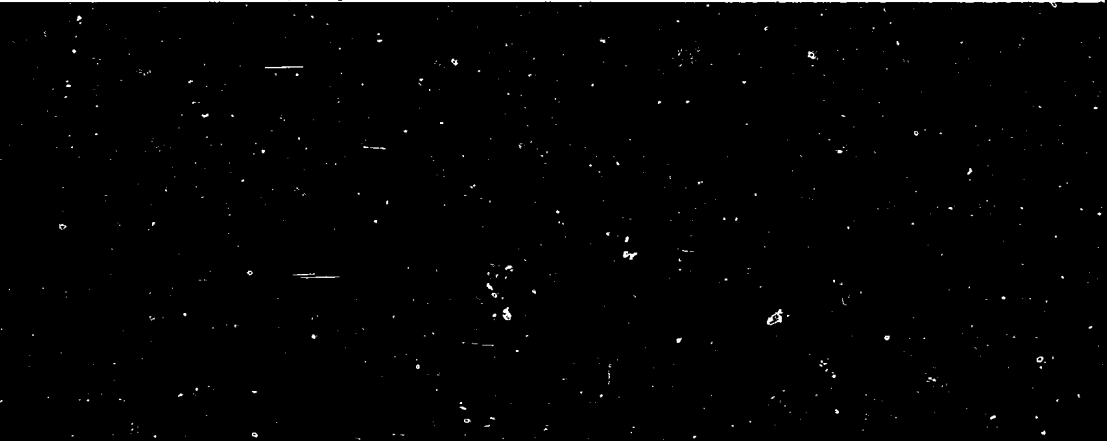
RESTRICTIVE EASEMENT (cont'd)

- 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 aforementioned 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, Statutes 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.

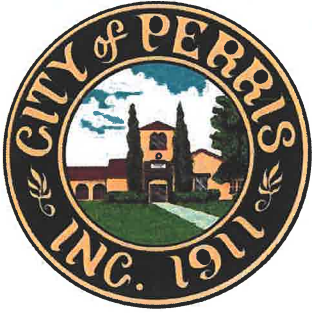
Written by: EP

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

Checked by: CU

EXHIBIT B

Attachment: Project Comments [Revision 1] (2022-183 : 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:

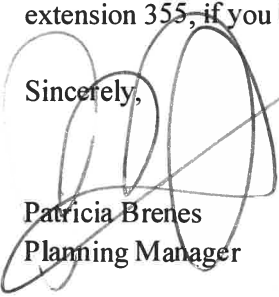
1. **Transportation** – Site Plan shows parking spaces 12' x 30' in size, which were analyzed in the project specific Traffic Impact Analysis under two options. Option 1 for passenger vehicles and option 2 for semi trucks. Since the project has been designed for parking and circulation of semi trucks 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.

Table 1 – RIVCOM Fair Share Contribution Estimates

City	Time Period	2018								2045 With Moreno Valley Updates								Traffic Growth (2045 With Moreno Valley - 2018)																															
		SB Off-Ramp Total %	SB On-Ramp Total %	NB Off-Ramp Total %	NB On-Ramp Total %	ail_Overcrossing Total %	idge_Overcrossing Total %	Interchange Total %		SB Off-Ramp Total %	SB On-Ramp Total %	NB Off-Ramp Total %	NB On-Ramp Total %	ail_Overcrossing Total %	idge_Overcrossing Total %	Interchange Total %		SB Off-Ramp Total %	SB On-Ramp Total %	NB Off-Ramp Total %	NB On-Ramp Total %	ail_Overcrossing Total %	idge_Overcrossing Total %	Interchange Total %																									
BANNING	Day	19	0%	0	0%	0	0%	20	0%	37	0%	21	0%	37	0%	50	0%	0	0%	0	0%	47	0%	37	0%	43	0%	243	0%	31	1%	0	0%	0	0%	27	1%	60	0%	28	0%	147	0%						
BEAUMONT	Day	36	0%	0	0%	0	0%	39	0%	71	0%	41	0%	188	0%	106	0%	0	0%	0	0%	115	0%	220	1%	120	0%	561	0%	70	1%	0	0%	0	0%	75	3%	143	1%	78	1%	373	1%						
BLYTHE	Day	0	0%	0	0%	0	0%	0	0%	1	0%	0	0%	2	0%	1	0%	0	0%	0	0%	1	0%	3	0%	2	0%	7	0%	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	5	0%						
CALIMESA	Day	6	0%	0	0%	0	0%	6	0%	12	0%	7	0%	32	0%	29	0%	0	0%	0	0%	34	0%	69	0%	42	0%	173	0%	22	0%	0	0%	0	0%	27	1%	57	0%	35	0%	141	0%						
CANYON LAKE	Day	0	0%	7	1%	5	1%	76	0%	80	0%	83	0%	250	0%	0	0%	7	0%	5	0%	76	0%	80	0%	83	0%	250	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CATHEDRAL CITY	Day	5	0%	0	0%	0	0%	4	0%	3	0%	5	0%	24	0%	15	0%	0	0%	0	0%	16	0%	30	0%	16	0%	77	0%	10	0%	0	0%	0	0%	11	0%	21	0%	11	0%	54	0%						
COACHELLA	Day	3	0%	0	0%	0	0%	2	0%	5	0%	3	0%	13	0%	21	0%	0	0%	0	0%	21	0%	41	0%	22	0%	105	0%	19	0%	0	0%	0	0%	0	0%	18	1%	36	0%	19	0%	92	0%				
CORDONA	Day	183	1%	0	0%	0	0%	155	1%	73	0%	242	1%	652	1%	183	1%	0	0%	0	0%	155	1%	85	0%	242	1%	664	1%	0	0%	0	0%	0	0%	0	0%	0	0%	12	0%	0	0%	12	0%	12	0%	12	0%
DESERT HOT SPRINGS	Day	3	0%	0	0%	0	0%	3	0%	5	0%	3	0%	15	0%	19	0%	0	0%	0	0%	18	0%	36	0%	19	0%	92	0%	16	0%	0	0%	0	0%	15	1%	31	0%	15	0%	77	0%						
EASTVALE	Day	67	0%	0	0%	0	0%	72	0%	48	0%	64	0%	249	0%	81	0%	1	0%	0	0%	72	0%	68	0%	70	0%	291	0%	15	0%	1	0%	0	0%	0	0%	20	0%	6	0%	42	0%						
HEMET	Day	0	0%	15	2%	13	2%	16	0%	6	0%	12	0%	62	0%	0	0%	67	2%	75	2%	16	0%	89	0%	71	0%	318	0%	0	0%	52	2%	62	2%	0	0%	83	0%	58	0%	256	1%						
INDIAN WELLS	Day	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	6	0%	2	0%	0	0%	0	0%	2	0%	4	0%	2	0%	9	0%	0	0%	0	0%	0	0%	1	0%	1	0%	1	0%	3	0%						
INDIO	Day	7	0%	0	0%	0	0%	6	0%	13	0%	7	0%	33	0%	17	0%	0	0%	0	0%	18	0%	35	0%	19	0%	89	0%	11	0%	0	0%	0	0%	12	0%	22	0%	12	0%	56	0%						
JURUPA VALLEY	Day	274	2%	0	0%	0	0%	316	2%	290	1%	279	1%	1,159	1%	321	1%	0	0%	0	0%	316	1%	368	1%	294	1%	1,299	1%	47	1%	0	0%	0	0%	0	0%	77	0%	15	0%	140	0%						
LA QUINTA	Day	4	0%	0	0%	0	0%	4	0%	8	0%	5	0%	21	0%	8	0%	0	0%	0	0%	9	0%	17	0%	9	0%	44	0%	4	0%	0	0%	0	0%	5	0%	3	0%	5	0%	23	0%						
LAKE ELSINORE	Day	0	0%	24	3%	17	2%	187	1%	200	1%	215	1%	643	1%	244	1%	117	4%	36	3%	187	1%	507	1%	279	1%	1,429	1%	244	5%	93	4%	79	3%	0	0%	307	1%	64	1%	786	2%						
MENIFEE	Day	0	0%	76	3%	68	3%	0	0%	27	0%	63	0%	234	0%	0	0%	311	10%	313	3%	0	0%	308	1%	327	1%	1,259	1%	0	0%	235	10%	245	10%	0	0%	281	1%	264	2%	1,025	2%						
MORENO VALLEY	Day	4,347	0%	1	0%	0	0%	4,700	23%	4,429	20%	6,741	27%	20,218	23%	4,621	20%	134	4%	5	0%	5,214	22%	8,467	20%	3,803	27%	28,244	21%	274	6%	133	6%	5	0%	515	18%	4,037	19%	3,062	25%	8,026	18%						
MURRIETA	Day	0	0%	26	3%	22	3%	0	0%	10	0%	21	0%	73	0%	0	0%	101	3%	101	3%	0	0%	102	0%	108	0%	411	0%	0	0%	75	3%	79	3%	0	0%	92	0%	87	1%	332	1%						
NORCO	Day	42	0%	0	0%	0	0%	42	0%	3	0%	41	0%	128	0%	42	0%	0	0%	0	0%	42	0%	11	0%	41	0%	136	0%	0	0%	0	0%	0	0%	0	0%	3	0%	0	0%	9	0%	31	0%				
PALM DESERT	Day	11	0%	0	0%	0	0%	9	0%	22	0%	12	0%	55	0%	15	0%	0	0%	0	0%	19	0%	33	0%	19	0%	86	0%	3	0%	0	0%	0	0%	9	0%	11	0%	7	0%	31	0%						
PALM SPRINGS	Day	10	0%	0	0%	0	0%	9	0%	21	0%	11	0%	51	0%	18	0%	0	0%	0	0%	22	0%	40	0%	22	0%	102	0%	8	0%	0	0%	13	0%	19	0%	11	0%	51	0%								
PERRIS	Day	1,335	0%	500	57%	475	65%	2,742	13%	849	4%	2,886	12%	3,387	11%	1,335	3%	859	27%	953	29%	2,742	12%	2,338	5%	3,639	10%	12,467	9%	0	0%	353	15%	478	19%	0	0%	1,489	7%	754	6%	3,080	7%						
RANCHO MIRAGE	Day	5	0%	0	0%	0	0%	4	0%	9	0%	5	0%	22	0%	7	0%	0	0%	0	0%	8	0%	15	0%	8	0%	38	0%	2	0%	0	0%	4	0%	4	0%	6	0%	4	0%	16	0%						
RIVERSIDE	Day	3,054	0%	0	0%	0	0%	3,650	18%	2,274	10%	3,214	13%	12,192	14%	3,655	16%	0	0%	34	1%	3,650	16%	3,611	8%	3,446	9%	14,397	11%	602	12%	0	0%	34	1%	0	0%	1,337	6%	232	2%	2,205	5%						
SAN JACINTO	Day	0	0%	1	0%	0	0%	40	0%	1	0%	0	0%	41	0%	0	0%	19	1%	18	1%	40	0%	29	0%	16	0%	123	0%	0	0%	18	1%	18	1%	0	0%	29	0%	16	0%	81	0%						
TEMECULA	Day	0	0%	20	2%	17	2%	0	0%	8	0%	17	0%	62	0%	0	0%	119	4%	124	4%	0	0%	131	0%	130	0%	503	0%	0	0%	99	4%	107	4%	0	0%	123	1%	113	1%	441	1%						
Unincorporated/Not a city	Day	4,400	25%	161	18%	80	11%	4,797	23%	10,444	48%	7,249	28%	27,132	31%	6,395	31%	1,309	41%	1,416	43%	6,390	27%	20,649	48%	13,846	38%	50,604	38%	2,595	52%	1,148	50%	1,335	52%	1,592	57%	10,205	49%	6,596	54%	8,888	57%						
WILDOMAR	Day	0	0%	8	1%	7	1%	11	0%	15	0%	18	0%	60	0%	0	0%	45	1%	44	1%	11	0%	41	0%	45	0%	186	0%	0	0%	36	2%	36	1%	0	0%	27	0%	27	0%	126	0%						
External	Day	3,325	19%	35	4%	29	4%	3,636	18%	2,326	13%	3,461	14%	13,412	16%	4,316	19%	104	3%	115	3%	4,089	18%	5,202	12%	4,134	11%	17,960	14%	391	20%	63	3%	86	3%	453	16%	2,276	11%	673	6%	4,547	10%						
Total	Day	17,736	100%	874	100%	732	100%	20,549	100%	21,898	100%	24,728	100%	86,517	100%	22,702	100%	3,192	100%	3,297	100%	23,331	100%	42,726	100%	36,921	100%	132,168	100%	4,966	100%	2,318	100%	2,565	100%	2,782	100%	20,827	100%	12,193	100%	45,651	100%						

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

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
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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:

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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
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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
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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

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.



Table 1 – RIVCOM Fair Share Contribution Estimates

City	Time Period	2018										2045 With Moreno Valley Updates										Traffic Growth (2045 With Moreno Valley - 2018)																							
		SB Off-Ramp		SB On-Ramp		NB Off-Ramp		NB On-Ramp		Iai_Overcrossing		Iedge_Overcrossing		Interchange		SB Off-Ramp		SB On-Ramp		NB Off-Ramp		NB On-Ramp		Iai_Overcrossing		Iedge_Overcrossing		Interchange		SB Off-Ramp		SB On-Ramp		NB Off-Ramp		NB On-Ramp		Iai_Overcrossing		Iedge_Overcrossing		Interchange			
		Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%				
BANNING	Day	19	0%	0	0%	0	0%	20	0%	37	0%	21	0%	37	0%	50	0%	0	0%	0	0%	47	0%	37	0%	49	0%	243	0%	31	1%	0	0%	0	0%	27	1%	60	0%	28	0%	147	0%		
BEAUMONT	Day	36	0%	0	0%	0	0%	39	0%	71	0%	41	0%	188	0%	106	0%	0	0%	0	0%	115	0%	220	1%	120	0%	561	0%	70	1%	0	0%	0	0%	75	3%	143	1%	78	1%	373	1%		
BLYTHE	Day	0	0%	0	0%	0	0%	0	0%	1	0%	0	0%	2	0%	1	0%	0	0%	0	0%	1	0%	3	0%	2	0%	7	0%	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	5	0%		
CALIMESA	Day	6	0%	0	0%	0	0%	6	0%	12	0%	7	0%	32	0%	29	0%	0	0%	0	0%	34	0%	69	0%	42	0%	173	0%	22	0%	0	0%	0	0%	27	1%	57	0%	35	0%	141	0%		
CANYON LAKE	Day	0	0%	7	1%	5	1%	76	0%	80	0%	83	0%	250	0%	0	0%	7	0%	5	0%	76	0%	80	0%	83	0%	250	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CATHEDRAL CITY	Day	5	0%	0	0%	0	0%	4	0%	3	0%	5	0%	24	0%	15	0%	0	0%	0	0%	16	0%	30	0%	16	0%	77	0%	10	0%	0	0%	0	0%	11	0%	21	0%	11	0%	54	0%		
COACHELLA	Day	3	0%	0	0%	0	0%	2	0%	5	0%	3	0%	13	0%	21	0%	0	0%	0	0%	21	0%	41	0%	22	0%	105	0%	19	0%	0	0%	0	0%	18	1%	36	0%	19	0%	92	0%		
CORONA	Day	183	1%	0	0%	0	0%	155	1%	73	0%	242	1%	652	1%	183	1%	0	0%	0	0%	155	1%	85	0%	242	1%	664	1%	0	0%	0	0%	0	0%	0	0%	0	0%	12	0%	0	0%	12	0%
DESERT HOT SPRINGS	Day	3	0%	0	0%	0	0%	3	0%	5	0%	3	0%	15	0%	19	0%	0	0%	0	0%	18	0%	36	0%	19	0%	92	0%	16	0%	0	0%	0	0%	15	1%	31	0%	15	0%	77	0%		
EASTVALE	Day	67	0%	0	0%	0	0%	72	0%	48	0%	64	0%	249	0%	81	0%	1	0%	0	0%	72	0%	68	0%	70	0%	291	0%	15	0%	1	0%	0	0%	20	0%	6	0%	42	0%				
HEMET	Day	0	0%	15	2%	13	2%	16	0%	6	0%	12	0%	62	0%	0	0%	67	2%	75	2%	16	0%	89	0%	71	0%	318	0%	0	0%	52	2%	62	2%	0	0%	83	0%	58	0%	256	1%		
INDIAN WELLS	Day	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	6	0%	2	0%	0	0%	0	0%	2	0%	4	0%	2	0%	9	0%	0	0%	0	0%	0	0%	1	0%	1	0%	3	0%				
INDIO	Day	7	0%	0	0%	0	0%	6	0%	13	0%	7	0%	33	0%	17	0%	0	0%	0	0%	18	0%	35	0%	19	0%	89	0%	11	0%	0	0%	0	0%	12	0%	22	0%	12	0%	56	0%		
JURUPA VALLEY	Day	274	2%	0	0%	0	0%	316	2%	290	1%	279	1%	1,159	1%	321	1%	0	0%	0	0%	316	1%	368	1%	294	1%	1,299	1%	47	1%	0	0%	0	0%	0	0%	77	0%	15	0%	140	0%		
LA QUINTA	Day	4	0%	0	0%	0	0%	4	0%	8	0%	5	0%	21	0%	8	0%	0	0%	0	0%	9	0%	17	0%	9	0%	44	0%	4	0%	0	0%	0	0%	5	0%	3	0%	23	0%				
LAKE ELSINORE	Day	0	0%	24	3%	17	2%	187	1%	200	1%	215	1%	643	1%	244	1%	117	4%	36	3%	187	1%	507	1%	279	1%	1,429	1%	244	5%	33	4%	79	3%	0	0%	307	1%	64	1%	786	2%		
MENIFEE	Day	0	0%	76	3%	68	3%	0	0%	27	0%	63	0%	234	0%	0	0%	311	10%	313	3%	0	0%	308	1%	327	1%	1,259	1%	0	0%	235	10%	245	10%	0	0%	281	1%	264	2%	1,025	2%		
MORENO VALLEY	Day	4,347	0%	1	0%	0	0%	4,700	23%	4,429	20%	6,741	27%	20,216	23%	4,621	20%	134	4%	5	0%	5,214	22%	8,467	20%	3,803	27%	28,244	21%	274	6%	133	6%	5	0%	515	18%	4,037	19%	3,062	25%	8,026	18%		
MURRIETA	Day	0	0%	26	3%	22	3%	0	0%	10	0%	21	0%	73	0%	0	0%	101	3%	101	3%	0	0%	102	0%	108	0%	411	0%	0	0%	75	3%	79	3%	0	0%	32	0%	87	1%	332	1%		
NORCO	Day	42	0%	0	0%	0	0%	42	0%	3	0%	41	0%	128	0%	42	0%	0	0%	0	0%	42	0%	11	0%	41	0%	136	0%	0	0%	0	0%	0	0%	0	0%	9	0%	0	0%	9	0%		
PALM DESERT	Day	11	0%	0	0%	0	0%	9	0%	22	0%	12	0%	55	0%	15	0%	0	0%	0	0%	19	0%	33	0%	19	0%	86	0%	3	0%	0	0%	0	0%	9	0%	11	0%	7	0%	31	0%		
PALM SPRINGS	Day	10	0%	0	0%	0	0%	9	0%	21	0%	11	0%	51	0%	18	0%	0	0%	0	0%	22	0%	40	0%	22	0%	102	0%	8	0%	0	0%	13	0%	19	0%	11	0%	51	0%				
PERRIS	Day	1,335	0%	500	57%	475	65%	2,742	13%	849	4%	2,886	12%	3,387	11%	1,335	3%	859	27%	953	29%	2,742	12%	2,338	5%	3,639	10%	12,467	9%	0	0%	353	15%	478	19%	0	0%	1,489	7%	754	6%	3,080	7%		
RANCHO MIRAGE	Day	5	0%	0	0%	0	0%	4	0%	9	0%	5	0%	22	0%	7	0%	0	0%	0	0%	8	0%	15	0%	8	0%	38	0%	2	0%	0	0%	4	0%	4	0%	6	0%	4	0%	16	0%		
RIVERSIDE	Day	3,054	0%	0	0%	0	0%	3,650	18%	2,274	10%	3,214	13%	12,192	14%	3,655	16%	0	0%	34	1%	3,650	16%	3,611	8%	3,446	9%	14,397	11%	602	12%	0	0%	34	1%	0	0%	1,337	6%	232	2%	2,205	5%		
SAN JACINTO	Day	0	0%	1	0%	0	0%	40	0%	1	0%	0	0%	41	0%	0	0%	19	1%	18	1%	40	0%	29	0%	16	0%	123	0%	0	0%	18	1%	18	1%	0	0%	29	0%	16	0%	81	0%		
TEMECULA	Day	0	0%	20	2%	17	2%	0	0%	8	0%	17	0%	62	0%	0	0%	119	4%	124	4%	0	0%	131	0%	130	0%	503	0%	0	0%	99	4%	107	4%	0	0%	123	1%	113	1%	441	1%		
Unincorporated/Not a city	Day	4,400	25%	161	18%	80	11%	4,797	23%	10,444	48%	7,249	29%	27,132	31%	6,395	31%	1,309	41%	1,416	43%	6,390	27%	20,649	48%	13,846	38%	50,604	38%	2,595	52%	1,148	50%	1,335	52%	1,592	57%	10,205	49%	6,596	54%	8,888	57%		
WILDOMAR	Day	0	0%	8	1%	7	1%	11	0%	15	0%	18	0%	60	0%	0	0%	45	1%	44	1%	11	0%	41	0%	45	0%	186	0%	0	0%	36	2%	36	1%	0	0%	27	0%	27	0%	126	0%		
External	Day	3,325	19%	35	4%	29	4%	3,636	18%	2,326	13%	3,461	14%	13,412	16%	4,316	19%	104	3%	115	3%	4,089	18%	5,202	12%	4,134	11%	17,960	14%	391	20%	63	3%	86	3%	453	16%	2,276	11%	673	6%	4,547	10%		
Total	Day	17,736	100%	874	100%	732	100%	20,549	100%	21,896	100%	24,728	100%	86,517	100%	22,702	100%	3,192	100%	3,297	100%	23,331	100%	42,726	100%	36,921	100%	132,168	100%	4,966	100%	2,318	100%	2,565	100%	2,782	100%	20,827	100%	12,193	100%	45,651	100%		

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



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Attachment B – Model Output Calculations
Attachment C – Interchange Cost Estimates



**DEPARTMENT OF THE AIR FORCE
AIR FORCE RESERVE COMMAND**

October 21, 2022

Colonel Erik L. Aufderheide
Commander
452d Air Mobility Wing
2145 Graeber Street, Building 470
March ARB, CA 92518

Julia Descoteaux
Senior Planner
City of Moreno Valley
14177 Frederick Street, PO Box 88005
Moreno Valley, CA 92552

Dear Ms. Descoteaux:

This letter addresses the proposed development of an automobile parking lot for Heacock Logistics on 9.14 acres in the Moreno Valley Industrial Area Plan, Clear Zone District. I understand that the March Joint Powers Authority (MJPA) has also submitted a letter to you on this matter. I concur with the concerns raised by MJPA.

It is the policy of the United States Air Force (USAF) to engage with its community partners to foster compatible land use and to help local governments and communities better understand the nature of military operations and procedures in and around Air Force installations.

As the letter from MJPA notes, the proposed development is within a Clear Zone south of the March Air Reserve Base (ARB) runway. Due to the nature of military aviation operations, there is an increased risk of accidents within a Clear Zone, which justified the creation of a perpetual easement for the south Clear Zone in 1984. This easement granted the United States of America the right to prohibit all land uses except: agriculture; grazing; permanent open space; existing water areas; rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and communications and utilities rights-of-way. The easement also granted the United States of America the right to prohibit entry of persons onto the land except in connection with the above-listed activities.

While March ARB is committed to the highest standards of operational excellence, the inherent risks associated with military aviation operations are as compelling today as they were in 1984. I therefore oppose development of the proposed Heacock Logistics parking lot within the south Clear Zone. This development would present serious safety concerns due to the persistent presence of vehicles parked for extended periods of time, as well as the presence of pedestrians in the parking lot. I also am concerned about the possibility of a wide variety of electromagnetic spectrum interference that could come from personal devices and stationary vehicles in the parking lot.

March ARB remains dedicated to maintaining positive and effective relationships with community partners for the benefit of Moreno Valley, Riverside County, and all of Southern California. I thank you for the opportunity to provide input regarding this project.

Should you have any questions or would like to discuss this issue further, please feel free to contact the March ARB Civil Engineer, Mr. David Shaw, at 951-655-4851.


ERIK L. AUFDERHEIDE, Colonel, USAF
Commander, 452d Air Mobility Wing

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

STATE CAPITOL
ROOM 2080
SACRAMENTO, CA 95814
TEL (916) 651-4031
FAX (916) 651-4931

DISTRICT OFFICE
3737 MAIN STREET
SUITE 104
RIVERSIDE, CA 92501
TEL (951) 680-6750
FAX (951) 680-6757

SENATOR.ROTH@SENATE.CA.GOV

California State Senate

SENATOR
RICHARD D. ROTH
THIRTY-FIRST DISTRICT



COMMITTEES
BUSINESS, PROFESSIONS AND
ECONOMIC DEVELOPMENT
CHAIR
HEALTH
INSURANCE
MILITARY AND VETERANS
AFFAIRS

October 24, 2022

The Honorable Yxstian Gutierrez
Mayor, City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

RE: Letter of Concern: Proposed Automobile Parking Lot adjacent to March Air Reserve Base

Dear Mayor Gutierrez,

I am writing to express my serious concern regarding the proposal to approve the development of an automobile parking lot adjacent to the south end of the runway at March Air Reserve Base (MARB), encroaching on the Base's Clear Zone easement. I certainly respect and recognize the ability of municipalities to improve sites within their respective jurisdictions. However, the proposed project lies within the south Clear Zone of the base and presents a heightened risk of injuries or fatalities to those who park or congregate in the proposed area.

The Air Installations Compatible Use Zone (AICUZ) program was established by the Department of Defense in order to promote health and safety in and around local airports and to protect the operational capabilities of the air installation. The March Joint Powers Authority (MJPA), in its October 12, 2022 letter to Moreno Valley Senior Planner Julia Descoteaux, noted that the proposed project does not comply with the provisions of the deed for the Clear Zone easement. In that regard, it is my understanding that the easement held by the Department of Defense restricts all activities except agriculture, grazing, permanent open space, existing water rights, and communications and utility rights-of-way. I concur with the MJPA's observation that the proposed automobile parking lot appears to violate the Clear Zone easement; and that, if approved, the project presents a clear and present danger to military and civilian air operations at March.

For decades, local organizations such as the Moreno Valley Chamber of Commerce and the Greater Riverside Chambers of Commerce, and others have fought to protect the base from encroachment. My primary concern is that this project will negatively impact not only current operations, but the future bed down of the new KC-46A tanker and the long term viability of the Base. Accordingly, I respectfully request that approval for this proposed project as currently sited, be withheld and that an alternative proposal be developed to mitigate the negative impacts noted above.

Thank you for your consideration. I welcome the opportunity to discuss this project with you at your convenience. Please feel free to contact me at 951-680-6750.

Sincerely,

RICHARD D. ROTH
Senator, 31st District

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



October 25, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley Community Development
14177 Frederick Street
Moreno Valley CA 92553

CHAIR
Steve Manos
Lake Elsinore

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Jackie Vega
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

RE: Concerns regarding the safety of people as raised by PEN21-0102 Automobile Parking Lot on Heacock Street

To Ms. Descoteaux,

On behalf of the Riverside County Airport Land Use Commission (the ALUC), I would like to submit this letter of concern regarding PEN21-0102 Automobile Parking Lot on Heacock Street (the project).

The ALUC's goal is defined in the Public Utilities Code (PUC) Section 21670(a) declaring that:

"(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

(2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around the public airports to the extent that these areas are not already devoted to incompatible uses."

The ALUC recognizes the City of Moreno Valley's (the City) authority and obligation to review non-legislative projects for airport land use compatibility in accordance with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP), to which the City's General Plan was found consistent in 2021. Therefore, as the lead jurisdiction performing the airport land use compatibility review for the project, the City should also be consistent with not just the March ALUCP, but the intent and spirit of the PUC goals to protect the public health, safety, and welfare from inconsistent and incompatible land uses. As instructed by PUC Section 21674.7, "[i]t is the intent of the Legislature to discourage incompatible land uses near existing airports... It is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan prepared by a commission pursuant to Section 21675."

Land Use Planning around military airports such as March Air Reserve Base/Inland Port raises unique and complex rules and issues. The purpose of this letter is to assist the City in that analysis by identifying some of those issues, rules and how they apply to this project.

The ALUC has concerns that the project will have significant impacts to the public health and safety based on its use as a parking lot and its location within the Compatibility Zone A (Clear

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Zone) as identified in the March ALUCP, as well as identified as the Clear Zone in the 2018 Air Force Air Installation Compatible Use Study (AICUZ), which is defined as the:

“square area beyond the end of the runway and centered on the runway centerline extending outward for 3,000 feet... a Clear Zone is required for all active runways and should remain undeveloped.”

The Clear Zone is a long recognized critical area located at the end of the runway where vital aviation maneuvers occur for take-off and landing. The 2005 AICUZ study provides aircraft data (1968-1995) identifying that 27.4% of all aircraft accidents occur within the Clear Zone. The proposal to establish a parking lot in the Clear Zone puts people on the ground and in the aircraft at risk needlessly, especially when the parking lot could be relocated to a more appropriate airport zone further away from the runway and out of the Clear Zone.

The March ALUCP Compatibility Zone Factors Table MA-1 (Noise and Overflight Factors/Safety and Airspace Protection Factors) identifies the Clear Zone as a “Very High” Risk Level, and a “Very High” Noise Impact due to the high CNEL noise contour range between 65 – 75 dB and single-event noise levels.

The fundamental purpose of the March ALUCP is to promote appropriate land use compatibility around March Air Reserve Base by protecting public health, safety, and welfare. This is largely implemented by Table MA-2 Basic Compatibility criteria in the plan.

Table MA-2 provides the land use compatibility criteria for the Clear Zone which includes non-residential intensity, prohibited uses, and required open land.

Firstly, the non-residential intensity criteria for the Clear Zone is ZERO (0) people for both average and single acre intensity. Although the project will generate a very low occupancy based on the persons in each vehicle entering the site, any persons entering the site would immediately result in exceeding the non-residential average and single acre intensity criteria of ZERO (0) people.

Secondly, Table MA-2 provides a list of prohibited uses for the Clear Zone, which includes: all non-aeronautical structures, assemblages of people, objects exceeding FAR Part 77 height limits, all storage of hazardous materials, and hazards to flight.

1. The ALUCP analysis shows that the proposed parking lot land use, structures and vehicles within it, are considered non-aeronautical structures and would therefore be a prohibited use, because they do not serve any aeronautical functions to the March Air Reserve Base or Inland Port Airport.
2. Similar to the comment raised above regarding intensity, any occupancy on the site would constitute “assemblages of people” and therefore would be a prohibited use.
3. Part 77 is the FAA OES process to determine if a project would impact air navigation. The elevation of runway 14-32 at its southerly terminus is 1,488 feet above mean sea level (AMSL). At a distance of approximately 1,000 feet from the project to the nearest point on the runway, Federal Aviation Administration (FAA) Part 77 notification threshold would be 1,498 feet AMSL. The site elevation is 1,473 feet AMSL. Therefore, any objects greater than 25 feet in height would be exceed the FAA threshold and would be considered a prohibited use. These objects could include buildings, structures, landscaping, and in the project ‘s case, any tall vehicles or trailers that would exceed 25 feet in height.

4. There is a concern that vehicles, truck trailers, and shipping containers in the parking lot could contain hazardous materials. A definition of hazardous materials is provided in Table MA-2 footnote 14 (in the context of Accident Potential Zones) as toxic, explosive, corrosive. In the event an aircraft was to crash into a container that was storing hazardous materials, the resulting collision/explosion would be magnified due to the hazardous materials, which would further jeopardize the lives of the people on the ground and in the aircraft.
5. Hazards to flight is a prohibited use in the Clear Zone and is defined in Footnote #8 of Table MA-2 as: "Hazards to flight include physical (e.g. tall objects), visual, and electronic forms of interference with the safety of aircraft operations". The proposed parking lot may contain structures and vehicles, truck trailers, and cargo containers that could potentially interfere with the safety of aircraft operations.

Lastly, Table MA-2 identifies that in the Clear Zone, the required open land is "All Remaining", which would consist of the entire site. The purpose of the ALUC open land is that in the event an aircraft is forced to make an emergency landing, the risks to the people on board can be best minimized by providing as much open land area as possible.

In 2021, the City's General Plan '2040' and Zoning Code Amendments (PEN19-0240, PEN21-0030) were found consistent with the March ALUCP by the ALUC via ZAP1465MA21. These regulatory documents contained language requiring consistency with the March ALUCP and the Air Force Instruction (AFI) 32-7063, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI) No. 4165.57.

As part of this consistency finding by ALUC, a special recommendation was also made:

1. Add to the Circulation Element a discussion identifying Heacock Street's location within Zone A (Clear Zone) and the challenges that it presents with regards to satisfying Clear Zone criteria set forth in the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, the 2018 Air Installation Compatible Use Zone study, and the Department of Defense Instruction No. 4165.57. The following policy shall be added to the Circulation Element to ensure consistency with these plans: "C.2-13. The City will coordinate with the March Air Reserve Base and Airport Land Use Commission staff to ensure that Heacock Street within the Clear Zone is consistent with future land use plans adopted by the March Air Reserve Base and/or the Airport Land Use Commission".

The incorporation of this recommendation highlights the significant challenges concerning Heacock Street and the larger issues associated with the Clear Zone criteria. Furthermore, it also underlines the City's commitment in satisfying the various issues within the Clear Zone as it relates to the March ALUCP, and to the Air Force AFI 32-7063 and DoDI No. 4165.57. Lastly, it emphasizes the City's cooperation and coordination with the March Air Reserve Base and ALUC staff to ensure consistency of Heacock Street and the Clear Zone with land use compatibility plans adopted by ALUC and by the March Air Reserve Base.

A big reason as to why the City's General Plan was found consistent with the March ALUCP was because it included several goals and policies from the Land Use and Safety Elements which promoted appropriate land use development around March Air Reserve Base in order to protect the public health, welfare and safety.

Land Use Element:

Policy LCC.1-11. "Require new development be compatible with the standards for land

uses, density and intensity specified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan”.

Safety Element:

Goal S-4. “Minimize airport safety hazards and promote compatibility with airport operations”.

Policy S.4.1. “Limit hazards from flight operations in Moreno Valley through consistency with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan”.

Policy S.4-2. “Review all projects within the March Air Reserve Base/Inland Port Airport Influence Area for conformance with the compatibility criteria outlined in the March ALUC Plan”.

Policy S.4-3. “Minimize the potential for development adjacent to the March Air Reserve Base/Inland Port Airport to adversely affect airport operations such as by reducing the potential for bird strikes, electromagnetic interference, and glare” (as proposed in the City’s errata change list).

The ALUC contends that the proposed parking lot is not consistent with these airport land use compatibility goals and policies specified in the City’s General Plan as it would actively put people on the ground and in aircraft at harms risk in the Clear Zone where, as already stated above, 27.4% of all aircraft accidents occur.

In addition to the General Plan ‘2040’ documents, the City also included Zoning Code Amendments as part of its consistency finding. These documents also included language requiring consistency with the March ALUCP and the Air Force Instruction AFI 32-7063 and DoDI No. 4165.57.

1. Section 9.07.060 relates to Airport Land Use Compatibility Plan and directly references the March ALUCP and Table MA-2 criteria. It also provides the intent of the section as; “The purpose of this chapter is to establish and implement the requirements of the Riverside County Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport that affects land uses within the City of Moreno Valley and to encourage future development that is compatible with the continued operation of the March Air Reserve Base. It is also the intent of this section to recognize and implement the purpose for the guidelines contained in the March Air Reserve Base air installation compatible use zone report”.

Sub-section D states “For property located within a compatibility zone and subject to the airport land use compatibility plan policies and criteria, the ALUCP may be more restrictive than what would otherwise be allowed per City zoning designation applicable to the property. In addition to complying with the zoning requirements of this title, proposed uses and development on property within an airport compatibility zone must be determined to be consistent with, and comply with the compatibility criteria of the applicable compatibility zone and airport land use compatibility plan”.

Specifically, Section 9.07.060.B states “The provisions of the ALUCP shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zones and the ALUCP, the ALUCP shall take precedence”. This language provides an additional layer of conformance with the March ALUCP.

In addition, Section 9.07.060.B required “development within the Accident Potential

Zones (APZ's) be consistent with the Air Force Instruction 32-7063, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI) No. 4165.57. More specifically, future development within the APZs shall be consistent with the DoDI acceptable/not acceptable land use tables, as well as its intensity criteria, which limits intensity to a maximum of 25 people in any given acre in APZ-I and to a maximum of 50 people in any given acre in APZ-II".

It is the opinion of the ALUC that the proposed parking lot in the Clear Zone is inconsistent with the purpose and intent of these Zoning Code Amendments. The proposed parking lot is not an example of "encourage future development that is compatible with the continued operation of the March Air Reserve Base", actually, quite the opposite, as the proposed parking lot in the Clear Zone would have to be identified as 'encroachment' by the March Air Reserve Base, jeopardizing its future operations and existence.

The ALUC also contends that the Zoning Code Amendments establishes protocol in the event of multiple planning and airport zones are present, and that the correct protocol is "the provisions of the ALUCP shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zones and the ALUCP, the ALUCP shall take precedence". In the case of the proposed parking lot, the March ALUCP must take precedence over underlying planning zones in the event there are inconsistencies between the two in order to satisfy the goal and policies of protecting the public health, welfare, and safety.

The Zoning Code Amendments also contain language referencing conformity to the Air Force AFI 32-7063 and DoDI No. 4165.57 in Section 9.07.060.B (mentioned above), and Sub-section I.5 which states: "For discretionary actions proposed within the March ARB/IPA Accident Potential Zones (APZ-I and APZ-II) or within the Clear Zone, the proposed use and/or development shall, in addition to meeting the compatibility criteria of the March ALUCP, be consistent with current Air Force Guidance...".

The ALUC also recognizes the Air Force's jurisdiction in the Clear Zone, as set forth in the Air Force AFI 32-7063 and DoDI No. 4165.57, as well as the latest 2018 AICUZ. Table A-1 Appendix A of the 2018 AICUZ provides Land Use Compatibility Tables, which provides land use compatibility guidelines within the Clear Zones and Accident Potential Zones I and II (APZs). More specifically, it references under SLUCM (Standard Land Use Coding Manual) recommendation No. 46: Automobile Parking, is identified as a "NO" land use designation in the Clear Zone. The ALUC concurs with the Air Force 2018 AICUZ land use table, and that the placing of the proposed parking lot in the Clear Zone is not just inconsistent with the 2018 AICUZ and March ALUCP, but also a public health and safety risk.

Airport Land Use analysis also includes considering airport related restrictions on the title to the subject property. Riverside County Official Document recorded September 27, 1984, Record Document Number 209559, is a Clear Zone Easement that encumbers the property which was purchased by the United States of America for the sum of \$77,090.00, from Jennie Iparagurrie. The document identifies the easement as "being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project."

The document details rights granted in the easement, including but not limited to, Number 9 which states:

"The right to prohibit all land uses other than the following: a. agriculture; b. grazing (excluding feed lots and dairy herds); c. permanent open space; d. existing water areas; e. rights-of-ways for fenced two-land highways, without sidewalks or bicycle trails, and single tract railroads; and f. communications and utilities rights-of-ways".

The restrictive easement on the property in the Clear Zone, and its “right to prohibit all land uses” other than those specifically above, omits and prohibits parking lots use in the Clear Zone. The itemized list of permitted uses illustrates a well-defined picture of what is appropriate on this land in the Clear Zone. The proposed parking lot is clearly inconsistent with these parameters.

The ALUC presents these concerns to the City for its consideration while reviewing this parking lot in the Clear Zone. The role of the ALUC and the March ALUCP is to ensure that appropriate and compatible land uses are planned around the March Air Reserve Base in order to protect the public health, welfare, and safety. Incompatible land uses encroaching onto the Base must be avoided for that purpose and in order to secure the Base’s financial, military, and operational support to the community for the future. In adopting its General Plan 2040 and the current Zoning Ordinance the City of Moreno Valley has committed to apply and enforce these policies.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Paul Rull, ALUC Director

cc: Mike Lee, City Manager, City of Moreno Valley
Steve Manos, Chair, Airport Land Use Commission
Gary Gosliga, Airport Manager, March Inland Port Airport Authority
Major David Shaw, Base Civil Engineer, March Air Reserve Base
Michael Smith, Aviation Safety Officer, CALTRANS Division of Aeronautics
Dan Fairbanks, Planning Director, March Joint Powers Authority



GREATER RIVERSIDE CHAMBERS OF COMMERCE

The Chamber...building a stronger local economy

October 25, 2022

Chair Alvin DeJohnette
City of Moreno Valley Planning Commission
14177 Frederick St
Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin:

On behalf of the Greater Riverside Chambers of Commerce and its Military Affairs Council, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are concerned that the project has not been reviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in March Air Reserve Base (MARB). There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of March Air Reserve Base.

In preservation of MARB and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your consideration to oppose the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact the Chamber at 951-683-7100.

Respectfully,

Jamil Dada

Committee Chair of Military Affairs Council GRCC

cc: Members, City of Moreno Valley Planning Commission

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)



October 26, 2022

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

Subject: Planning Commission Public Hearing #1 – 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)

Dear Ms. Descoteaux,

I am writing to you on behalf of the City of Norco to express the City’s opposition to Planning Commission Public Hearing #1 regarding PEN21-0102.

This is an issue of regional concern, as it relates to the future of March Air Reserve Base. As a city that benefits from the economic stimulus of a military base, the City of Norco recognizes that March Air Reserve Base is a significant economic driver for the region. While this is in some ways distant from Norco in miles, it is not distant in terms of economic impact.

The proposed development could jeopardize the future of March Air Reserve Base. The proposed development is inconsistent with the Land Use Compatibility Plan and may interfere with runway use, which in turn could harm projects and initiatives of regional significance, including the sizeable investment in new aerial refueling aircraft that will operate out of the Base.

This region has a considerable stake in the continued operation and success of March Air Reserve Base, therefore the City of Norco urges the Moreno Valley Planning Commission to oppose this proposed development.

Thank you for considering our comments. Please contact me if you have any questions or would like to discuss the above concern in further detail.

Sincerely,

Lori Sassoon
City Manager

Cc: Mike Lee, City Manager

CITY COUNCIL

GREG NEWTON
Mayor

ROBIN GRUNDMEYER
Mayor Pro Tem

KATHERINE ALEMAN
Council Member

KEVIN BASH
Council Member

TED HOFFMAN
Council Member

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

MARCH JOINT POWERS AUTHORITY

October 27, 2022

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

SUBJECT: PROJECT COMMENTS REGARDING THE HEACOCK LOGISTICS PARKING LOT

Dear Ms. Descoteaux:

The March Joint Powers Authority (March JPA) and the March Inland Port Airport Authority (MIPAA) are owners and operators of more than 300-acres of commercial airport properties at March Air Reserve Base (MARB). March JPA's airport operations rely heavily on the use of flying facilities at the Base under a Joint Use Agreement with the United States Air Force, and we oppose any development proposed within MARB's Clear Zone. Please accept this letter in opposition to the proposed Heacock Logistics Parking Lot project.

We have reviewed the project staff report, findings, proposed resolutions and California Environmental Quality Act (CEQA) Initial Study pertaining to the Heacock Logistics Parking Lot. We find that the staff report, environmental analysis and project findings inadequately analyze the proposed use because: 1) these documents fail to address the existing land use limitations established through a recorded federal easement across the project site; 2) these documents fail to address accident potential and safety concerns; and 3) these documents fail to consider Air Installation Accident Potential Zone (AICUZ) recommendations, as listed below:

A RECORDED CLEAR ZONE EASEMENT PROHIBITS THE PARKING LOT

Both the Initial Study and Planning Commission staff report fail to disclose the most significant issue, which is the "DEED FOR CLEAR ZONE EASEMENT". Through acquisition of a restrictive easement on this site, the United States purchased development rights on the property. The easement across the property specifically identifies that the United States 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.

Please update the project analysis to address impacts to MARB and March JPA airport operations as it pertains to the disregard of a recorded federal clear zone easement across the property.

October 27, 2022
Julia Descoteaux

THE SITE IS WITHIN AN AREA OF HIGH AVIATION ACCIDENT POTENTIAL

The site is located within the Clear Zone, which is an area with a higher statistical rate of aviation accidents. Both the Initial Study and Planning Commission staff report fail to disclose the safety concerns related to the proposed development within the Clear Zone. The staff report and initial study should identify that the 2005 March ARB AICUZ identifies military accident data, from 1968 – 1995, involving 838 aviation accidents, and that 27.4% of those aviation accidents occur within the Clear Zone.

Aircraft accidents at March ARB are extremely infrequent, but when they do occur, there is a catastrophic potential, in part due to the operation of larger aircraft and refueling aircraft that carry as much as 83,000 pounds of aviation fuel. Modern jet-powered (since WWII) aviation accidents have occurred on approach from the south, including a 1978 B-52 accident resulting in the death of the flight crew and a 1988 Lear jet accident which landed short of the runway, resulting in the death of both crew members.

Please update the project analysis to address impacts to life and safety as it pertains to a high aviation accident potential site.

THE AICUZ LAND USE GUIDANCE DOES NOT SUPPORT PARKING LOTS

The 2018 AICUZ provides land use guidance identifying the proposed parking lot is an inappropriate use. Specifically, the 2018 AICUZ Land Use Compatibility Table (Appendix A) identifies that standard land use coding manual (SLUCM) use 46 (Auto Parking) is not a recommended use within the Clear Zone. To be more specific, the AICUZ identifies that the only recommended uses in the Clear Zone are highways and street right-of-way, agriculture, fishing activities and undeveloped land, all of which are precisely consistent with the restrictive easement purchased by the United States of America.

Please update the project analysis to address land use impacts as it pertains to the federally issued AICUZ.

VISUAL AND AESTHETIC IMPACTS:

As with other facilities that accommodate trailer storage for the logistics industry along Heacock Street, please provide a 12-foot-high masonry screen wall to screen views of trailers from adjacent roadways.

Please update the project analysis to address aesthetics issues to the site.

TRANSPORTATION IMPACTS ALONG HEACOCK STREET:

The discussion regarding improvement of Heacock Street as a through street from San Michele Road to Harley Knox Boulevard has been ongoing for many years. In general, representatives of March ARB have supported alternative circulation methods which do not include this connection. March JPA respectfully requests that further discussions occur on this matter between March ARB officials and city staff.

October 27, 2022
Julia Descoteaux

Three significant issues of concern are presented regarding the inadequacy of the proposed project analysis as well as risks to life safety through the disregard of a federal easement across the project site. We respectfully request that the Planning Commission either deny the project or continue the item until the applicant presents a more reasonable project design that is coordinated with MARB and eliminates safety impacts to the public and the airport.

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
Sean Kelleher, Moreno Valley Planning Director

Attach: Riverside County Recorded document #209559

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

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
Walter J. Pomy
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.

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 Iparagurrie
JENNIE IPARAGURRIE

Dated: August 23, 1984

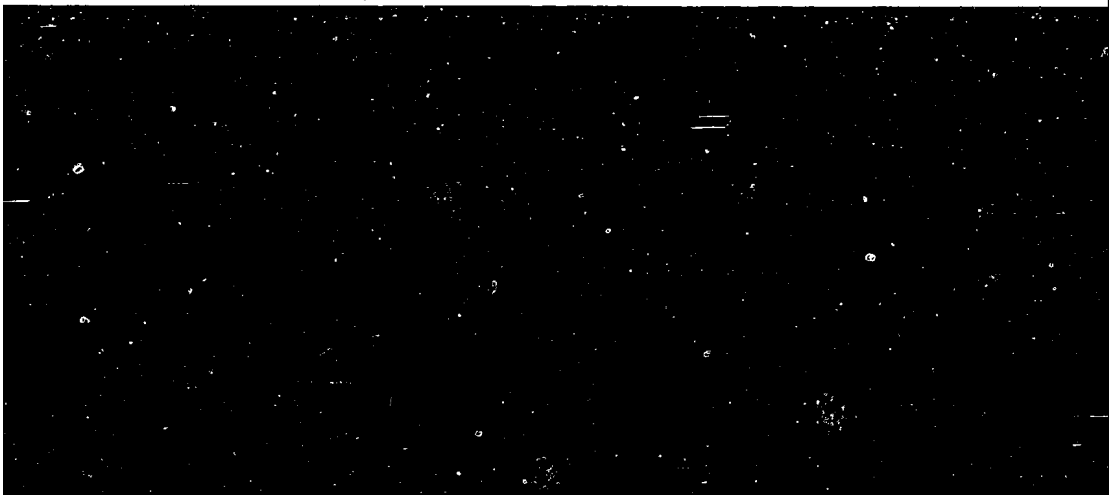
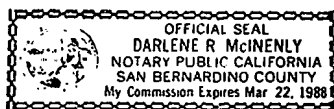
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

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

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: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

209559

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

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

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

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 aforementioned 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° 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° 15' 51" East a distance of 576.50 feet to the North line of said Lot 29; thence South 89° 31' 20" East along last said lot line a distance of 693.92 feet; thence South 0° 15' 48" East a distance of 596.54 feet; thence North 89° 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
Checked by: CU

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

EXHIBIT B

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

KEN CALVERT
42ND DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
2205 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0542
(202) 225-1986
FAX: (202) 225-2004

DISTRICT OFFICE:
400 SOUTH VICENTIA AVENUE
SUITE 125
CORONA, CA 92882
(951) 277-0042
FAX: (951) 277-0420



UNITED STATES
HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:

RANKING REPUBLICAN
DEFENSE

ENERGY AND WATER DEVELOPMENT

WWW.CALVERT.HOUSE.GOV
FACEBOOK.COM/REPKENCALVERT
@KENCALVERT

Dear Mayor Gutierrez,

I am writing to express my serious concern regarding the proposal to approve the development of an automobile parking lot adjacent to the south end of the runway at March Air Reserve Base (MARB). I am concerned the Airport Land Use Commission has not yet reviewed the project to determine the potential threat to operations at MARB and provide comments. There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study which that promotes collaborative planning, sustains the mission, and minimizes impact to MARB.

In that regard, it is my understanding that the easement held by the Department of Defense restricts all activities except agriculture, grazing, permanent open space, existing water rights, and communications and utility rights-of-way. I concur with the March Joint Powers Authority's assessment that the proposed automobile parking lot appears to violate the Clear Zone easement; and that, if approved, the project presents a clear and present danger to military and civilian air operations at MARB.

For decades, I have fought to protect the Base from encroachment and ensure mission success. My primary concern is that this project will negatively impact not only current operations, but the future mission of the new KC-46A tanker and the long-term viability of the Base. Accordingly, I respectfully request that you hold approval for this proposed project as currently sited, and that an alternative proposal be developed to mitigate the negative impacts noted above.

Thank you for your consideration. I welcome the opportunity to discuss this project with you at your convenience.

Sincerely,

KEN CALVERT
Member of Congress



EXECUTIVE OFFICE

JEFFREY A. VAN WAGENEN, JR.
COUNTY EXECUTIVE OFFICER

JUAN C. PEREZ
CHIEF OPERATING OFFICER

DAVE ROGERS
CHIEF ADMINISTRATIVE OFFICER

SAYORI BALDWIN, ASSISTANT CEO
HUMAN SERVICES

BRENDA DIEDERICH, ASSISTANT CEO
SPECIAL PROJECTS

CHARISSA LEACH, ASSISTANT CEO
PUBLIC WORKS & COMMUNITY SERVICES

ZAREH SARRAFIAN, ASSISTANT CEO
HEALTH SYSTEM

October 28, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley Community Development
14177 Frederick Street
Moreno Valley, CA 92553
Via Email to juliad@moval.org and USPS Mail

RE: Plot Plan (PEN21-0102) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan, Clear Zone District (Specific Plan 208).

Ms. Descoteaux:

We are providing this letter to state the County of Riverside's concerns, and opposition to, the proposed Plot Plan (PEN21-0102) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan, Clear Zone District (Specific Plan 208). It is our understanding that this item was continued to the Planning Commission meeting on December 22, 2022 to allow the applicant to meet with representatives from March Air Reserve Base (MARB) and staff from the March Joint Powers Authority (JPA).

The County shares the concerns outlined by the Riverside County Airport Land Use Commission (ALUC) in a letter dated October 24, 2022. The ALUC letter identifies impacts to public health, safety, and welfare within the "Clear Zone" (Zone A) as defined in the 2014 March Air Reserve Base/Inland Port Airport Land Use Plan (March ALUCP) and the U.S. Air Force 2018 Air Installation Compatibility Use Zone Study (AICUZ). The ALUC letter specifies why this use is inconsistent with the March ALUCP and the ALUC role of protecting the public health & safety and aircraft operations.

This parking lot use in the Clear Zone will be detrimental to the national defense operations at the March ARB. Parking lots are prohibited in the Clear Zone by U.S. Department of Defense Instruction (DoDI) No. 4165.57.

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

The County has been working in partnership with the City and our other partner jurisdictions on the March Joint Powers Authority to prioritize protection of MARB as the highest priority due to its importance to our national defense and regional economic well-being. Studies done in 2014 estimated that MARB had an annual economic impact on the region of \$579M, which is much higher today. Given the Base's critical importance, the March JPA partner agencies have together embarked on the March Compatible Use Study to determine future measures needed to be considered for long-term base protection.

We appreciate the actions taken by the City to continue the hearing on this case to December in order to allow meaningful conversation between the City, applicant, and the MARB and MIPA. It is imperative that this matter be resolved in a way that protects the operations of MARB and is in the interest of its long-term protection, for the good of our entire region.

Sincerely,



Juan C. Perez
Chief Operating Officer
County of Riverside

CC: Supervisor Jeff Hewitt, Chairman, District 5
Supervisor Kevin Jeffries, District 1
Jeff Van Wagenen, Chief Executive Officer
Tina Grande, Principal Policy Analyst

November 11, 2022

Julia Descoteaux, Senior Planner
 City of Moreno Valley Community Development
 14177 Frederick Street
 Moreno Valley, CA 92533
 Via Email to juliad@moval.org

RE: Plot Plan PEN21-0102 (the “Proposed Plan”) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan

Ms. Descoteaux:

I am providing this letter in support of the Proposed Plan for an automobile parking lot on 9.4 acres in Moreno Valley.

- A. I have conducted an analysis of all of the properties located in the Clear Zone District that applies to the subject property. I have identified thirty-three (33) properties total of which twenty-three (23) properties are privately owned and the remaining are government owned.

SUMMARY OF PROPERTY FINDINGS (all located in the Clear Zone):

There are a total of seven properties (6-privately owned & 1-government owned) which have significant commercial, industrial and residential development ranging from a double wide trailer, SFR, barn, structures, truck/auto parking lots, trailer parking, storage yard, scrap yard, fencing and more.

1. Two of seven properties have no recorded avigation easements.
2. Four of the five remaining parcels are subject to the same or similar clear zone easement as the subject property.
 - a. One of the properties (APN 294-220-013) subject to the clear zone easement, has an additional Avigation Easement and Release from owner (Grantor) and accepted by MARB—on behalf of the March Inland Port Airport Authority, and City of Perris (Grantees) in order to authorize the owner’s development on the property.
3. Notably one parcel (APN 316-211-014) owned by U.S.A. includes residential development including a double wide trailer, barn, house and parking lot.

Some of the parties objecting to the Proposed Plan, including MARB, USAF, Riverside County/ALUC, and others, have stated that parking lots are prohibited in the clear zone. Based on these findings parking lots, and many other uses, including residential, parking, structures, commercial and industrial activities, are allowed in the clear zone.

See attached aerial map and tables of properties.

If these current uses are permitted on other properties in the clear zone, then they are compatible with the goals of promoting safety and regional economic development and therefore compatible under the Proposed Plan.

B. ECONOMIC BENEFIT OF THE PROPOSED PLAN:

MARB is a joint use airport with commercial, logistical and general aviation activity for corporate aircraft and is centered in one of the fastest growing distribution and logistics areas of the United States.

Facilities include Jet-A-Way Café, Pilot's Planning Room, Coffee Bar, Conference Room, Pilot's Theater Room, Luxury crew cars, Hertz Rent-a-Cars and Catering. MARB is also home to Amazon Air which according to an article in the Press-Enterprise on 7/28/2019, was approved for 5 cargo flights a day from MARB.

It is reasonable to believe that a parking lot adjacent to this logistics transportation hub would be highly contributory to the region's long-term economic development.

C. SAFETY CONCERNS:

The subject property is approximately 1,600 - 1700 feet from the end of the runway. There are many examples of parking lots and other significant commercial development within the same proximity to a military or commercial runway.

For example, at Joint Base Pearl Harbor Hickam (JBPHH) which shares runways and taxiways with the Daniel K. Inouye International Airport on the island of Oahu, Hawaii, there are multiple parking lots adjacent to the runways, some within 1,200 feet.

More locally at LAX, which has above ground and ground level parking lots, an In-N-Out Burger and other structures all within 1,670 feet of the runway. And Ontario airport which has several semi-trailer parking lots at the end of the runway all within 1,200 feet.

See attached diagrams.

It is reasonable to believe that a parking lot adjacent to MARB poses no greater risk to safety than the above cited airports.

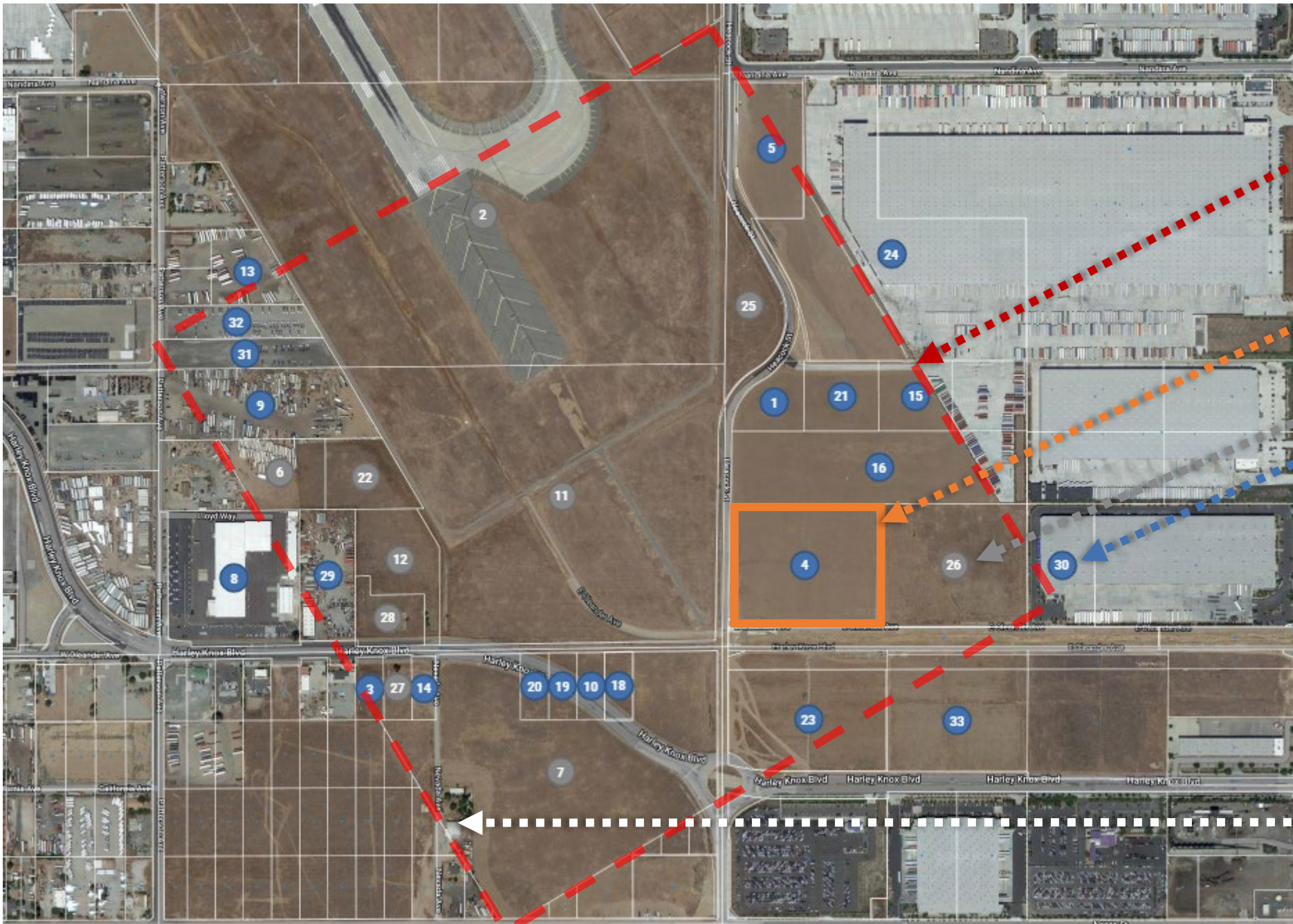
I appreciate the opportunity to present these findings and observations in support of the Proposed Plan.

For the reasons stated above, the City of Moreno Valley should not discriminate against the applicant and approve the proposed plot plan.

Sincerely,



Senior Vice President
Kennedy Wilson
CaDRE# 00912230



Clear Zone Boundary

Subject Lot

Govt Owned Parcel (gray)

Privately Owned Parcel (blue)

Double side trailer, barn, parking lot

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics

Map No	Activity In Clear Zone	PropertyID	APN	OwnerName	LandUse	LandUseType	Res.FullBaths	ParkingSqFt	Parking
7	Residents, barn, commercial	14798768	314-153-072	USA 314	RESIDENTIAL (NEC)		0	0	
8	Parking, structures	15807212	294-220-019	D HOWARD & HOWARD GIFT	LIGHT INDUSTRIAL		0	0	
9	Trailers, storage (hazard mat?)	16089936	294-220-010	DEAN DONALD	COMMERCIAL LOT		0	0	
13	Trailer parking	16994709	294-200-005	ROBERT & JOAN GIBEL	VACANT -RESIDENTIAL LAND		0	0	
29	Parking/Storage	14394411	294-220-013	MICHAEL & LISA PULCHEON	LIGHT INDUSTRIAL		0	0	
31	Truck parking	17131245	294-200-007	LAND MV	MOBILE HOME LOT	MM	2	400	CARPORT
32	Truck parking	18637712	294-200-006	LAND MV	COMMERCIAL LOT	G1	0	0	
1	Unknown	13598141	316-211-009	FIRST INDUSTRIAL	COMMERCIAL LOT	RA5	0	0	
3	Unknown	13910212	314-153-076	45 3RD AVE LLC	COMMERCIAL LOT	G1	0	0	
5	Unknown	14353343	316-211-007	JOSE & MARTHA PEREZ	VACANT -RESIDENTIAL LAND		0	0	
10	Harley Knox Bl	16125519	314-153-013	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
14	Unknown	17037266	314-153-077	HECTOR TELLO & MARICELA DEVALLADOLID	COMMERCIAL LOT	G1	0	0	
15	Unknown	17101096	316-211-011	FIRST INDUSTRIAL	INDUSTRIAL (NEC)	RA5	0	0	
16	Unknown	17527756	316-211-013	FIRST INDUSTRIAL	INDUSTRIAL (NEC)	RA5	0	0	
17	Harley Knox Bl	18125306	009-615-667	HAZEL HALSEY	RESIDENTIAL (NEC)		0	0	
18	Unknown	18353856	314-153-014	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
19	Harley Knox Bl	18681967	314-153-012	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
20	Harley Knox Bl	18869992	314-153-011	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
21	Unknown	18904719	316-211-010	FIRST INDUSTRIAL	COMMERCIAL LOT	RA5	0	0	
23	Unknown	223518760	302-020-051	BOYD CARGILL & CAROLYN BRAZIL	LIGHT INDUSTRIAL		0	0	
24	Unknown	230555480	316-211-001	FIRST INDUSTRIAL	WAREHOUSE		0	0	
30	Unknown	14468537	316-211-019	FIRST INDUSTRIAL	WAREHOUSE	RA5	0	0	
33	Unknown	179887203	302-020-048	FR CA PROPERTY HOLDING LP	NURSERY/HORTICULTURE		0	0	
Subject									
4	None	14122276	316-211-014	LLC COMMERCE	AGRICULTURAL LAND	RA5	0	0	
Government									
2		13668590	294-200-002	NONE	VACANT -RESIDENTIAL LAND		0	0	
6		14531532	294-220-014	USA 294	VACANT -RESIDENTIAL LAND		0	0	
11		16514450	294-220-003	NONE	VACANT -RESIDENTIAL LAND		0	0	
12		16876439	294-220-006	USA 294	RESIDENTIAL (NEC)		0	0	
22		18908191	294-220-012	USA 294	VACANT -RESIDENTIAL LAND		0	0	
25		230555901	316-211-008	NONE	VACANT -RESIDENTIAL LAND		0	0	
26		230556115	316-211-015	USA 316	COMMERCIAL LOT		0	0	
27		14691664	314-153-009	USA 314	MOBILE HOME LOT		0	0	
28		15263046	294-220-007	USA 294	RECREATIONAL (NEC)		2	0	CARPORT

SEE NEXT PAGE

NO VISIBLE ACTIVITY PER AERIAL

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics

This page includes references to recorded docs for Clear Zone Easements and other aviation easements.

Click on this link to view recorded docs

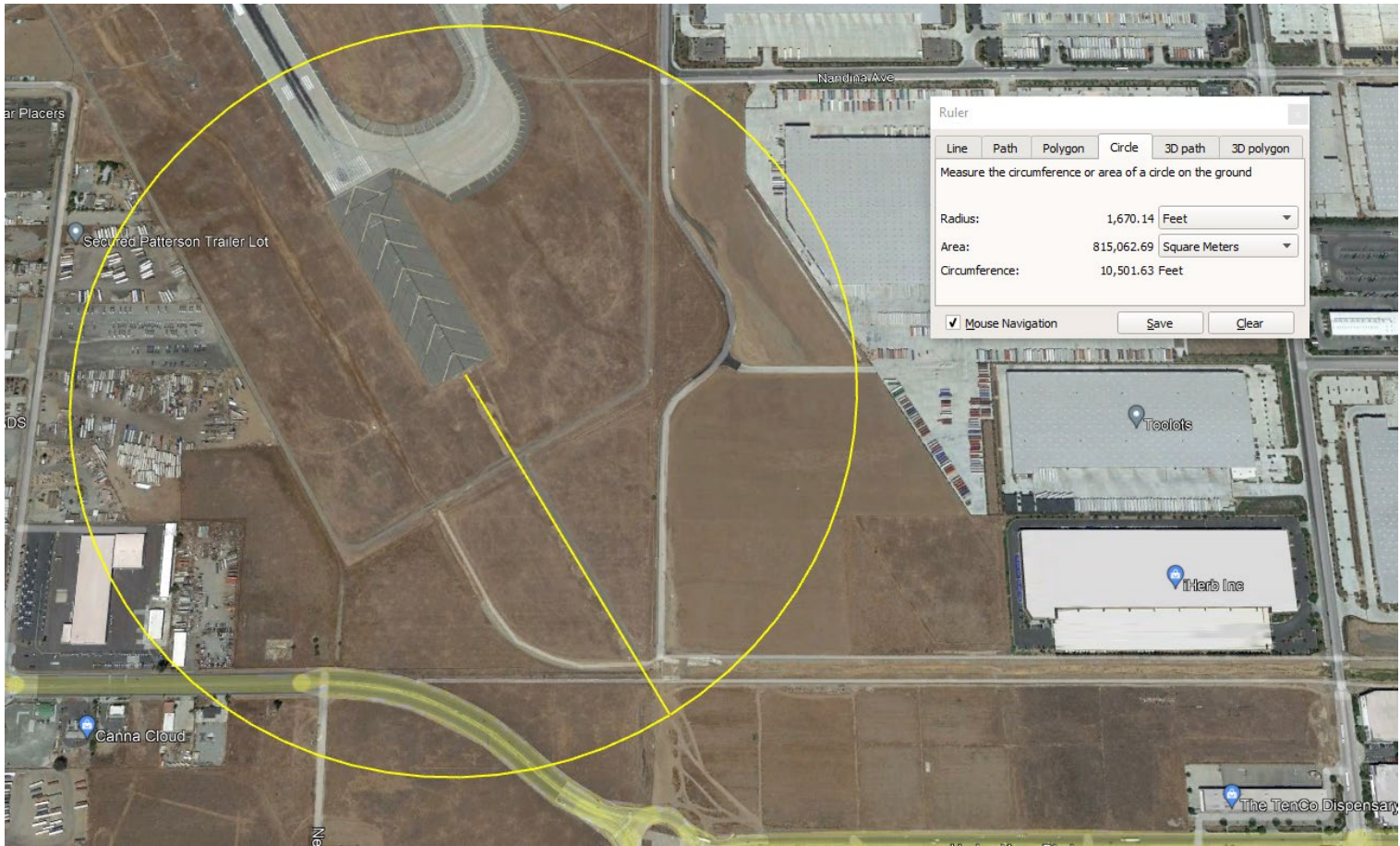
1.r

<https://kennedywilson.box.com/s/fbwj0hiou1fgdbegsqv6hztemo2h2>

Map No	APN	Activity In Clear Zone (based on Google Map Aerial)	Easement Pertaining to airfield/aircraft/MRAB (other than CZ)	Recorded Easement(s) Doc. No. (CZ = Clear Zone Doc same as Subject)	Clear Zone Easement	Private or Govt?	Titled Owner	LandUseCode (per Title Co)	LandUseType	Res.FulIBaths	ParkingSqFt	ParkingDesc
4	316-211-014	SUBJECT – None		1984.209559 (CZ)	Yes		COMMERCE LLC	AGRICULTURAL LAND	RA5	0	0	
7	314-153-072	Residences	1) A portion of said land lies within clearance easement for the establishment, maintenance and use of an aircraft approach zone as disclosed by documents Recorded October 27, 1955 in Book 1813, Page 86, November 4, 1955 in Book 1816, Page 225, December 9, 1955 in Book 1831, Page 543 and May 7, 1956 in Book 1907, Page 440 all of Official Records of Riverside County, California. (Affects Parcel 2). 2) The terms, provisions and easement(s) contained in the document entitled "Grant of Easement-March Air Reserve Base" recorded May 15, 2013 as Instrument No. 2013-0230320 of Official Records. (Affects Parcel 2). 3. The terms, provisions and easement(s) contained in the document entitled "Grant of Easement-March Air Reserve Base" recorded June 12, 2017 as Instrument No. 2017-0233737 of Official Records. (Affects Parcel 2)	2013.0230320, 2017.0233737	None found	Private & Govt	Margarito Morales, a married man, as his sole and separate property as to Parcel 1; The United States of America, as to Parcel 2	RESIDENTIAL				
8	294-220-019	Parking, structures	N/A	None	None found	Private	Cynthia De. Howard, Trustee and Bradley D. Howard, Trustee	LIGHT INDUSTRIAL				
9	294-220-010	Trailers, storage, haz mat?	An easement for Runway Approach For Aircraft and incidental purposes, recorded 11/7/55 Book 1817, Page 115 and 9/11/56 Book 1969, Page 1	1985.106139 (CZ)	Yes	Private	Donald Durst, an unmarried man	COMMERCIAL LOT				
13	294-200-005	Trailer parking	1) An easement for aircraft approach zone and incidental purposes, recorded November 07, 1955 as Book 1817, Page 115 of official records. In Favor of: United States of America Affects: as described therein 2) An easement for aircraft approach zone and incidental purposes, recorded September 11, 1956 as Book 1969, Page 1 of Official Records. In Favor of: United States of America	None	None found	Private	ROBERT A. GIBEL AND JOAN K. GIBEL, TRUSTEES OF THE GIBEL FAMILY TRUST, DATED AUGUST 5, 2004	VACANT - RESIDENTIAL LAND				
29	294-220-013	Parking/Storage	Easement for aviation and incidental purposes, recorded October 31, 2005 as Instrument No. 2005-0903018 of Official Records. In Favor of: City of Perris, a municipal corporation of the state of california, and to the March inland Port Airport Authority its successors, assigns. See Note below.	2005.0903018, 1984.209558(CZ)	Yes	Private	MICHAEL & LISA PULCHEON	LIGHT INDUSTRIAL				
31	294-200-007	Truck parking	Easement for aviation easement and incidental purposes recorded as Book 1507, Page 529. 2. An easement for aviation easement and incidental purposes in the document recorded 11/7/55, Book 1730, Page 115. 3. An easement for aircraft approach zone and incidental purposes recorded 9/11/56, Book 1969, Page 1.	1985.106138 (CZ)	Yes	Private	MV LAND LLC	MOBILE HOME LOT	MM	2	400	CARPORT
32	294-200-006	Truck parking	Easement for aircraft approach easement and incidental purposes, recorded 11/7/55 as Instrument No. 70811 in Book 1817, Page 115 in favor of USA	1984.190270 (CZ)	Yes	Private	MV LAND LLC	COMMERCIAL LOT	G1			

Special attention for Doc. No. 2005.0903018 on APN 294-220-013, which is an Aviation Easement and release from owner (Grantor) to airfield and City of Perris who probably Grantor was seeking an approval of a development on its property.

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics



MARB



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics

HICKAM AFB
AND
DANIEL K INOUE INTL
AIRPORT
OAHU, HAWAII



Image © 2022 Maxar Technologies



HICKAM AFB
AND
DANIEL K INOUYE INTL
AIRPORT
OAHU, HAWAII

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the circumference or area of a circle on the ground

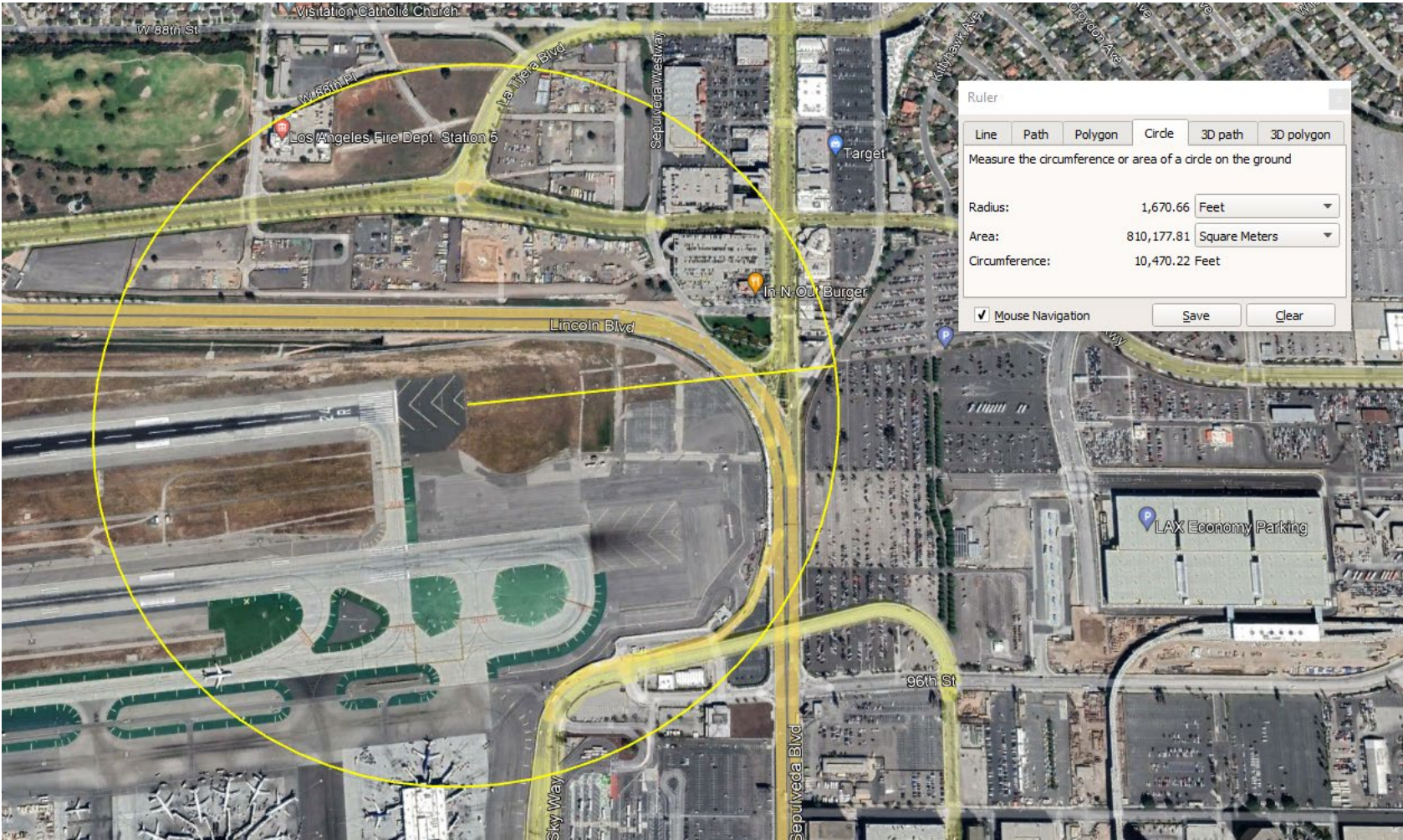
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Area: 434,112.12 Square Meters

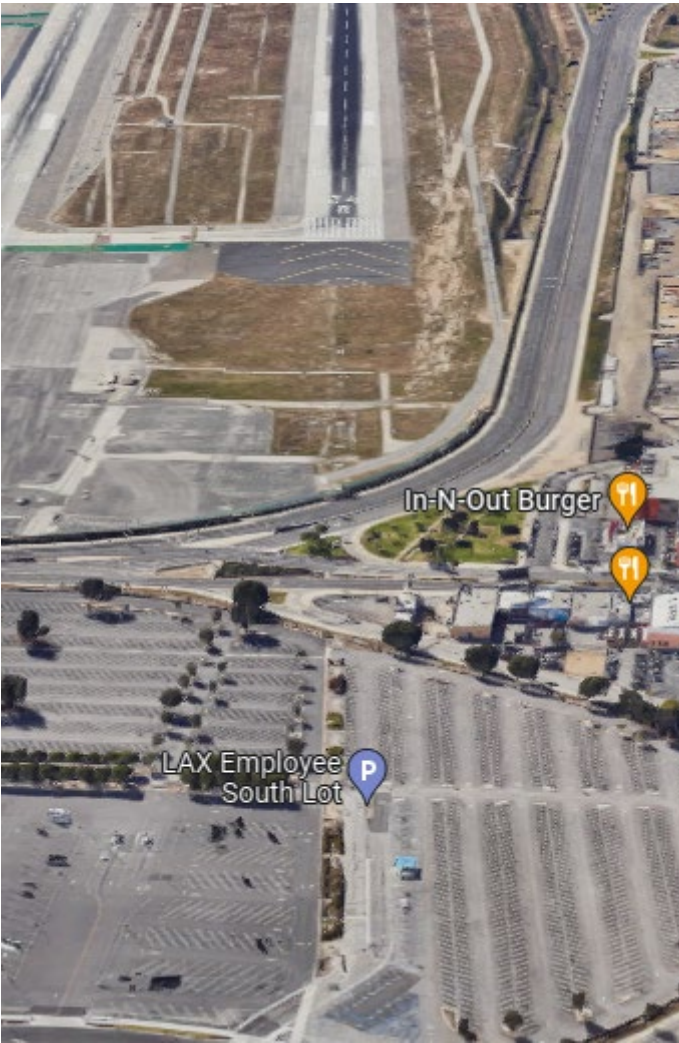
Circumference: 7,654.95 Feet

Mouse Navigation Save Clear

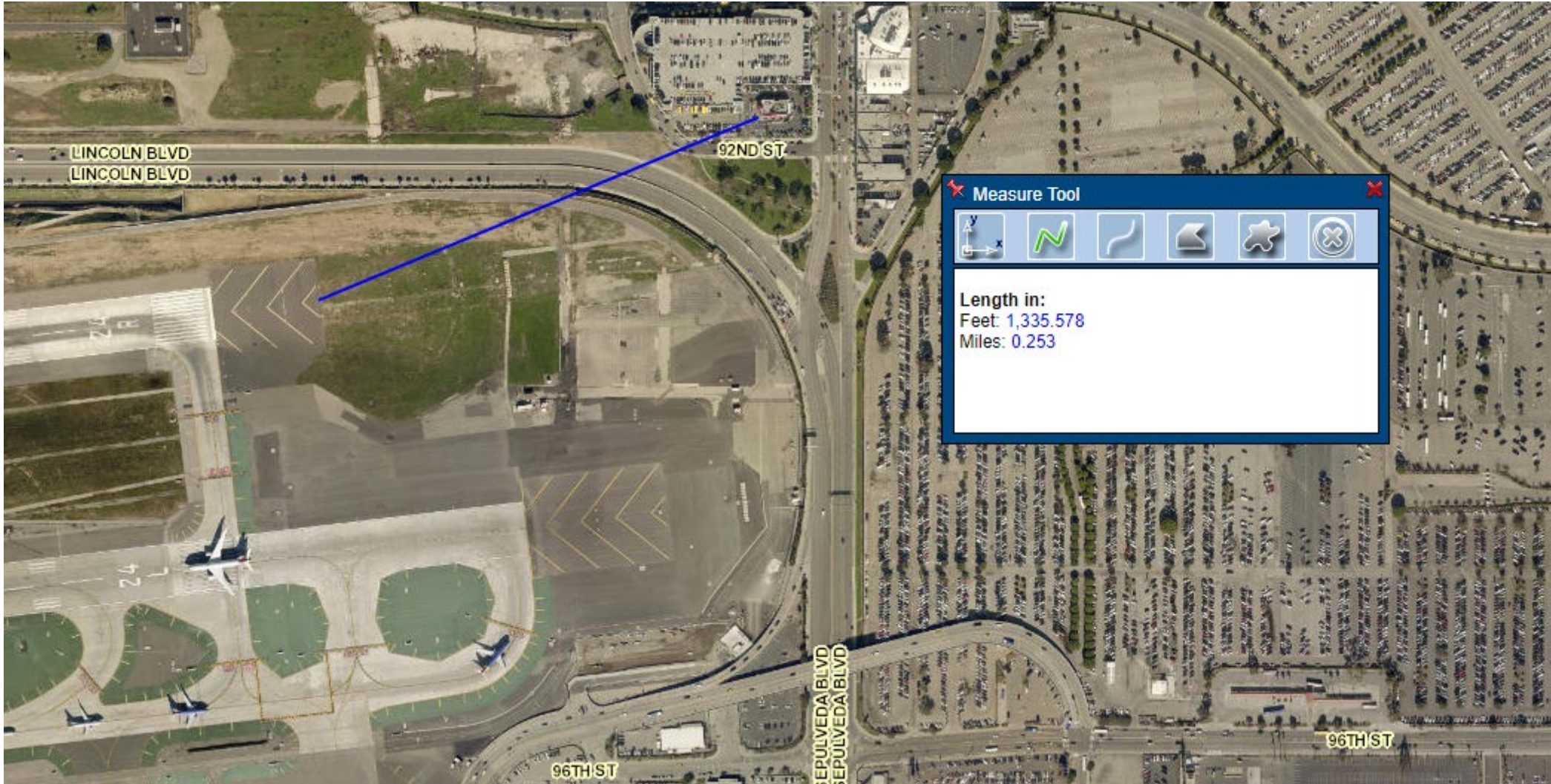




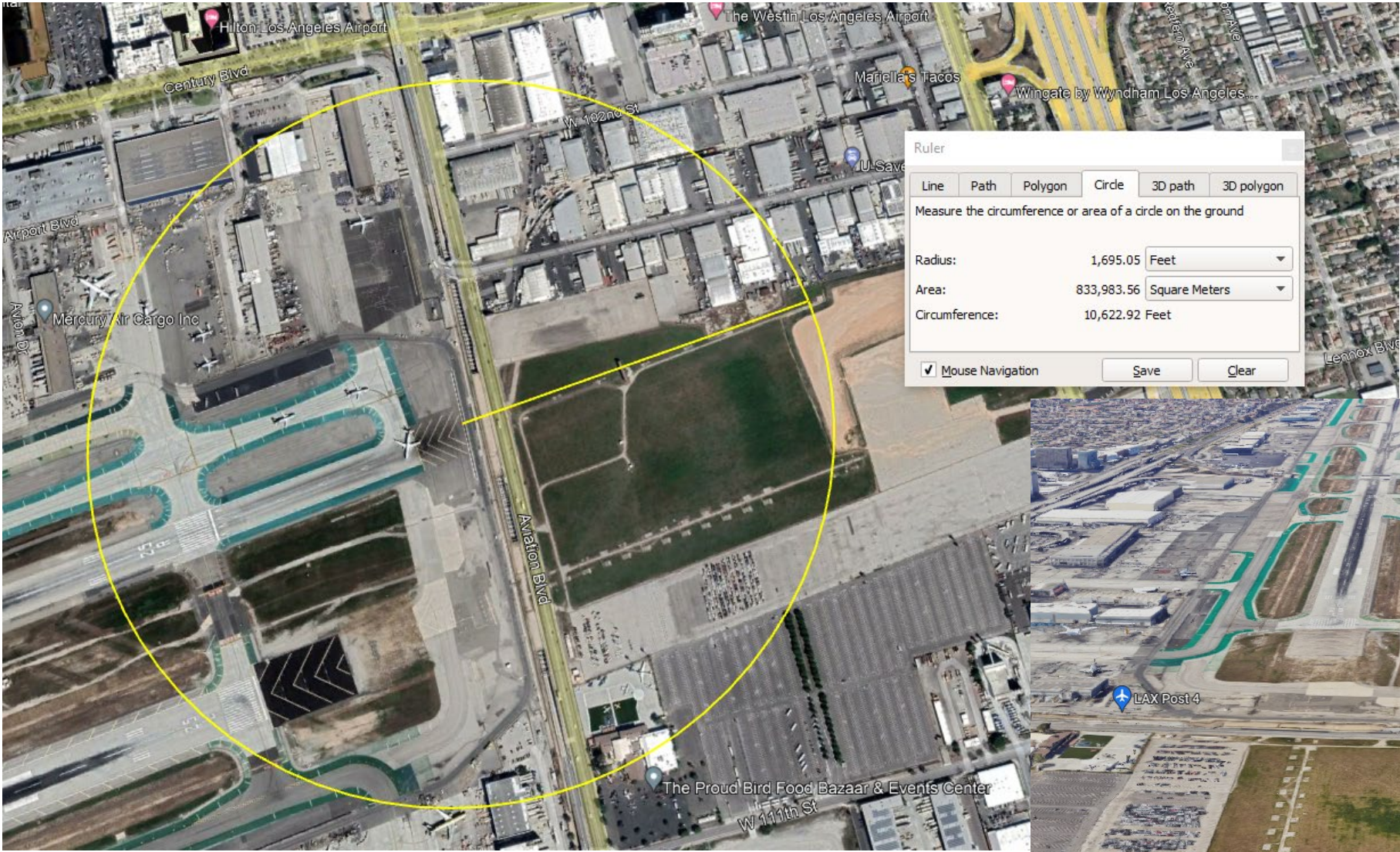
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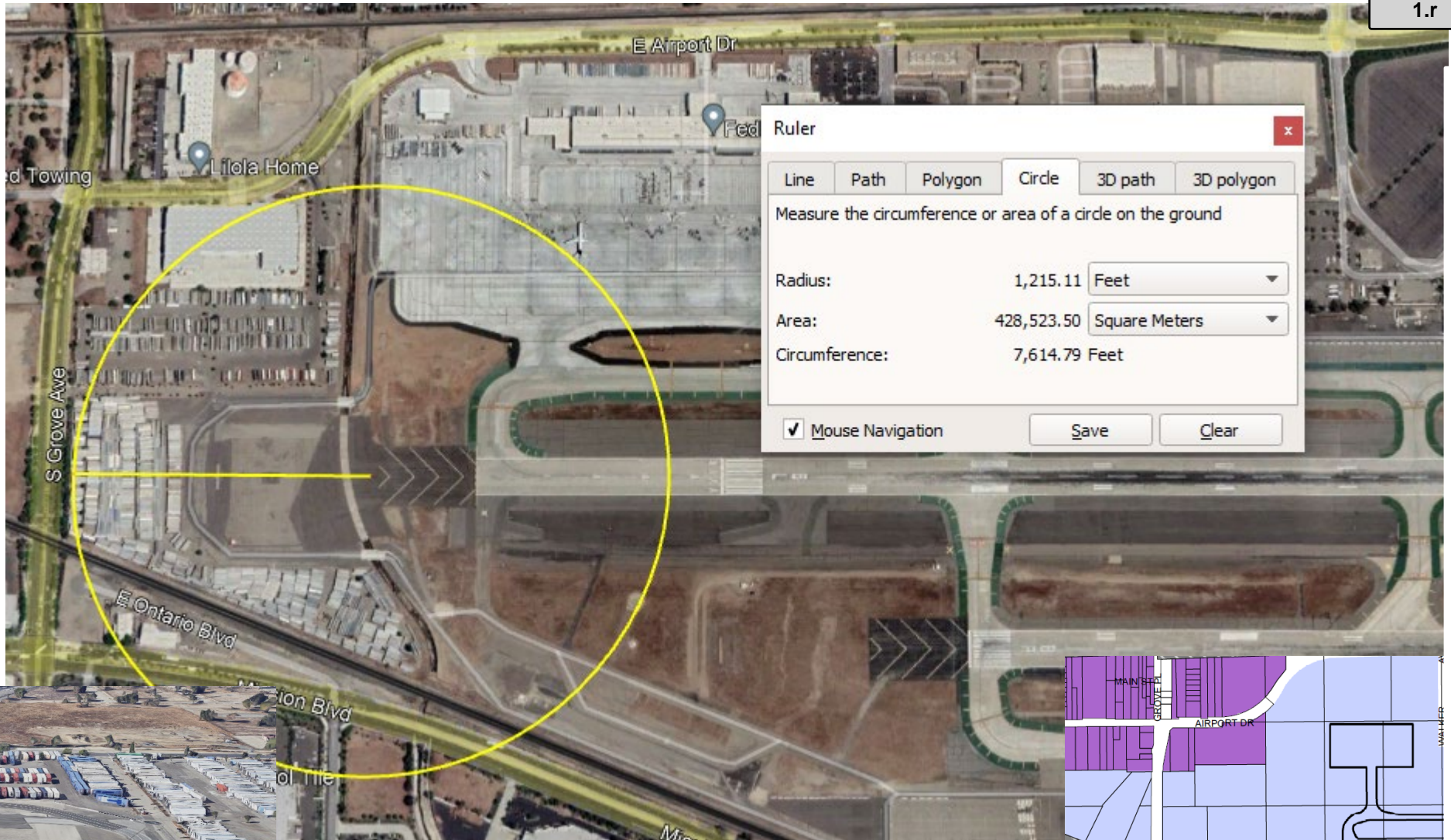
Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics



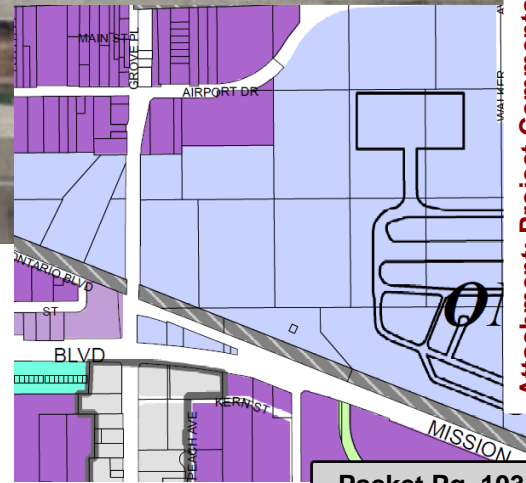
LAX



LAX

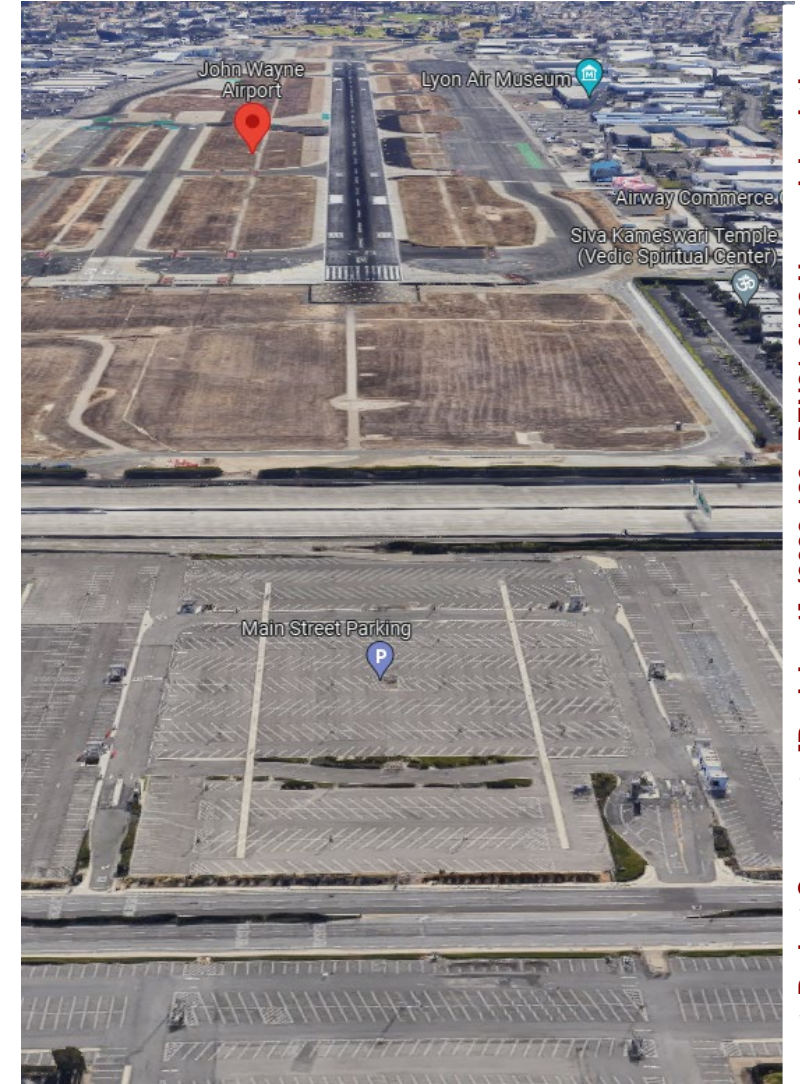


ONTARIO

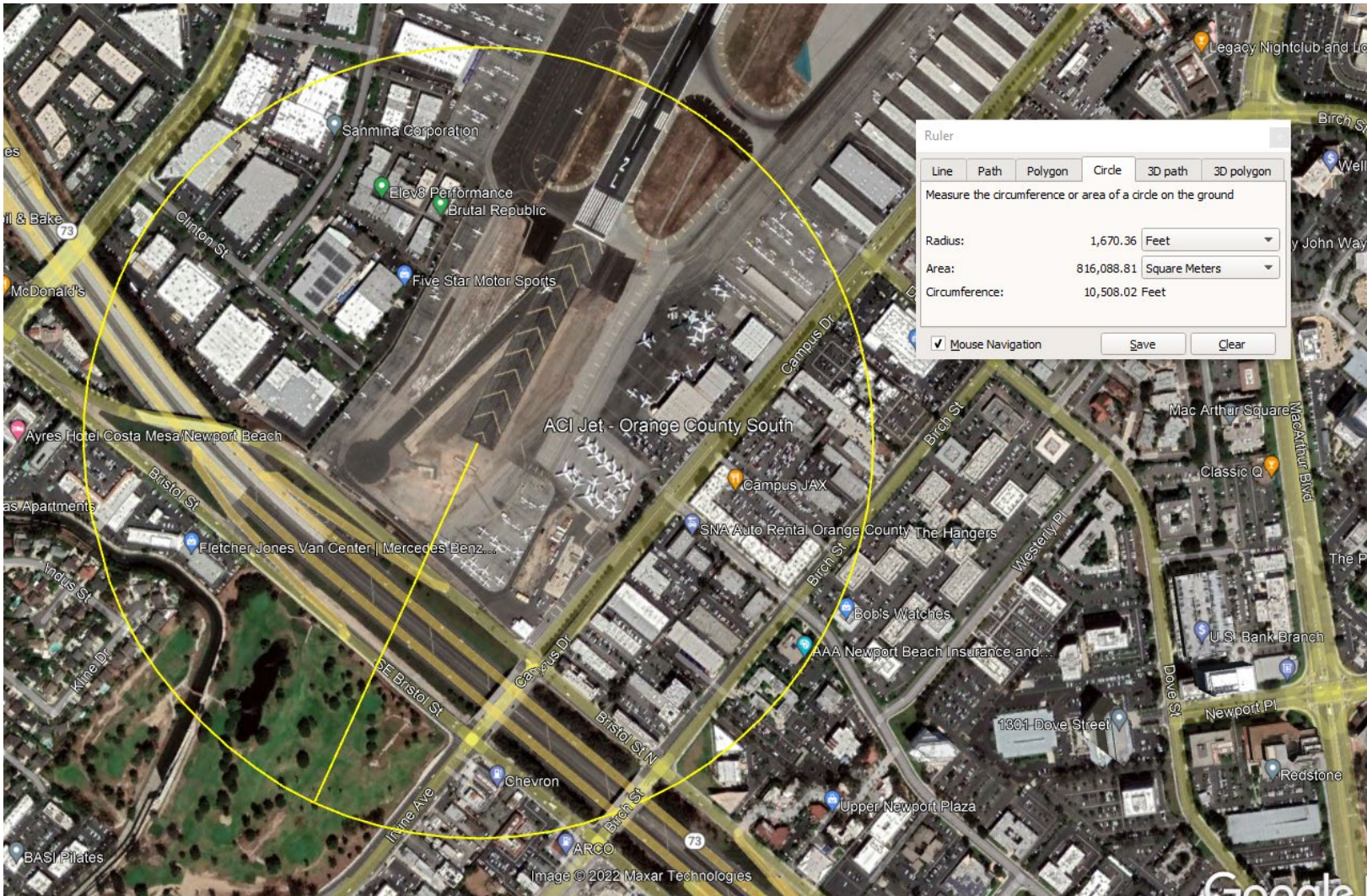




JOHN WAYNE



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics

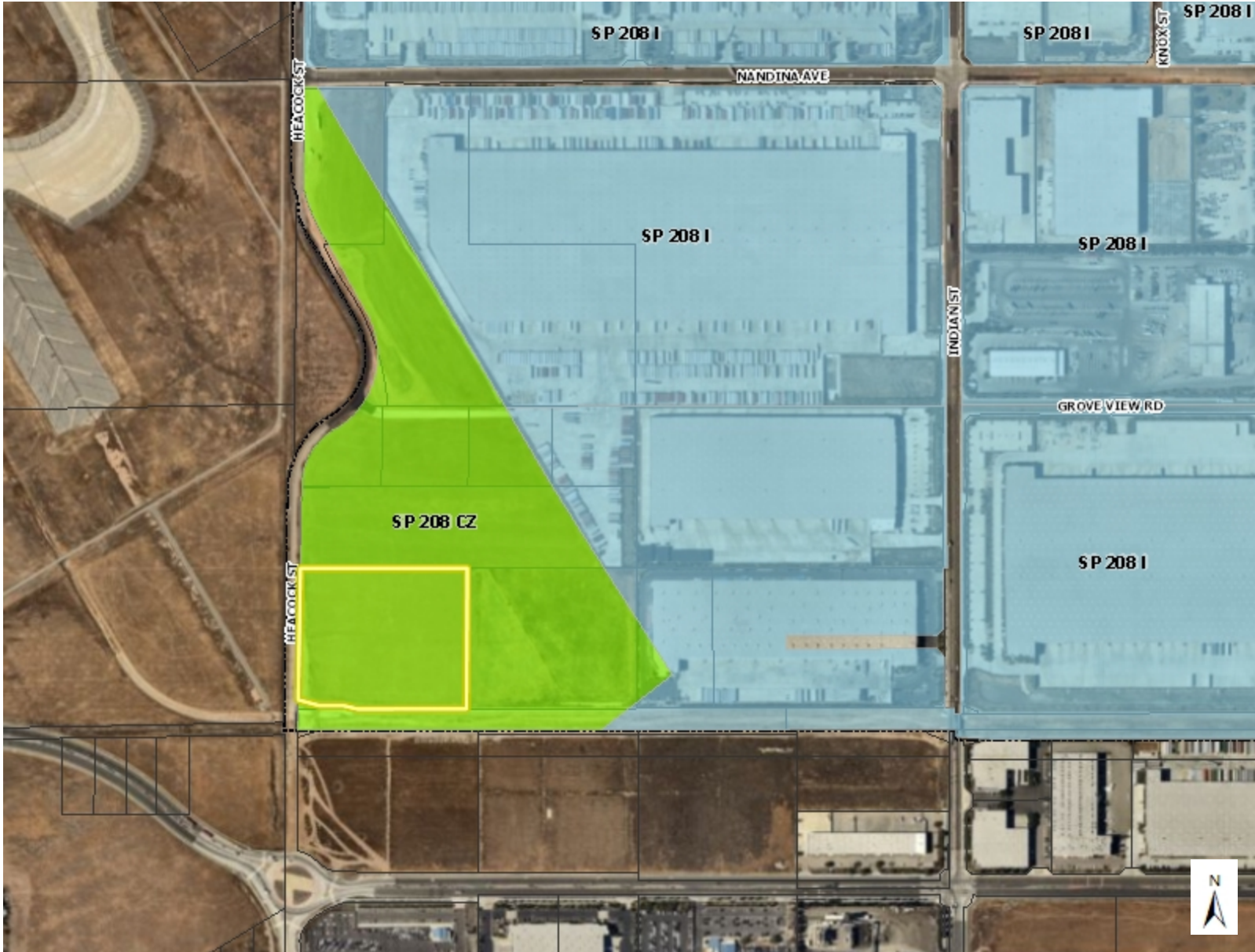


JOHN WAYNE



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics

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

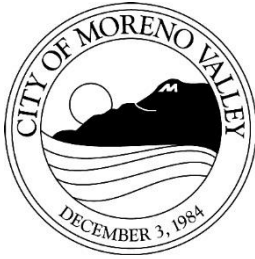
- Parcels
- City Boundary
- Sphere of Influence

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.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: December 22, 2022

A CONDITIONAL USE PERMIT FOR THE OPERATION OF A COMMERCIAL CANNABIS MICROBUSINESS WITHIN AN EXISTING 30,905 SQUARE-FOOT SUITE WITHIN THE SUNNYMEAD VILLAGE CENTER

Case: PEN21-0174 – Conditional Use Permit

Applicant: I.E. Gardens I, LLC, Shade Awad

Property Owner: K & R Investments

Representative: Shade Awad

Project Site: Sunnymead Village Center
Southeast corner of Alessandro Boulevard and Indian Street.
APN: 482-520-004

Case Planners: Senior Planner, Julia Descoteaux
Contract Planner, Malinda Lim

Council District: 3

Proposed Project: Conditional Use Permit (PEN21-0174) for the operation of a cannabis microbusiness within an existing 30,905 square-foot building at 24595 Alessandro Boulevard.

CEQA: Exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 1 Exemption (Section 15301, Existing Facilities) and 15061(b)(3) common sense exemption

SUMMARY

The Applicant, I.E. Gardens I, LLC, is requesting approval of a Conditional Use Permit (CUP) PEN21-0174 (“Project”) to allow a 30,905 square-foot cannabis microbusiness,

I.E. Gardens I, LLC, consisting of 10,000 square feet for cultivation, a 4,759 square-foot dispensary, and remaining square footage for distribution and common areas within an existing building at the Sunnymead Village Center. The Proposed Project is located at the southeast corner of Alessandro Boulevard and Indian Street (“Project Site”) in the Commercial Mixed Use (COMU) Zoning District. The Applicant is proposing hours of operation between 6 a.m. to 10 p.m. seven days a week. This Proposed Project, as conditioned, is consistent with the goals, policies, and objectives of the City’s General Plan and Municipal Code.

BACKGROUND

The Project Site was developed and operated as a grocery store until the grocery store relocated to its current location on Iris Avenue. The existing building has remained vacant since. The proposed cannabis microbusiness will occupy the entirety of the existing building.

Maximum Number

Section 9.09.290 (Commercial Cannabis Activities) of the Municipal Code provides that commercial cannabis land use activities (such as the Proposed Project) are conditionally permitted on, but not limited to, lands zoned Community Commercial (CC). In other words, each type of activity must be located in a permitted zone within the City, as set forth in Title 9 (Planning and Zoning) of the Municipal Code, and each activity requires a CUP issued by the Planning Commission.

Currently, the City permits the approval of a maximum of (seven microbusinesses throughout the entire City. The table below identifies, amongst other things, 1) the maximum number of CUPs that may be issued for the entire City for each type of commercial cannabis business activity, and 2) the number of CUPs issued for each commercial cannabis business activity.

Types of Commercial Cannabis Activities	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications Pending Review	Number of Conditional Use Permit Applications Approved
Dispensaries	25	25	23	3	22
Testing Facilities	1	0	0	0	0
Cultivation	5	5	3	3	0
Microbusinesses	7	7	5	3	4
Distribution	2	2	2	1	1
Manufacturing	3	2	2	2	0

As mentioned herein, the Applicant was issued one of the seven issued Microbusiness Provisional Business Permits. The Proposed Project is included within the five Microbusiness Conditional Use Permit Applications submitted and included within the 3

identified Microbusiness Conditional User Permit Applications Pending Review. If the Proposed Project is approved, this would be the 5th Microbusiness CUP approved, allowing for only two more under the City's current regulations.

PROJECT DESCRIPTION

Proposed Project

The Applicant is requesting approval to establish a cannabis microbusiness named I.E. Gardens I, LLC. The Project Site is located at 24595 Alessandro Boulevard within the Sunnymead Village Center in the existing vacant 30,905 square-foot building. The Applicant proposes to operate a cannabis microbusiness including 10,000 square feet for cultivation, a 4,759 square-foot retail dispensary for on-site sales, and the remaining square footage for the distribution process, with common areas. Municipal Code Section 9.09.290 E(6)(b) (Commercial Cannabis Microbusinesses), defines a microbusiness as a cannabis facility that includes a combination of at least three of the following four activities: manufacturing, cultivation (limited to 10,000 square feet), distribution, and dispensary.

The Applicant has proposed to utilize the original public entrance at the front of the existing building on the north for customer access into the retail portion. Tenant improvements include modifications to the existing building floor plan by adding new full-height wall partitions to establish a lobby, reception, offices, retail area, cultivation rooms, distribution rooms, and storage rooms.

The proposed floor plans illustrate that the existing mezzanine will be used for storage purposes. Customer and employee parking will be provided within the main parking lot for the center. The hours of operation for the cannabis business are only permitted between the hours of 6:00 am and 10:00 pm to be consistent with provisions in state law.

Site/Surrounding Area

The Project Site is a developed parcel with access from Indian Street and Alessandro Boulevard. The Project Site is located within the Commercial Mixed-Use District, which allows for the proposed use with the approval of a Conditional Use Permit. The Project Site is within the Sunnymead Village Center, which is developed with multiple retail buildings. To the north and south of the commercial center are single-family residential properties. Across Alessandro Boulevard to the north and across Indian Street to the west are existing multi-tenant commercial centers also within the Commercial Mixed-Use District.

Access/Parking

Three existing driveways along Alessandro Boulevard and two existing driveways along Indian Street, provide access to the Project Site. As the Proposed Project will occupy an existing retail space, no additional parking is required, as the existing parking meets the applicable parking requirements. The Proposed Project will be required to upgrade the

parking lot to include a slurry seal and restriping of the parking stalls within the Proposed Project's boundaries.

Design/Landscaping

The Applicant proposes to keep the existing design elements and colors of the existing building unmodified to be consistent with the rest of the shopping center. Existing landscaping areas will be replanted as necessary, and additional landscaping improvements will be provided along Alessandro Boulevard and Indian Street frontages where necessary on the Proposed Project's parcel, and within the commercial center.

Proposed Project Entitlements

Status of Provisional Commercial Cannabis Regulatory Permit

On June 3, 2021, I.E. Gardens I, LLC, received a provisional Commercial Cannabis Business Permit (MVCCRP-MB0005) for a microbusiness from the City of Moreno Valley. The Applicant states they will apply for the necessary state permits once the Planning Commission approves the CUP application.

CONDITIONAL USE PERMIT

The Applicant is requesting approval for a CUP to operate a 30,905-square-foot microbusiness. It will be consistent with all applicable federal, state, and local requirements, including all applicable provisions of Moreno Valley Municipal Code Section 9.09.290 and Title 5 (Business Regulations).

- **Safety and Security Plans**

The security measures that are proposed are similar to other cannabis businesses and comply with the provisions of Section 9.09.290 of the Moreno Valley Municipal Code. The Safety and Security Plans provided to the City identify methods to address site security for employees, customers, and the public, as well as fire prevention methods that comply with local and state laws and include provisions for on-site security guards, a fire alarm system, on-site safety, and security signage, parking lot lighting, secured parking area for deliveries, a video surveillance system, and a system for the transfer of product and currency. A condition of approval has been placed requiring the Applicant to provide all video to the City's Police and Fire Departments upon request.

- **Odor Control Plan**

An Odor Control Plan has been prepared in conformance with City requirements to ensure the abatement of all potential odors that could emanate from cannabis products. All areas of the dispensary will be equipped with sufficient odor, absorbing ventilation, and an exhaust system so that odor generated inside that facility is not detected outside of the premises or in the neighboring suite. To control odors, humidity, and mold, the applicant will install and maintain an exhaust air filtration system with odor control through carbon scrubbers, installation of vent dampers, sealing and insulation of ducts,

and increased roof and wall installation. In the event that more than three separate complaints are made, management will engage HVAC specialists and a maintenance team to the site to remediate, repair, and/or replace any faulty, damaged, or malfunctioning parts. The air filtration system for the suite will be reviewed and permitted by the Building & Safety Division staff as part of the tenant improvement plans for the heating, ventilation, and air conditioning (HVAC) systems for the proposed dispensary. In addition, the staff is requiring that automatic closures shall be installed on all interior and exterior doors and that all roof venting, wall penetrations panel joints, etc., be sealed to prevent odors from migrating outside of the dispensary.

Commercial Cannabis State License

The Applicant plans to apply for the necessary State cannabis licenses if the CUP is ultimately approved by the City.

Final Commercial Cannabis Regulatory Permits

The Project's Provisional CCRP will become a Final CCRP and become effective upon such time that the applicant: 1) obtains a CUP pursuant to Chapter 9.09.290 (Commercial Cannabis Activities); 2) obtains a City Business License pursuant to Chapter 5.02 (Business Licenses); 3) obtains a Certificate of Occupancy pursuant issued by the City's Building & Safety Department; 4) registers its commercial cannabis business with the City's Tax Administrator pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax); 5) obtains the appropriate Commercial Cannabis State License issued by the California Department of Cannabis Control; 6) obtains (if necessary) all other relevant and necessary regulatory permits, licenses and approvals within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies; and 7) obtains a State Sellers Permit from the California Department of Tax and Fee Administration.

REVIEW PROCESS

The Applicant has worked with staff and modified the proposed plans to the satisfaction of all departments. Based on the staff's review, it was determined that the Proposed Project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

Staff recommends that the Planning Commission find that the Proposed Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 1 Exemption (Section 15301, Existing Facilities) and 15061(b)(3) common sense exemption. Pursuant to the California Code of Regulations, a Class 1 exemption can be applied to a project when the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Proposed Project has been found to meet all of

the conditions of the Class 1 exemption as the Proposed Project involves interior alterations, a new entrance, and no expansion of use.

Staff additionally recommends the Planning Commission find the Proposed Project further exempt from CEQA pursuant to the common sense exemption because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment due to the fact the Proposed Project will operate within an existing building, negligible changes to the existing building and Project Site are being proposed, and the Proposed Project is subject to an Odor Control Plan to ensure the abatement of all potential odors that could emanate from cannabis products.

NOTIFICATION

Consistent with the City's 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 project application materials were circulated for review by all appropriate City departments and divisions as well as applicable outside agencies.

STAFF RECOMMENDATION


Staff recommends that the Planning Commission **APPROVE** Resolution No. 2022-59, and thereby:

1. **FINDING** that Conditional Use Permit PEN21-0174 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities) and 15061(b)(3) common sense exemption; and
2. **APPROVING** Conditional Use Permit PEN21-0174 subject to the attached Conditions of Approval as Exhibit A to the Resolution.

Prepared by:
Malinda Lim
Contract 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. 2022-59 - Conditional Use Permit
2. Project Plans
3. Zoning Map

RESOLUTION NUMBER 2022-59

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (PEN21-0174) FOR A CANNABIS MICROBUSINESS LOCATED AT THE SOUTHEAST CORNER OF ALESSANDRO BOULEVARD AND INDIAN STREET (APN: 482-520-004)

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

WHEREAS, Shade Awad (“Applicant”) has filed an application for the approval of a Conditional Use Permit PEN21-0174 for a Commercial Cannabis Microbusiness (“Proposed Project”), located in the Sunnymead Village Center at the southwest corner of Alessandro Boulevard and Indian Street (APN: 482-520-004) (“Project Site”); and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis microbusinesses may be allowed within Commercial Mixed Use (COMU)/Community Commercial (CC) District, with a properly secured conditional use permit approved through the Planning Commission; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design, and configuration of improvements related to the Project, and the potential impact of the Project on the surrounding area based on fixed and established standards; and

WHEREAS, the Proposed Project has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 of the Municipal Code imposes conditions of approval upon projects for which a Conditional Use Permit 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 to 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 December 22, 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 December 22, 2022, the duly noticed public hearing to consider the Proposed Project 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 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN21-0174 (“CUP”), 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 reviewed and considered the Planning Division’s recommendation that the proposed Project is (1) Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15301 (Existing Facilities), which would apply to the Proposed Project since the Proposed Project has been found to meet all of the conditions of the Class 1 Exemption as the Project involves limited interior alterations and no expansion of use; and (2) exempt from CEQA pursuant to 15061(b)(3) common sense exemption, and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval.

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, in the staff report and conditions of approval (collectively, “Conditions”); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest

¹ 14 California Code of Regulations §§15000-15387

these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed Conditional Use Permit, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for the approval of a Conditional Use Permit PEN21-0174 and all documents, records, and references contained therein;
- (d) Conditions of Approval for Conditional Use Permit PEN21-0174 attached hereto as Exhibit A;
- (e) 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;
- (f) Staff's determination that the Proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (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 content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The Proposed Project is consistent with the goals, objectives, policies, and programs of the General Plan;
- (b) The Proposed Project complies with all applicable zoning and other regulations;
- (c) 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
- (d) The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the Proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15301 (Existing Facilities) and 15061(b)(3) common sense exemption.

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves the Proposed Project (Conditional use Permit PEN21-0174) subject to the Conditions of Approval for Conditional use Permit PEN21-0174, attached hereto as Exhibit A.

Section 8. 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 9. 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 10. Effective Date

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

Section 11. Certification

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

PASSED AND ADOPTED THIS 22nd DAY OF DECEMBER 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Conditions of Approval

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution No. 2022-59 - Conditional Use Permit [Revision 3] (6016 : PEN21-0174 – Conditional Use Permit)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN21-0174)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. 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)
2. This project is located within the Commercial Mixed-Use (COMU) zone. The provisions of the Zoning Ordinance and the Conditions of Approval shall prevail unless modified herein.
3. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
4. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (applicable to CUP's)
5. 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 above. In the event of any administrative, legal, equitable action or other

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

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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. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. The commercial cannabis microbusiness shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code Title 5 and Title 9, and all related Municipal Code sections.
11. The cannabis licensee shall display its current valid Commercial Cannabis Business Permit under Chapter 5.05 of this Code and a Conditional Use Permit issued in accordance with this chapter inside the lobby or waiting area of the main entrance to the site. The permits shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
12. All City Fire, Police and Code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

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- during business hours. (MC 9.09.290 (D)(2)(g))
13. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the buildings on the site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights -of-way. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
 14. All windows on the building that houses the Cannabis Facility shall be appropriately secured and all cannabis and marijuana securely stored.
 15. A copy of all pages of these conditions shall be included in the construction drawing package.
 16. The commercial cannabis operation shall have a valid Commercial Cannabis Business Permit and shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
 17. No person associated with this commercial cannabis microbusiness shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
 18. All operations conducted and equipment used must be in compliance with all applicable state and local regulations, including all building, electrical and fire codes. (MC 9.09.290 (E)(7)(b))
 19. Professionally and centrally monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm. (MC 9.09.290 (E)(12)(b))
 20. The site has been approved for a commercial cannabis microbusiness located at 24595 Alessandro Boulevard per the approved plans and per the requirements of the City's Municipal Code (MC) Section 9.09.290 Commercial cannabis activities, 9.09.293 Cannabis Business locations and use, and 5.05 Commercial Cannabis Activity. A change or modification to the interior design/set-up, exterior elevations or business process (including security procedures) shall require separate review and approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260.
 21. A licensee conducting a commercial cannabis microbusiness shall meet all

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

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- applicable operational requirements for retail/commercial cannabis dispensaries, commercial cannabis cultivation, and commercial cannabis distribution, activities. (MC 9.09.290 (E)(6)(d))
22. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the microbusiness site. (MC 9.09.290 (E)(4)(f))
 23. All three activities associated with the commercial cannabis microbusiness: 1) retail/commercial cannabis dispensaries; 2) commercial cannabis cultivation; and 3) commercial cannabis distribution shall commence and be continuously in operation. Should the applicant wish to modify or discontinue any of these activities, an application to amend this Conditional Use Permit shall be submitted to the City for review and approval.
 24. Prior to occupancy, the operator must hold a microbusiness (Type 12) license issued by the State Bureau of Cannabis Control. (MC 9.09.290 (E)(6)(e))
 25. All operations conducted and equipment used must be in compliance with all applicable State and local regulations, including all building, electrical, and fire codes. (MC 9.09.290(E)(7)(b))
 26. No commercial cannabis microbusiness owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on or within 50 feet of the premises of the cannabis business (ii) hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the property.
 27. The commercial cannabis microbusiness shall have designated locked storage on the dispensary property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
 28. All cultivation areas in the building shall be separated from the main entrance and lobby, and shall be secured by a lock accessible only to managers, staff, and other cannabis cultivation licensee (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel).
 29. The total area of the premises designated/used for cultivation canopy shall not be more than ten thousand (10,000 square feet).

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Conditional Use Permit (PEN21-0174)

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30. Any person(s) cultivating cannabis with the use of glow lights, fans, ventilation devices, or any other electrical or mechanical equipment shall comply with all applicable Building and Fire Code requirements adopted by the City of Moreno Valley, shall obtain all necessary permits and prerequisite inspections required for installation prior to commercial use of the equipment and/or facility.
31. All cultivation facilities shall be organized in orderly rows with aisles at least three feet wide, and no more than eight feet between an aisle and the next aisle or the aisle and the wall, and clear access shall be maintained to all exists unless the planning official, building official, and fire marshal collectively determine that the business has provided an alternative, properly dimensioned floor plan that confirms equivalent access and clearance/separation between plants and the facility exits.
32. Waste and storage and disposal of all cannabis and marijuana products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
33. The cannabis license and the Conditional Use Permit, apply only to the 30,905 square foot existing building at 24595 Alessandro Boulevard. No use of any other tenant space, outside of the 30,905 square foot existing building is allowed per Conditional Use Permit PEN21-0174.
34. Daily hours of operation may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
35. No cannabis or marijuana materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis uses are being conducted. All allowable commercial cannabis uses must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
36. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside the Cannabis Business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the Cannabis Business. As such, Cannabis Businesses must install and maintain the following equipment or any other equipment which the Local Licensing Authority determines has the same or better effectiveness:
 - a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
 - b. An air system that creates negative air pressure between the Cannabis Businesses' interior and exterior so that the odors generated inside the Cannabis

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Conditional Use Permit (PEN21-0174)

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Business are not detectable outside the Cannabis Business.

37. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
38. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
39. Automatic closures on all interior and exterior doors shall be installed.
40. All interior and exterior door seals shall be replaced and adjusted.
41. All roof venting, wall penetrations, panel joints etc. shall be sealed.
42. Prior to issuance of a Certificate of Occupancy, the applicant shall slurry seal and restripe the parking lot area within the limits of their parcel to the satisfaction of the Building and Planning Divisions. Applicant shall submit a restriping plan to the Planning and Building Divisions for review and approval prior to restriping the parking lot.
43. Air curtains shall be installed on all exterior doors.
44. Two secured parking spaces, identified on a plot plan shall be located convenient the required secured area of each facility to be used by secured transfer vehicles involved in the couriering or dispensing of cannabis materials products to and from the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
45. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E)(14)(c))
46. Licensee shall remove any graffiti from the licensed premises within twenty-four (24) hours of its occurrence, or as requested by the city. (MC 9.09.290 (E)(14)(d))
47. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed and maintained free of locations which could reasonably be used by persons to conceal themselves and/or to enable undesirable activity. The design and maintenance practices shall give appropriate consideration to both natural and artificial illumination. (MC 9.09.290(E)(8)(c))
48. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards and the Security Plan at all times.
49. Prior to approval of tenant improvement plans, a detailed, on-site, computer generated, point- by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted as part of the Building and

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

Page 7

Safety Plan Check submittal for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))

50. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
51. Prior to Building Permit or Certificate of Occupancy, the process for any transfer of product or currency shall be identified in an updated Security Plan to be reviewed and approved by the Planning Division. (MC 9.09.290 (D)(2)(f))
52. The Security Plan on file with the City of Moreno Valley shall remain in effect as long as the established use is in operation. Any changes, additions, removal or modifications to the plan shall be submitted to the City for review and inclusion in the Conditional Use Permit file.
53. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the dispensary area.
54. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.
55. The applicant shall repaint the exterior of the suite, to the satisfaction of the Planning Division. The applicant shall submit paint colors and descriptions to the Planning Division for review and approval prior to repainting the building.

Building Division

56. 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.
57. Contact the Building Safety Division for permit application submittal requirements.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

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58. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
59. 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.
60. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
61. 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.
62. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
63. 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**

64. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
65. 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)
66. Prior to issuance of building permits, plans specifying the required structural materials for building construction in high fire hazard severity zones shall be submitted to the Fire Prevention Bureau for approval. (CFC, 4905)
67. Prior to issuance of Certificate of Occupancy or Building Final, all commercial

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

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buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])

68. 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.
69. 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.
70. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
71. 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])
72. 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)
73. 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)
74. Delayed egress- Where delayed egress systems are to be installed an approved fire sprinkler and an automatic smoke detection system shall be installed in accordance with the California Building and Fire Code.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0174)

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PUBLIC WORKS DEPARTMENT**Special Districts Division**

75. Damage. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.

Trees and Maintenance Ensure any trees surrounding building rooftops be kept at a distance to prevent roof accessibility by potential burglars. The branches must be pruned to have at least six-foot clearance from the buildings.

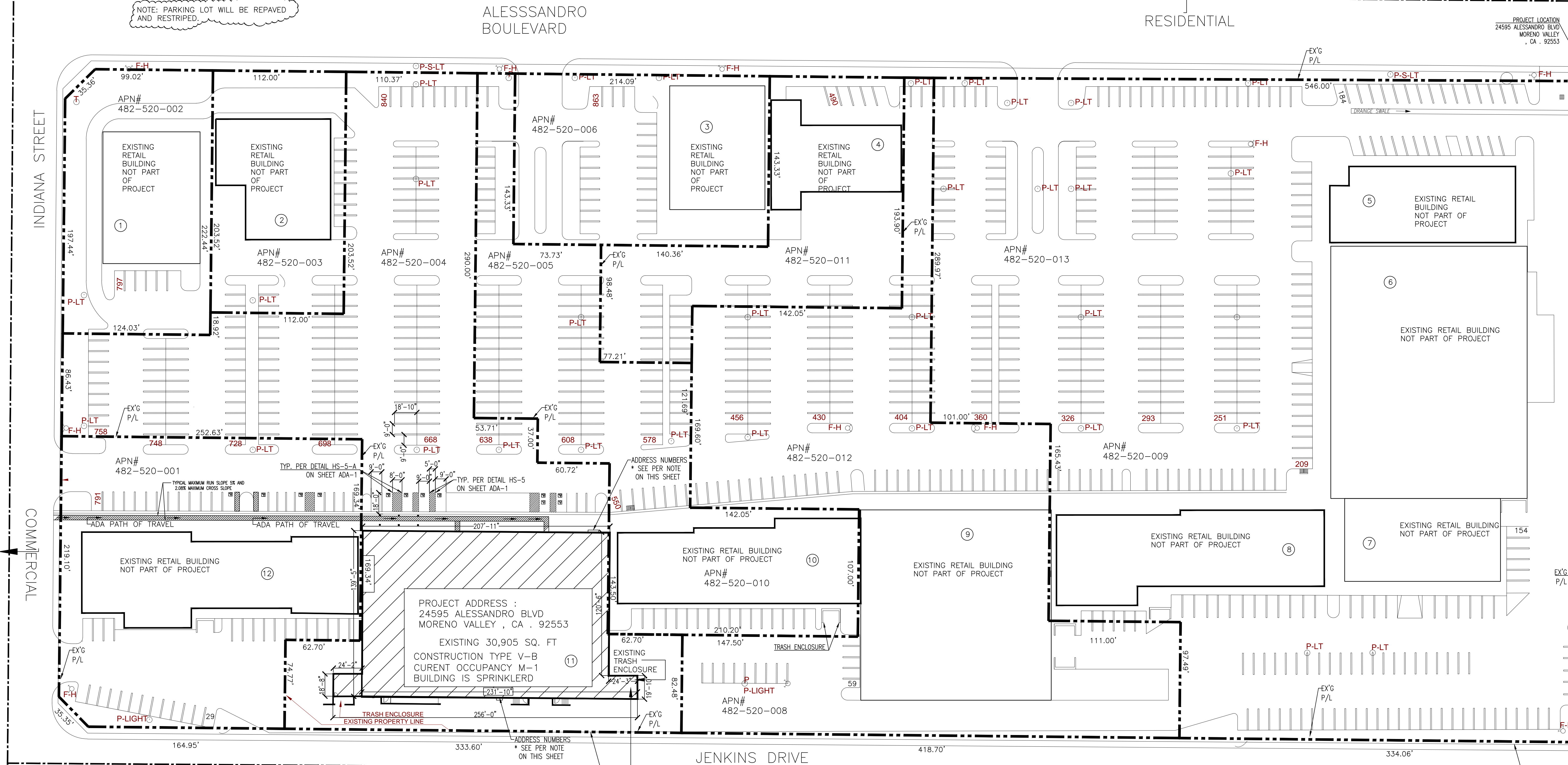
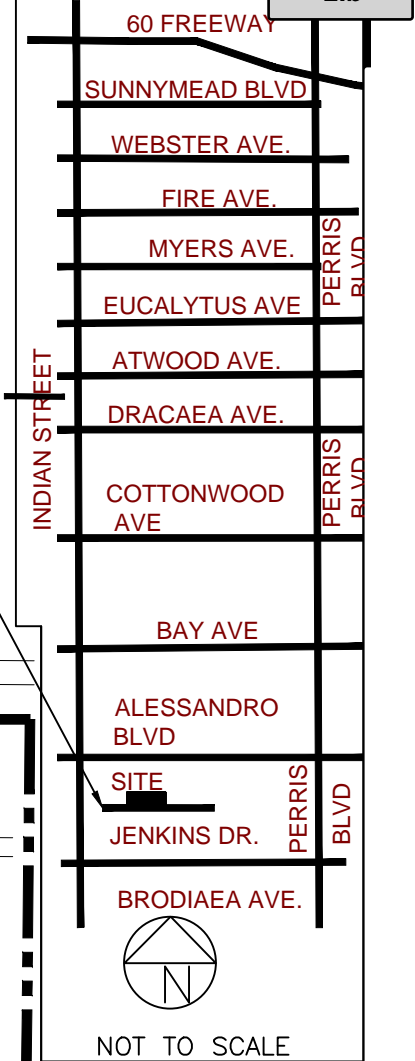
ALARM SYSTEM Business shall have an alarm system that is monitored by a designated private alarm company to notify the Moreno Valley Police Department of any intrusions.

LIGHTING PARKING LOT: street and buildings shall be well lit, landscaping and trees shadows cast by landscaping and trees on the property, in walkways and public areas. will be minimized, and trimmed.

ROOFTOP ADDRESSING: Rooftop shall be addressed, maintenance shall be provided as required by the engineer, and by the building official in addressing all buildings roof top.

ADDRESSING -- NUMBERS/LETTERS The street address shall be posted with a minimum of twelve (12) inch in height numbers with a one (1) inch stroke, visible from the street of the corresponding address. During the hours of darkness, they shall be electrically illuminated either externally or internally.

I.E GARDENS LLC.



VICINITY MAP

BLDG #	FT ²	USE
1	9052	RETAIL
2	8642	RETAIL
3	8331	RETAIL
4	7028	RETAIL
5	9738	RETAIL
6	35028	RETAIL
7	9132	RETAIL
8	15093	RETAIL
9	25639	RETAIL
10	13312	RETAIL
11	30905	CANNABIS RETAIL
12	15296	RETAIL

TOTAL SHOPPING CENTER AREA = 187,196 FT²

NOTE: PARKING LOT WILL BE REPAVED AND RESTRIPE.

PARKING ANALYSIS:

PER SECTION 9.11.040 TABLE 9.11.040B-12 TABLE 9.11.040C-12
 RETAIL DISPENSARY AREA = 4,759 SF = 21.15=22 1 PARKING/225

CULTIVATION AREA: 10,000 SF 1/500 SQ. FT = 20 SPACES

GENERAL STORAGE AREA: 7430 SF 1/500 SQ. FT = 14.86=15 SPACES

OFFICE AND MANAGEMENT 7811/250=31.24=32 PARKING SPACES

EXISTING PARTIAL SECOND FLOOR. IT IS CONSIDERED A MEZZANINE FLOOR, AND TO REMAIN AS STORAGE ROOM FOR INCIDENTALS. 905 FT² 905/250=3.62 = 4 parking

PARKING REQUIRED: Section 9.09.290 (9) (a), (b), and (e) of the Municipal Code. ALSO REFERENCE TITLE 9, TABLE 9.11040B-12 OF THE MORENO VALLEY MUNICIPAL CODE.

TOTAL PARKING REQUIRED FOR I.E. GARDENS I: 87 + 4 ADA PARKING SPACES OF WHICH 2 IS VAN ACCESSIBLE. TOTAL PARKING FOR THE CENTER 156291/225=695 +93 FOR PROPOSED USE TOTAL REQUIRED 788

TOTAL PARKING SPACES PROVIDED: 863 PARKING SPACES

NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY IS NOTIFIED OF INTENTION TO GRADE OR EXCAVATE.

DIGALERT

CALL 811 or 1-800-422-4133
 2 Working Days Before You Dig
 WWW.CALL811.COM

MARK	DATE	INITIAL	DESCRIPTION	REC	APPR	DATE
	11/20/22	EOR	REVISION			

CITY OF MORENO VALLEY

ACCEPTED BY: MICHAEL D. LLOYD, PE DATE _____

ENGINEERING DIVISION MANAGER / ASSISTANT CITY ENGINEER RCE 69563

ENGINEER OF RECORD'S SEAL

MGM DESIGNER

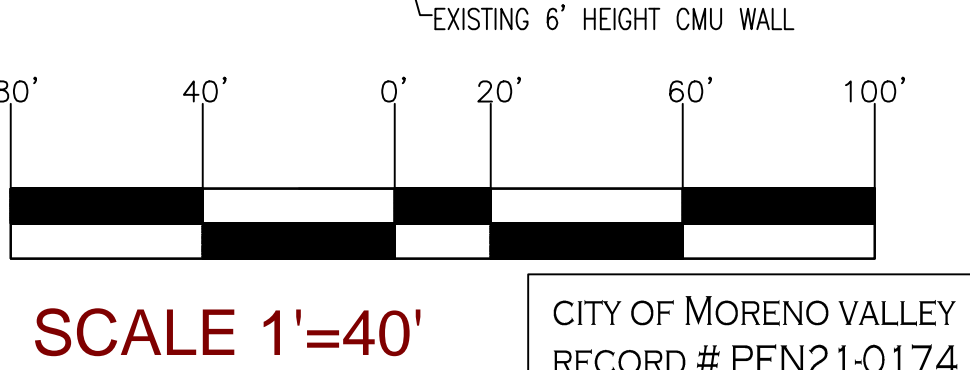
DATE _____

CITY OF MORENO VALLEY

PROJECT ADDRESS : 24595 ALESSANDRO BLVD MORENO VALLEY , CA . 92553 APN#482-520-004

SITE PLAN SP-1

CITY ID No PEN 21-0174



EMPLOYEE BREAK ROOM: No restaurant is proposed, the seating is only for authorized employees, this area is utilized for employee break room only, windows are not to be obstructed.

DELAYED EGRESS

DELAYED EGRESS SHALL NOT AND WILL NOT BE INSTALLED AT THIS FACILITY AT ANY TIME. In accordance with the California Building and Fire Code Chapters 9 and 10, buildings with delayed egress locks shall be equipped throughout with an automatic sprinkler system and an approved automatic smoke detection system. INSTALLATION OF DELAYED EGRESS AT THIS FACILITY WITHOUT SPRINKLERS AND DETECTION WILL RESULT IN IMMEDIATE BUSINESS CLOSURE.

SECURITY CAMERAS: Security cameras shall be installed inside the businesses and several cameras outside.

BUILDING SIZE: In no case shall the commercial cannabis building canopy exceed 10,000 square feet. Per Sheet

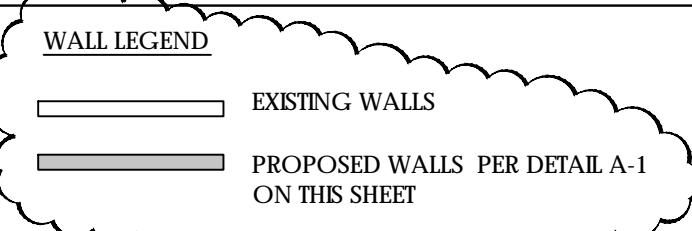


Table with 3 columns: ROOM, AREA (SF), OCCUPANCY LOAD. Lists various rooms like SAFE ROOM, STORAGE AREA, PACK & DISTRIB., etc.

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Table with 3 columns: FLOWER ROOM AREA, CANOPY AREA (SF). Lists flower rooms 1 through 7 and total area.

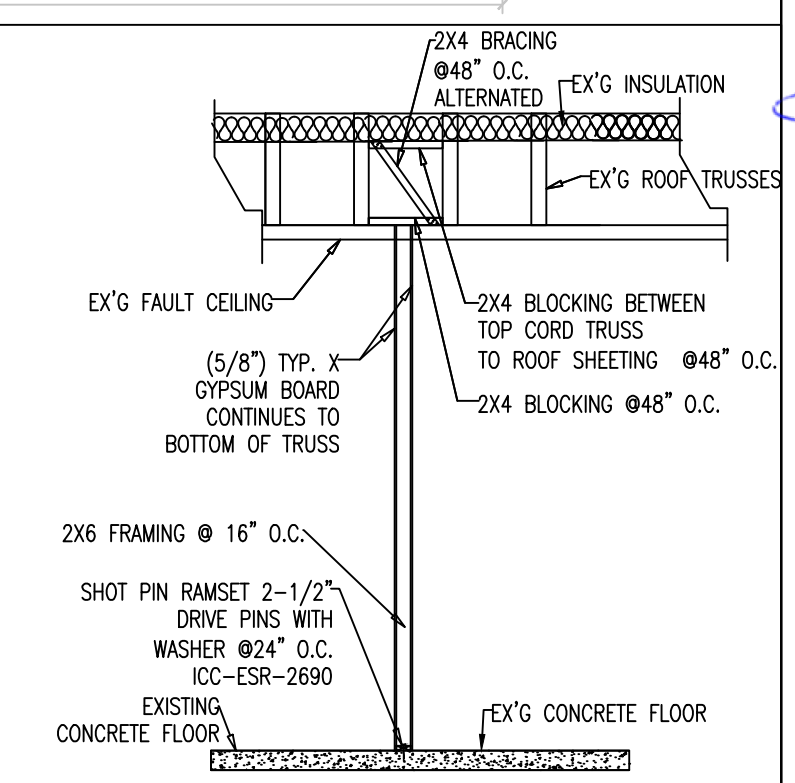
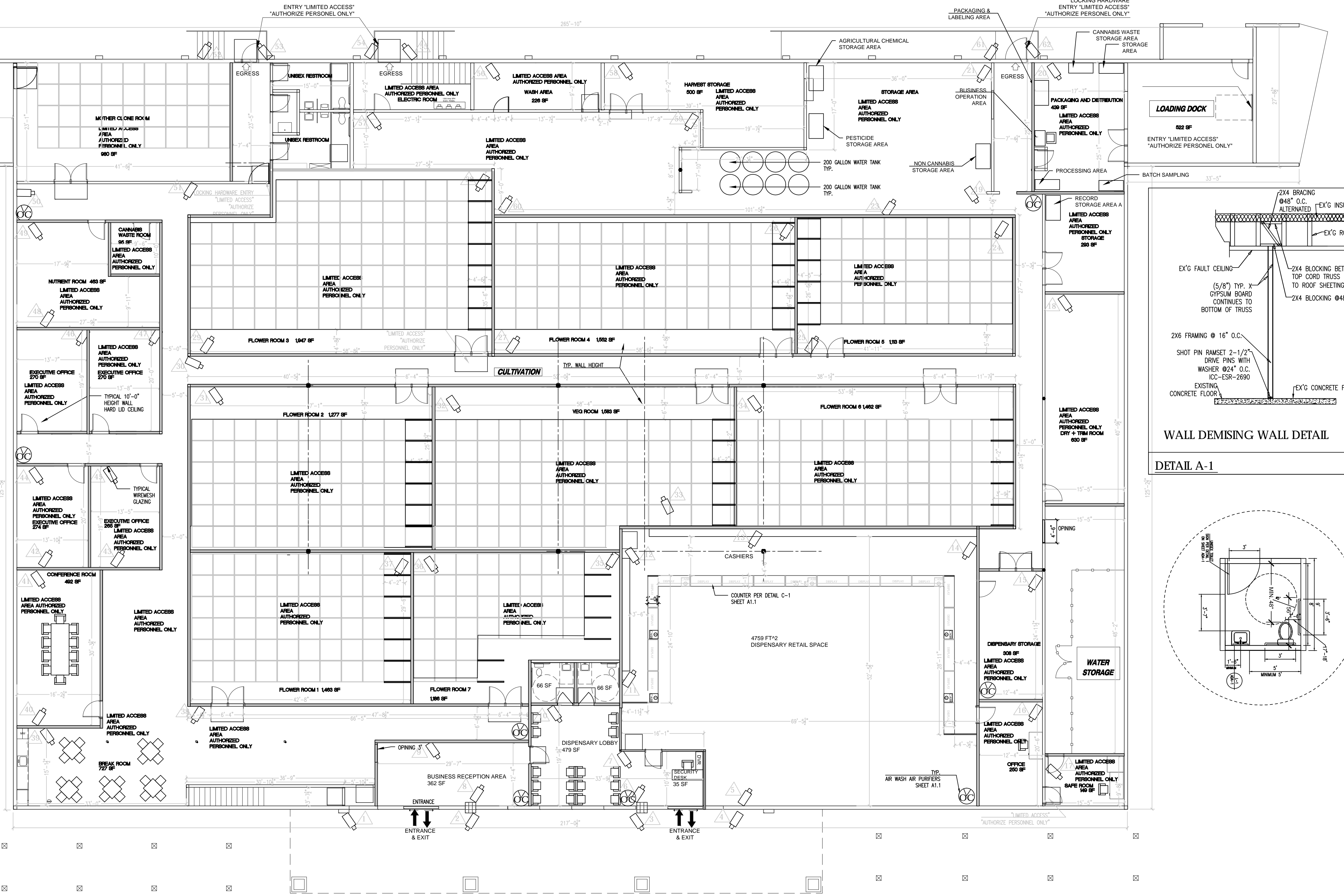
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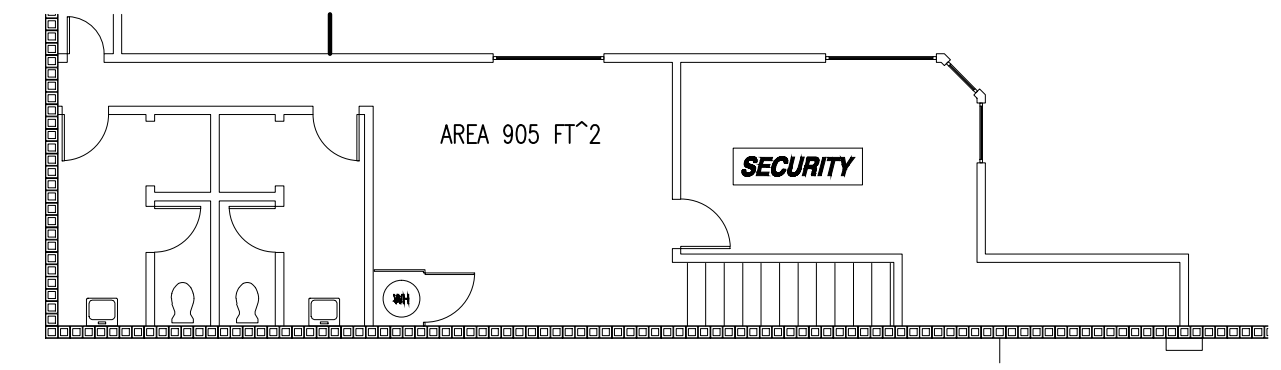
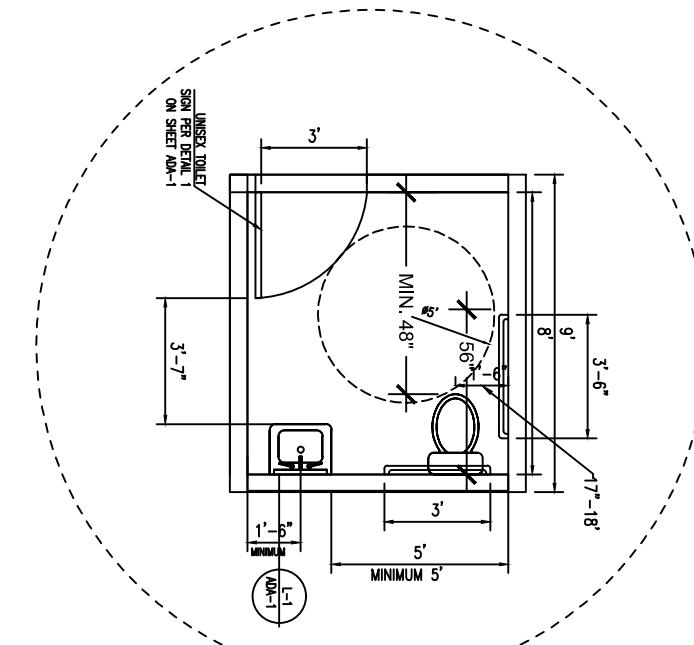
- 1. CANNABIS RETAIL AREA: 4,759 FT^2
2. CANOPY CANNABIS CULTIVATION AREA: 10,000 SFT^2
3. GENERAL AREA: 7,430 SF
4. OFFICE AND MANAGEMENT 7811 FT^2
5. EXISTING PARTIAL SECOND FLOOR. IT IS CONSIDERED A MEZZANINE FLOOR, AND TO REMAIN AS STORAGE ROOM FOR INCIDENTALS. 905 FT^2

LEGEND table with symbols and descriptions for security cameras, odor control, DVR, lighting, and fire extinguishers.



WALL DEMISING WALL DETAIL

DETAIL A-1



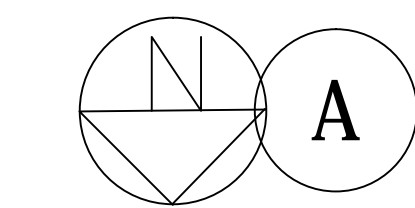
1 PARTIAL SECOND FLOOR: EXISTING SCALE: 3/32" = 1'-0"

INTERIOR AIR TREATMENT SYSTEM: AMAIRCARE 4000 VOC CHEM WITH HEPA AND CARBON CANISTER AIRWASH FILTRATION SYSTEM. COVERS 18,000 FT3 (PROVIDES 1 ACH/HR)

ALL THE USE OF AREAS ON THE PREMISES OF THE MEDICAL MARIJUANA DISPENSARY, INCLUDING ... EXTERIOR LIGHTING... AIR TREATMENT SYSTEM AND SIGNAGE. Coverage Rating: 2250 sq ft at 8 ft ceilings at 1 ACH (Air Changes/HR)

EMPLOYEE BREAK ROOMS, CHANGING FACILITIES, AND BATHROOMS, SHALL BE SEPARATED FROM ANY AND ALL (INVENTORY) STORAGE AREAS. SHOW ROOM TO BE RESTOCKED BEFORE BUSINESS HOURS FOR SECURITY REASONS

RETAIL SALES OF INCIDENTAL GOODS: THERE WILL NOT BE MORE THAN 10% OF CANNABIS RETAIL FLOOR AREA OF RETAIL SALES FOR INCIDENTAL/NON-CANNABIS GOODS. UP TO A MAXIMUM OF 50 SF IS ALLOWED FOR INCIDENTAL/NON-CANNABIS GOODS PER ORDINANCE 348 SECTION 19.519.



PROPOSED FLOOR PLAN

3/32" = 1'

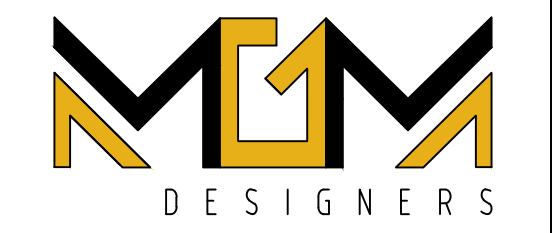
OWNER: I.E. GARDENS, LLC. MICROBUSINESS. APN# 482-520-004 24595 ALESSANDRO BLVD, MORENO VALLEY CA 92553

CITY OF MORENO VALLEY RECORD # PEN21-0174



DRAWING STATUS DATE table with rows for SCHEMATICS, DESIGN DEV., AGENCIES, ESTIMATING, BIDDING, FOR CONST.

REVISIONS DATE table with columns for revision number and date.



415 N SANTA FE AVE VISTA CA 92084 760.524.0932

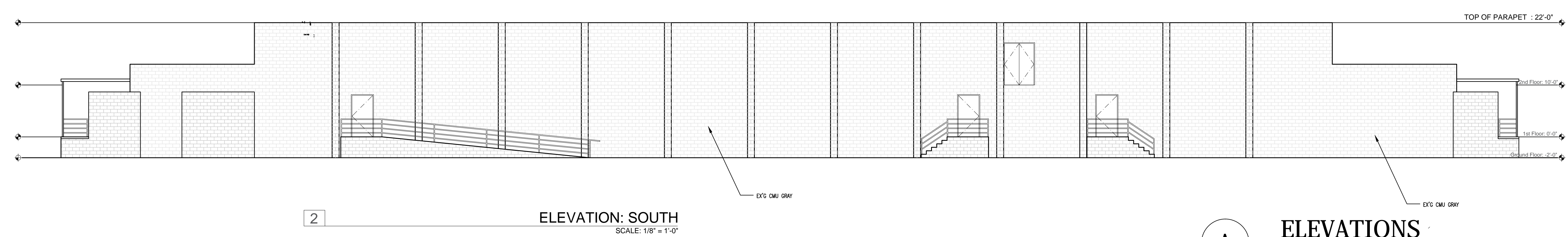
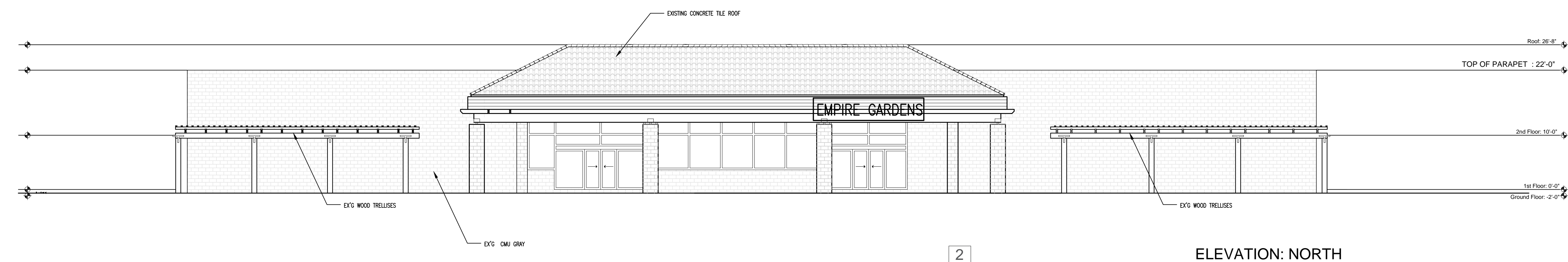
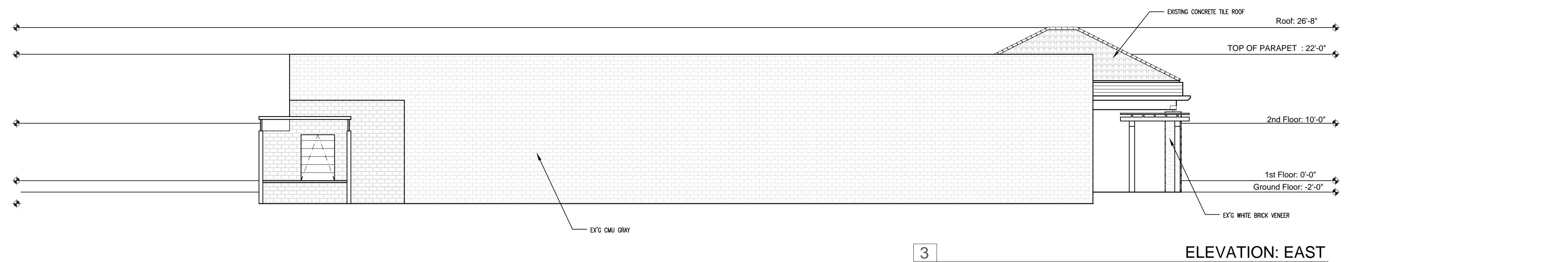
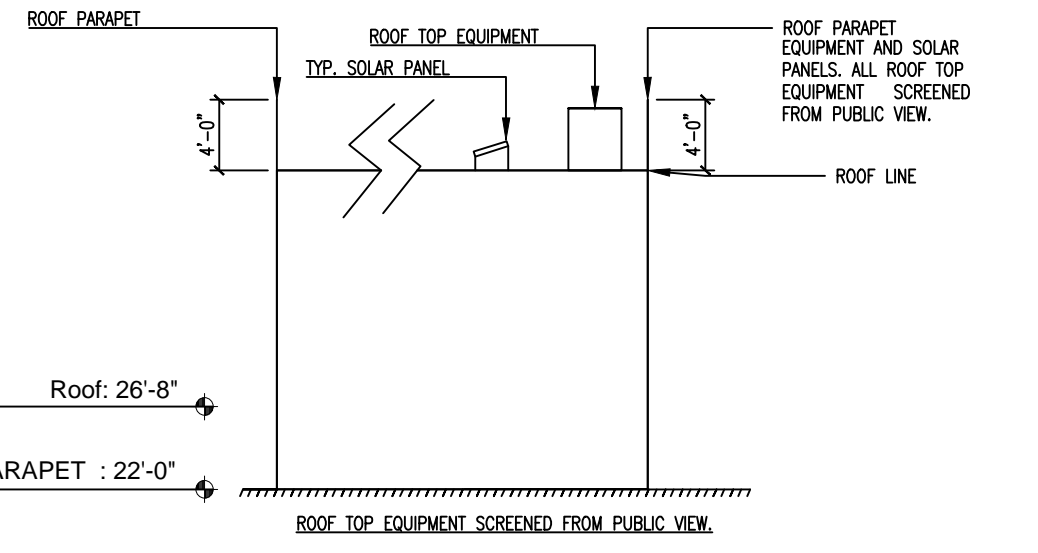
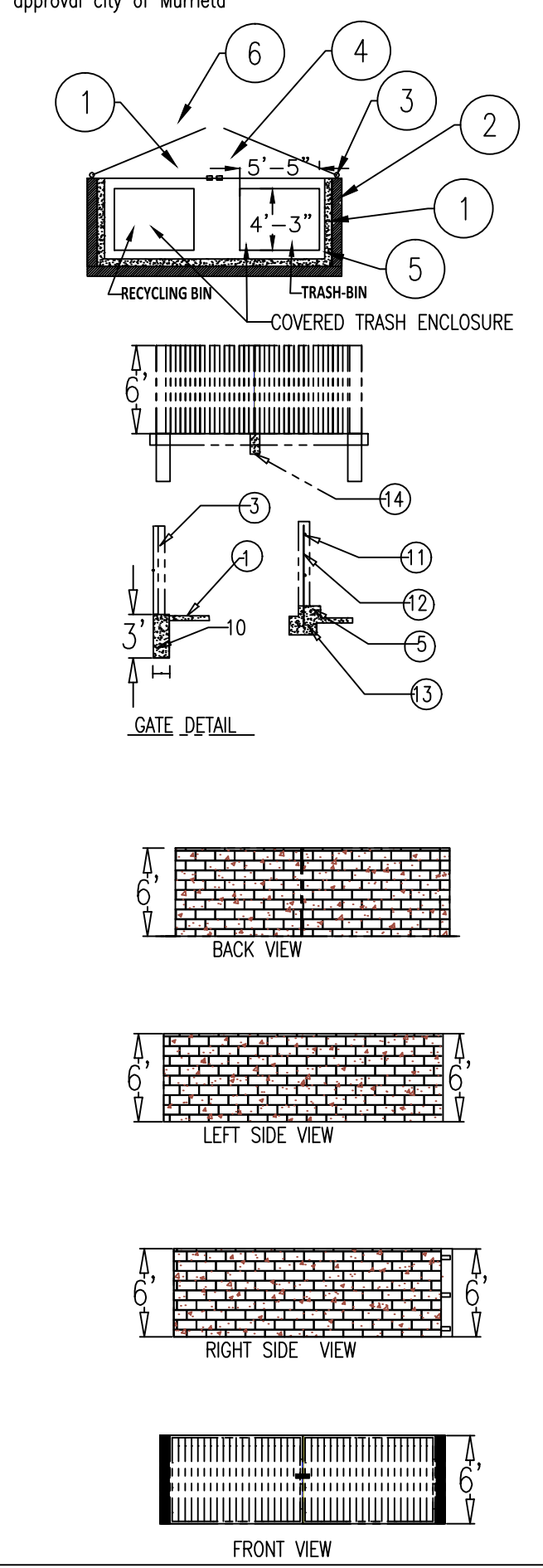
Table with columns for JOB NO., DATE, DRAWN, CHECKED, SCALE, SHEET TITLE.

PROPOSED FLOOR PLAN

SHEET No. A-1

TRASH ENCLOSURE CONSTRUCTION

- NOTES
- 4" PCC foundation, extending 4" beyond enclosure walls, over 90% compacted base.
 - 8" x 8" x 16" (8" x 6" x 16" OK for slumped block), 6' high masonry walls, stucco to match the building.
 - 6" square 3/16" thick steel jamb tubes, concrete filled. 2" clearance between tube and walls.
 - 16 ga. ribbed metal gates with 2" x 2" x 1/4" steel angle iron frame and diagonal bracing. Continuous weld all joints.
 - 6" x 6" PCC curb.
 - 6" thick PCC loading pad over 90% compacted base, 4% maximum slope.
 - Pedestrian gate, constructed to standards of Construction Note 4.
 - Metal hinge, continuously welded to gate and jamb tube.
 - 3/16" metal plate with slide bolt assembly welded in place.
 - 14" x 36" PCC footing.
 - #4 horizontal re-bar.
 - #4 vertical re-bar @ 32" O/C in PCC filled cells.
 - #4 re-bar continuous in footing under walls and gate openings.
 - Cone bolt and cone bolt receptacle.
- coordinated to complement surrounding architecture to Design Review Board approval city of Murrieta



A

ELEVATIONS

SCALE 3/32" = 1'

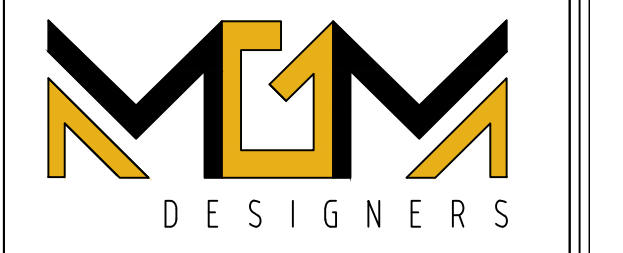
OWNER:
I.E. GARDENS I, INC.
MICROBUSINESS

APN# 482-520-004
24595 ALESSANDRO BLVD,
MORENO VALLEY CA
92553

CITY OF MORENO VALLEY
RECORD # PEN21-0174

DRAWING STATUS	DATE
SCHEMATICS	
DESIGN DEV.	
AGENCIES	
ESTIMATING	
BIDDING	
FOR CONST.	

REVISIONS	DATE



415 N SANTA FE AVE
VISTA CA 92084
760.524.0932

JOB NO.	E.G.-2
DATE	06/01/2022
DRAWN	MUNA RAHMAN
CHECKED	
SCALE	3/32" = 1'

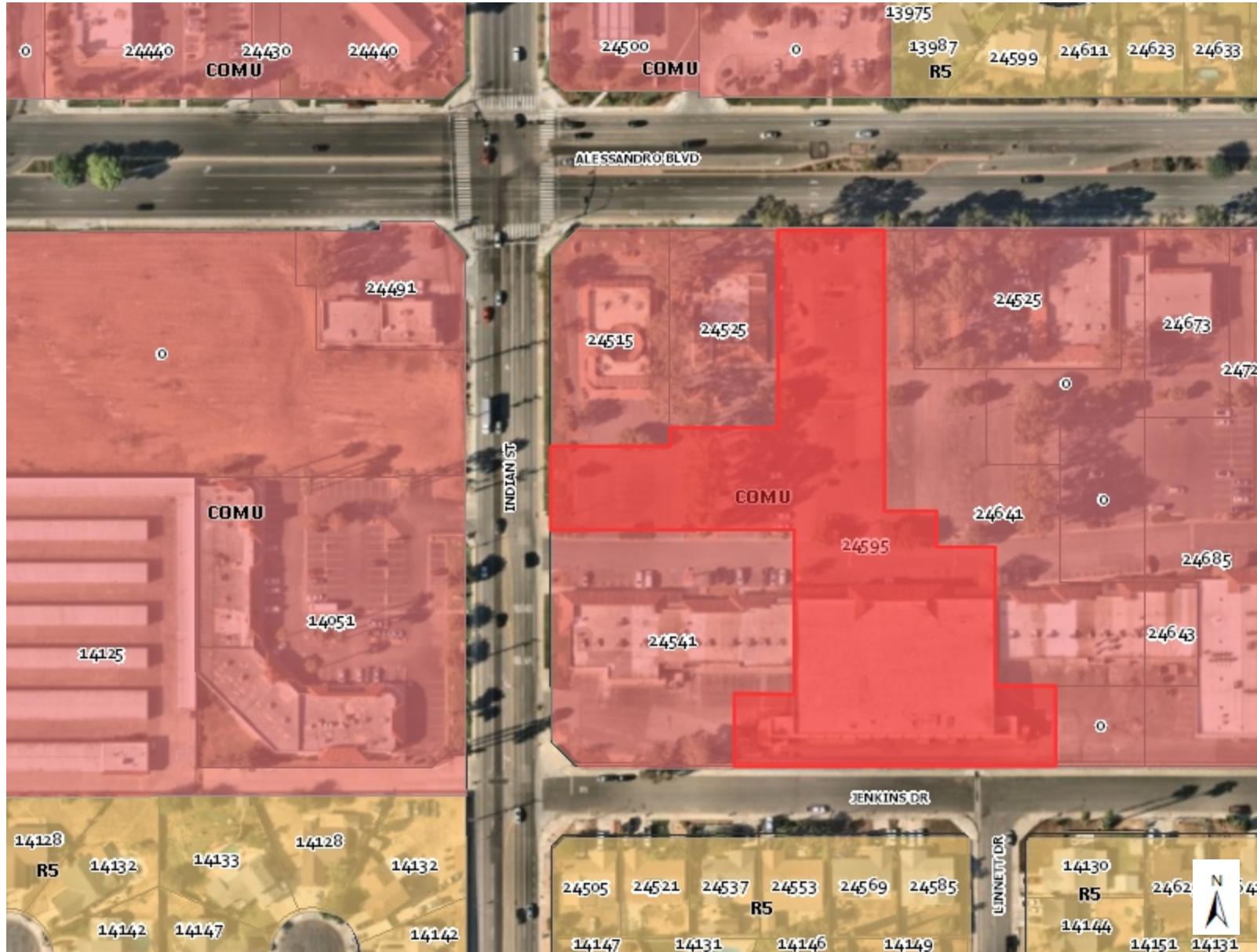
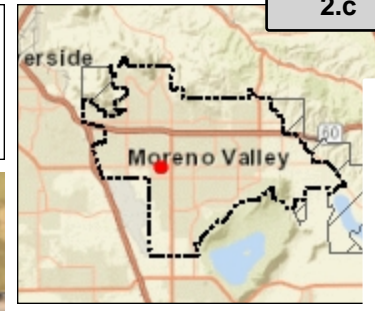
SHEET TITLE

ELEVATIONS

SHEET No.

A-3

COMU Zoning District



Legend

Zoning

- Commercial
- Center Mixed Use
- Downtown Center
- Corridor Mixed Use
- Industrial/Business Park
- Public Facilities
- Highway Office/Commercial
- Office
- Business Flex
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

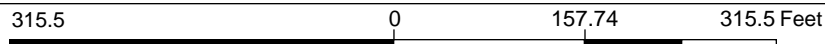
Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

Road Labels

- Parcels
- Image Source: Nearmap

Notes:



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 (6016 : PEN21-0174 – Conditional Use Permit)