

RESOLUTION NO. 2015-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA12-0015 (TENTATIVE PARCEL MAP NO. 36457) FOR THE PURPOSES OF ESTABLISHING TWENTY-SIX (26) PARCELS FOR FINANCING AND CONVEYANCE PURPOSES, INCLUDING AN 85 ACRE PARCEL OF LAND CURRENTLY LOCATED IN THE COUNTY OF RIVERSIDE ADJACENT TO GILMAN SPRINGS ROAD AND ALESSANDRO BOULEVARD AND WHICH IS INCLUDED IN THE WORLD LOGISTICS CENTER SPECIFIC PLAN

WHEREAS, the applicant, Highland Fairview, has filed an application for Tentative Parcel Map No. 36457, including twenty six (26) parcels for financing and conveyance purposes, and which map, in part, may be used for subsequent annexation of an 85 acre parcel of land, created with the map, located adjacent to Gilman Springs Road and Alessandro Boulevard into the City of Moreno Valley; and

WHEREAS, The project also includes applications for an Environmental Impact Report (EIR) under P12-016, General Plan Amendment (PA12-0010), Change of Zone (PA12-0012), Specific Plan (PA12-0013), Pre-Zoning/Annexation (PA12-0014) and a Development Agreement (PA12-0011) All of the discretionary applications are related, but approved under separate resolutions or ordinances with individual findings; and

WHEREAS, on June 11, 2015, June 25, 2015 and June 30, 2015, the Planning Commission of the City of Moreno Valley held meetings to consider the project. At said meeting, the Planning Commission recommended the proposed project with amendments to City Council; and

WHEREAS, on July 15, 2015, the City Council of the City of Moreno Valley held a public hearing to consider Tentative Parcel Map No. 36457 along with the World Logistics Center project; and

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

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

- A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on July 15, 2015, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

- 1. **Conformance with General Plan Policies** – The proposed project is consistent with applicable General and Specific Plans and the Zoning ordinance

FACT: The proposed financing map is associated with the World Logistics Center Specific Plan project and is for financing and conveyance purposes only and does not convey any development approvals for the property. Subsequent subdivision maps will be required for development of the property to occur in accordance with the proposed Specific Plan, General Plan Amendment, and Change of Zone that will designate 2,610 acres for primarily logistics development and 1,104 acres for permanent open space outside of the Specific Plan area.

The tentative map in part, may be used for subsequent annexation of an 85 acre parcel of land, created with the map, located adjacent to Gilman Springs Road and Alessandro Boulevard in the County of Riverside into the City of Moreno Valley. Approval of this tentative map does not provide any development rights and therefore does not involve the design or improvements to any subdivided property.

- 2. The site of the proposed land division is physically suitable for the type of development.

FACT: The proposed tentative map has been designed in accordance the City Zoning Ordinance and the State Subdivision Map Act. The tentative map is for financing and conveyance purposes only and therefore does not constitute any development rights that would allow physical improvements to the property.

- 3. The site of the proposed land division is physically suitable for the proposed density of development.

FACT: The proposed tentative map is consistent with the development envisioned with the proposed General Plan Amendment (PA12-0010), Specific Plan (PA12-0013) and Change of Zone (PA12-0012) for the overall World Logistics Center Project. Said map is only for financing and conveyance purposes and does not constitute any development rights.

4. The design of the subdivision or the type of improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat.

FACT: An Environmental Impact report (EIR) has been prepared for the overall project, including the proposed Tentative Parcel Map. Analysis presented in the EIR indicates that the proposed project will have certain significant unavoidable adverse impacts to Aesthetics, Air Quality, Land Use, Noise, and Traffic/Circulation, as described in detail within the draft document. All other environmental effects evaluated in the Draft EIR are considered to be less than significant, or can be feasibly reduced with mitigation measures to less than significant levels. A Statement of Overriding Findings and Considerations has been prepared for said project that is weighed with impacts that cannot be reduced to less than significant levels. Said EIR is required to be certified and approved as a part of the proposed project and is also accompanied by a Mitigation Monitoring Program, which will ensure the completion of required mitigation measures for the project. The proposed tentative map does not constitute any development rights that would allow physical improvements to the property.

5. The design of the subdivision or the type of improvements is not likely to cause serious health problems.

FACT: The proposed tentative map does not constitute any development rights that would allow physical improvements to the property. The overall WLC Specific Plan includes design standards that are considerate, minimize and/or avoid environmental impacts to surrounding sensitive land uses.

6. The design of the proposed land division or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

FACT: The proposed tentative map does not constitute any development rights that would allow physical improvements to the property. There are no known conflicts with easements on the

subject site. The City Engineer has appropriately placed conditions of approval on Tentative Parcel Map No. 36457. Individual subsequent subdivision maps will be required to develop the property. Additional conditions of approval may be warranted when future development applications and plot plans are submitted.

7. That the Requirements of the California Environmental Quality Act have been satisfied.

FACT: All requirements of the California Environmental Quality Act have been satisfied. Based on scope of the project, a Program Environmental Impact Report (EIR) was prepared. Due to the large project size, proposed phasing of the project and limited information known about future development of industrial buildings, a programmatic EIR rather than a project EIR has been prepared. Although the environmental document is considered a programmatic document, allowances within the CEQA Guidelines will be provided through the “tiered approach” to allow compliance through individual parts of the project to tier off of the main document when development proposals are submitted.

Per California Environmental Quality Act (CEQA) Guidelines, the Draft Environmental Impact Report (DEIR) document was required to be circulated for a 45-day public review period. Notice of completion and availability of the document was provided on February 5, 2013, with over a 60-day review period imposed with the public review and comment period ending on April 8, 2013. The final EIR was provided to the public approximately 41 days prior to the Planning Commission public hearing.

While the proposed tentative map does not constitute any development rights that would allow physical improvements to the property, the EIR prepared for the overall WLC project indicates that the project will have certain significant environmental impacts to, Aesthetics, Air Quality, Land Use, Noise, and Traffic/Circulation as described in detail in both the Draft EIR and Final EIR that cannot be reduced to less than significant levels even with proposed mitigation in place. As identified in the document, cumulative impacts for the noted impacts above are considered to be significant and unavoidable for these five items. The EIR presented mitigation measures, which, to the extent feasible, will reduce project-specific and cumulative impacts for each of these items; however in some instances this did not reduce impacts below significant thresholds. All other environmental effects evaluated in the Draft EIR have been determined to be less-than-significant, or can be successfully mitigated below significant thresholds. All mitigation measures are included in the Mitigation

Monitoring and Reporting Program established by the Environmental Impact Report.

Although impacts to aesthetics, air quality, land use, noise, and traffic/circulation cannot be reduced to less than significant levels, CEQA allows for a Statement of Overriding Considerations and findings to be prepared and considered. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. This would include project benefits of the WLC Project such as the creation of jobs, reducing the jobs housing imbalance or other benefiting project aspects that can be weighed against project impacts that cannot be mitigated to less than significant levels. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" as allowed for under CEQA.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2015-58, **APPROVING** PA12-0015 (Tentative Tract Map No. 36457) for the purpose of establishing twenty six (26) parcels for future development within 2,610 acres included in the proposed World Logistics Specific plan for a logistics high cube warehouse complex and open space, to include the annexation of approximately 85 acres to be annexed from the County of Riverside into the City of Moreno Valley subject to the attached map and conditions of approval hereto as Exhibits A and B and based on the Certification and Adoption of the Environmental Impact Report, Mitigation Monitoring Program and Statement of Overriding Considerations.

APPROVED AND ADOPTED this ____ day of _____, 2015.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2015-58 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the ____ day of _____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)