

Scan

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

DATE: May 3, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Desert Office

SUBJECT: SPECIFIC PLAN NO. 338, SUBSTANTIAL CONFORMANCE NO. 1 / TENTATIVE TRACT MAP NO. 35058 – Addendum to EIR No. 486

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|--|---|
| ☒ Place on Administrative Action (Receive & File; EOT) | ☐ Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| ☒ Labels provided If Set For Hearing | ☐ Publish in Newspaper: |
| ☒ 10 Day ☐ 20 Day ☐ 30 day | **SELECT Advertisement** |
| ☐ Place on Consent Calendar | ☐ Addendum to earlier Environmental Document |
| ☐ Place on Policy Calendar (Resolutions; Ordinances; PNC) | ☐ 10 Day ☐ 20 Day ☐ 30 day |
| ☐ Place on Section Initiation Proceeding (GPIP) | ☐ Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: ☐ YES ☐ NO |

Designate Newspaper used by Planning Department for Notice of Hearing:
(4th Dist) Desert Sun and Press Enterprise

Please schedule on the May 18, 2010 BOS Agenda

Documents to be sent to County Clerk's Office for Posting:

Notice of Determination
Fish & Game Receipt (CFG02841)

BOS Sent 5.6.10.

RMJ
5-2-10

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: TLMA - Planning Department

SUBMITTAL DATE:
March 30, 2010

SUBJECT: SPECIFIC PLAN NO. 338, SUBSTANTIAL CONFORMANCE NO. 1 / TENTATIVE TRACT MAP NO. 35058 – Addendum to EIR No. 486 – Applicant: Mirasera, LLC/Hunsaker & Associates, Inc. – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan - Community Development: Specific Plan (CD:SP) – Location: Northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street – 190 Gross Acres – Zoning: Specific Plan (SP338), Controlled Development Areas (W-2-10), and Scenic Highway Commercial (C-P-S) – **REQUEST:** The specific plan substantial conformance proposes to amend Specific Plan No. 338 in order to re-align a portion of Avenue 38 to accommodate an approximate 7,330 foot drainage channel and adjust the circulation (roadway) system, including elimination of five (5) secondary community entry points, the addition of a two (2) acre park, and adjustment of planning area boundaries. The Schedule C tentative tract map proposes to divide approximately 190 acres into 16 lots ranging in size from two (2) acres to twenty (20) acres and grading of the site to move approximately two-million cubic yards of earth, with off-site road improvements approximately 3,575 feet east and 1,000 feet west of the project site on Varner Road; off-site improvements approximately 1,960 feet west and 2,627 feet east of the project site on Avenue 38 for a sixty (60) foot right-of-way access road section; and off-site portions of the drainage channel extending approximately 1,639 feet west and 2,686 feet east of the project boundary as well as the culvert crossing beneath Washington Street and flood control improvements within a portion of the Sun City Palm Desert golf course just east of Washington Street from approximately the Washington Street culvert outlet to Del Webb Boulevard. APN(s): 626-140-003, 626-150-004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, and 025. (Quasi-Judicial)

Ron Goldman
Planning Director

RG: jed
[initials]

(continued on attached page)

REVIEWED BY EXECUTIVE OFFICE

DATE

Tina Grande
Departmental Concurrence

☐ Policy

☒ Consent

Dep't R
Per Exec. Ofc.:

☐ Policy

☐ Consent

Prev. Agn. Ref.

District: Fourth

Agenda Number:

The Honorable Board of Supervisors

RE: Specific Plan No. 338, Substantial Conformance No. 1 / Tentative Tract No. 35058

Page 2 of 2

RECOMMENDED MOTION:

RECEIVE AND FILE The Notice of Decision for the above referenced case acted on by the Planning Commission on February 3, 2010.

The Planning Department recommended Approval with Modifications; and,
THE PLANNING COMMISSION:

REVIEWED AND CONSIDERED ENVIRONMENTAL IMPACT REPORT NO. 486 and **ADDENDUM NO. 1** to **ENVIRONMENTAL IMPACT REPORT NO. 486** prior to making a decision on the project in accordance with State CEQA Guidelines Section 15164, subsection (d).

APPROVED SPECIFIC PLAN NO. 338, SUBSTANTIAL CONFORMANCE NO. 1, subject to the attached conditions of approval, and based on the findings and conclusions incorporated in the staff report; and,

APPROVED TENTATIVE TRACT MAP NO. 35058, subject to the attached conditions of approval, with modifications as presented by the Planning Department and agreed to by applicant, and based upon the findings and conclusions incorporated in the staff report.

**PLANNING COMMISSION
MINUTE ORDER FEBRUARY 3, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. AGENDA ITEM 5.1: SPECIFIC PLAN NO. 338, SUBSTANTIAL CONFORMANCE NO. 1 / TENTATIVE TRACT MAP NO. 35058** - Addendum to EIR No. 486 - Applicant: Mirasera, LLC/Hunsaker & Associates, Inc. - Fourth Supervisorial District - Bermuda Dunes Zoning District - Western Coachella Valley Area Plan - Community Development: Specific Plan (CD:SP) - Location: Northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street - 190 Gross Acres - Zoning: Specific Plan (SP338), Controlled Development Areas (W-2-10), and Scenic Highway Commercial (C-P-S) (Legislative)

II. PROJECT DESCRIPTION

The specific plan substantial conformance proposes to amend Specific Plan No. 338 in order to realign a portion of Avenue 38 to accommodate an approximate 7,330 foot drainage channel and adjust the circulation (roadway) system, including elimination of five (5) secondary community entry points, the addition of a two (2) acre park, and adjustment of planning area boundaries. The Schedule C tentative tract map proposes to divide approximately 190 acres into 16 lots ranging in size from two (2) acres to twenty (20) acres and grading of the site to move approximately two-million cubic yards of earth, with off-site road improvements approximately 3,575 feet east and 1,000 feet west of the project site on Varner Road; off-site improvements approximately 1,960 feet west and 2,627 feet east of the project site on Avenue 38 for a sixty (60) foot right-of-way access road section; and off-site portions of the drainage channel extending approximately 1,639 feet west and 2,686 feet east of the project boundary as well as the culvert crossing beneath Washington Street and flood control improvements within a portion of the Sun City Palm Desert golf course just east of Washington Street from approximately the Washington Street culvert outlet to Del Webb Boulevard.

III. MEETING SUMMARY

The following staff presented the subject proposal:

Project Planner: Judith Deertrack, Ph: (760) 393-3410 or E-mail ideertra@rctlma.org

The following spoke in favor of the subject proposal:

Doug Snyder, Applicant's Representative

No one spoke in a neutral position or in opposition of the subject proposal.

IV. CONTROVERSIAL ISSUES

NONE

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 5-0, recommended to the Board of Supervisors;

RECIRTIIFIED ENVIRONMENTAL IMPACT REPORT NO. 486, based on the findings incorporated in the EIR; and,

CERTIFIED ADDENDUM NO. 1 to ENVIRONMENTAL IMPACT REPORT NO. 486, based on the finding that all impacts were adequately analyzed pursuant to applicable legal standards, and while some changes and/or additions are necessary, none of the conditions described in California Code of Regulations Section 15162 exist;

**PLANNING COMMISSION
MINUTE ORDER FEBRUARY 3, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

APPROVED SPECIFIC PLAN NO. 338, SUBSTANTIAL CONFORMANCE NO. 1, subject to the attached conditions of approval, and based on the findings and conclusions incorporated in the staff report; and,

APPROVED TENTATIVE TRACT MAP NO. 35058, subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report.

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 5.1
Area Plan: Western Coachella Valley
Zoning District: Bermuda Dunes
Supervisory District: Fourth
Project Planner: Judy Deertrack
Planning Commission: February 3, 2010
Continued From: TR-2/18/09 & 4/29/09

SPECIFIC PLAN NO. 338, SUBSTANTIAL
CONFORMANCE NO. 1; TENTATIVE TRACT
MAP NO. 35058
E.A. Number: 42021 (Addendum No. 1 to EIR
No. 486)
Applicant: Mirasera, LLC
Engineer/Rep.: Hunsaker & Associates, Inc.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Specific Plan 338, Substantial Conformance No. 1 (SP338S1) proposes to make modifications to certain text, tables and figures within the adopted Specific Plan No. 338 document in order to realign a portion of Avenue 38 to accommodate an approximate 7,330 foot long drainage channel and adjust the circulation (roadway) system, including elimination of five (5) secondary community entry points, the addition of a two (2) acre park, and adjustment of planning area boundaries. The Schedule C tentative tract map is a land division of approximately 190 acres into 16 large lots ranging in size from two (2) acres to twenty (20) acres for future residential, commercial, mixed use developments, and related improvements pursuant to the Mirasera Specific Plan. A more detailed description of the specific plan modifications and tract map improvements follows.

ISSUES OF POTENTIAL CONCERN:

The Specific Plan's circulation improvements originally anticipated an immediate expansion of Varner Road to six lanes adjacent to the project site and off-site easterly along Varner Road to Washington Street, in order to accommodate the traffic volume generated primarily from the Desert Classic Golf Tournament just northwesterly of the subject property. Upon the cancellation of that tournament at that location, the project applicant renegotiated the triggering events to the Varner roadway expansion, which will now expand from four lanes to six lanes upon reaching certain level of service (LOS) thresholds rather than residential build-out thresholds, as originally anticipated. Owners of the developed properties fronting on Varner Road and east of the subject property have indicated that they will oppose giving up any of their lands for right-of-way dedication needed for Varner Road to become a six lane highway close to Washington Street. Because of multiple considerations, the Transportation Department has phased improvements over time to the new criteria.

FURTHER PLANNING CONSIDERATION:

February 3, 2009

At the February 18, 2009 Planning Commission hearing for the tentative tract map, the map was continued to April 29, 2009, and was subsequently continued off calendar so the applicant could file an application for a substantial conformance to the adopted specific plan which would modify the document in such a manner that the proposed Tentative Tract Map could be determined to be consistent with the adopted specific plan.

Varner Road has been conditioned to six lanes between the westerly boundary of Mirasera and Washington Street. However, prior to the issuance of a building permit for any implementing project, Varner Road shall be improved to four lanes between the western boundary of the Specific Plan and Washington Street. Once the trip generation within the Specific Plan hits a specific amount, (described in the Riverside County Transportation Department conditions) Varner Road shall be improved to six lanes. If condemnation is required to obtain off-site right-of-way on Varner Road, Ordinance 460, section 3.2.j. shall apply. The improvements to Varner Road may be made in phases and each implementing project within the Specific Plan shall bear financial responsibility for on-site and off-site

improvements to Varner Road. The financial responsibility is in proportion to the number of trips for the project (30. TRANS 6).

The realignment of Avenue 38 affecting this project Mirasera (TR35058 / SP338S1) and the adjacent Valante project (TR34651 / SP360A1) has been finalized. The property owners submitted a letter of intent and agreement stating that they are in agreement with a common alignment acceptable to both parties. Both projects are currently addressing the traffic study which indicated that Varner Road along the project's boundary could be four lanes instead of six lanes as previously suggested.

SUMMARY OF FINDINGS:

- | | |
|-------------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Vacant |
| 2. Surrounding Land Use (Ex. #1): | Vacant to the north, and west; vacant, RV park and industrial development to the east; and Interstate 10 and City of Palm Desert to the south. |
| 3. Existing Zoning (Ex. #3): | Specific Plan (SP338) |
| 4. Surrounding Zoning (Ex. #3): | Natural Assets (N-A) to the north; City of Palm Desert (PL-3) to the south; Controlled Development Areas (W-2-10) and Industrial Park (I-P) to the east; and W-2 to the west |
| ~~5. General Plan Land Use~~ | ~~Land Use: Open Space: Recreation (OS: R), Community Development: Highest Density Residential (HHDR), High Density Residential (HDR), Commercial Office (CO), and Mixed Use Planning Area~~ |
| 5. Surrounding Land Use | Open Space-Conservation Habitat (OS-CH), High Density Residential (HDR) (<i>Adopted Specific Plan No. 360</i>), Commercial Retail (CR), Light Industrial (LI), and Commercial Tourist (CT) |
| 6. Project Data: | Total Acreage: 190 acres
Proposed Min. Lot Size: 2 acres
Schedule: C |
| 7. Environmental Concerns: | See attached environmental documentation |

RECOMMENDATIONS:

RECERTIFICATION of ENVIRONMENTAL IMPACT REPORT NO. 486, based on the findings incorporated in the EIR; and,

CERTIFICATION of ADDENDUM NO. 1 to ENVIRONMENTAL IMPACT REPORT NO. 486, based on the finding that all impacts were adequately analyzed pursuant to applicable legal standards, and while some changes and/or additions are necessary, none of the conditions described in California Code of Regulations Section 15162 exist;

APPROVAL of SPECIFIC PLAN NO. 338, SUBSTANTIAL CONFORMANCE NO. 1, subject to the attached conditions of approval, and based on the findings and conclusions incorporated in the staff report; and,

APPROVAL of TENTATIVE TRACT MAP NO. 35058, subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is consistent with all elements of the Riverside County General Plan and Specific Plan No. 338 and with the related SP Zone of Ordinance No. 348.
2. The public's health, safety and general welfare are protected through project's design and required improvements.
3. The proposed project is conditionally compatible with the present and future logical development of the area.
4. An ADDENDUM to previously certified EIR No. 486 has been prepared and the project is in accordance with Specific Plan No. 338.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, and in the attached environmental documentation, which is incorporated herein by reference.

1. The project site is designated Open Space: Recreation (OS: R), Community Development: Highest Density Residential (HHDR), High Density Residential (HDR), Commercial Office (CO), and Mixed Use Planning Area on the Western Coachella Valley Area Plan land use designation.
2. The zoning for the subject site is Specific Plan (SP338). The proposed use for mixed use development is consistent with the uses permitted and the development standards set forth in the Specific Plan (SP338) zone.
3. The project site is surrounded by properties, which are designated Open Space-Conservation Habitat to the north, High Density Residential (HDR) to the west; Commercial Retail (CR), Commercial Tourist (CT), and Light Industrial (LI) to the east; and the City of Palm Desert and Interstate 10 Freeway to the south.
4. The project proposes to divide approximately 190 acres into 16 parcels for sale to merchant builders or for further development by the owner.
5. The project is compatible with surrounding zoning and uses through project design measures outlined in Specific Plan No. 338 such as:
 - a. Community Design—the project will create a signature mixed-use community appropriate for the Coachella Valley, where residents and employees can live, work and shop in the same urban village while reducing the need for the use of automobiles. The project will provide a variety of housing choices that give an opportunity for residents with diverse income levels to live and work in the same community, enhancing their ability to reallocate their time to be spent with their families as opposed to commuting.

- b. Landscaping – Master planned landscape treatments will play a pivotal role in establishing an overall theme for the Mirasera project. Landscaping will provide unification and continuity among the various land uses. Landscape treatments are designed to reflect and enhance the character of the proposed development. The intent of the Conceptual Landscape Plan is to describe and illustrate how community unification can be achieved. The project will introduce thematic elements into the manmade environment and complement the natural beauty of the surrounding desert landscaping.
- 6. Domestic water and sewer will be provided by the Coachella Valley Water District as stated in their letter dated November 20, 2008. Domestic water and sanitation shall be provided in conformance with the water and sewer policies of the General Plan.
 - 7. The project is approximately 2 miles from a fire station and will provide additional on-site fire protection improvements, such as water system and fire hydrants, in conformance with the fire services policies of the General Plan.
 - 8. The project is located northeasterly of Varner Road (118' ROW) and southerly of Avenue 38 (118' ROW) and will provide appropriate street and off-site traffic mitigation such as Transportation Uniform Mitigation Fees (TUMF) and street improvements along the site frontage.
 - 9. This project is located within the Coachella Valley Multiple Species Habitat Conservation Plan fee area and is not located within a Conservation Area of that plan. This project fulfills the requirements of that plan through conformance with Ordinance No. 875.
 - 10. Flood and drainage control improvements shall be integrated into the Thousand Palms Whitewater Rivers Basin Flood Control project as approved by the Coachella Valley Water District.
 - 11. This project is within the sphere of influence of the City of Palm Desert. It is also located within the boundaries of the Thousand Palms Community Council which recommended the project for approval on January 29, 2009.
 - 12. The following findings relate to Tentative Tract Map No. 35058 (hereafter referred to as "the project") and associated ADDENDUM to a previously-certified Environmental Impact Report (EIR) prepared for the project in compliance with the California Environmental Quality Act (hereafter CEQA):
 - a. Tentative Tract Map No. 35058 is undertaken to further implement Specific Plan No. 338, which was approved the Riverside Board of Supervisors on November 27, 2007.
 - b. EIR No. 486 was previously certified by the Riverside County Board of Supervisors on November 27, 2007 as containing a complete, objective and accurate reporting of the environmental impacts associated with Specific Plan No. 338, and the Board of Supervisors -- at properly noticed public hearing(s) -- reviewed and considered EIR No. 486, prior to adopting Specific Plan No. 338 and prior to approving the entitlements associated with said Specific Plan.

- c. The Project is fully consistent with, and meets the intent and purpose of, Specific Plan No. 338. No new designations or types of land use are proposed for the Project, and overall land uses and densities remain the same.
- d. The Project is consistent with the findings and conclusions contained in the staff report approving Specific Plan No. 338.
- e. The Project does not propose any substantial changes which would create new significant environmental effects or a substantial increase in the severity of previously identified significant effects, or which would require major revisions to EIR No. 486.
- f. No substantial changes have occurred with respect to the circumstances under which the Project is being undertaken to further implement Specific Plan No. 338 which involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects, or which would require major revisions to EIR No. 486.
- g. While some changes or additions are necessary as indicated in the associated ADDENDUM, no new information of substantial importance not considered in EIR No. 486 shows any of the following: (1) that the Project will have one or more significant effects not discussed in that Environmental Impact Report; (2) that significant effects previously examined will be substantially more severe than shown in that Environmental Impact Report; (3) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Project; or (4) that mitigation measures or alternatives which are considerably different than those analyzed in EIR No. 486, would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative.
- h. These findings are based upon all documents and records contained within the Riverside County Planning Department files with respect to the County's consideration and adoption of Specific Plan No. 338, and all amendments thereto, and the County's consideration and certification of EIR No. 486 and all subsequent environmental review relating thereto.
- i. The project is exempt from further environmental review under the Public Resources Code and the State CEQA guidelines.

TABLE OF CHANGES FOR SPECIFIC PLAN SUBSTANTIAL CONFORMANCE NO. 338S1:

A substantial conformance to the Mirasera Specific Plan No. 338 (SP 338) was requested by the Riverside County Planning Department in order to conform Tentative Tract Map No. 35058 to specific plan requirements with modifications to meet the circulation and drainage requirements imposed by the Transportation Department and United States Army Corp of Engineers (USACOE). The substantial conformance application was submitted to the County of Riverside on August 10, 2009 and was presented at the LDC meeting on August 27, 2009.

Tentative Tract Map No. 35058 is a Schedule 'C' subdivision of approximately 190 gross acres into sixteen numbered (16) lots consisting of the following: seven (7) residential lots comprised of two (2) high density residential (HDR) lots at (12 DU/AC) and five (5) very high density residential (VHDR) lots with three (3) lots at (20 DU/AC) and two (2) lots at (25 DU/AC); one (1) commercial retail lot; three (3)

commercial office lots; three (3) mixed-use lots (including the 3.7 acre hotel), and (2) open space lots. The project proposes a future drainage channel at the northerly project boundary adjacent to 38th Avenue, three (3) detention basins, one (1) retention basin and related infrastructure improvements pursuant to the Mirasera Specific Plan, Substantial Conformance No.1 (SP338S1). Additionally, mass graded super pads and/or rough graded building pads are presently anticipated to be graded by the land owner for sale to merchant builders or for further development by the owner. Approximately 54 acres for off-site work improvements (42 acres for the drainage channel improvements and Avenue 38 right-of-way), mostly for a drainage channel, increases the scope of work of disturbed areas to approximately 244 acres and the movement of approximately two-million cubic yards of earth.

The project is located within the Western Coachella Valley Area Plan; more specifically, the project is located northerly of Varner Road, southerly of 38th Avenue, westerly of the Desert Business Park, and easterly of the Valante development project (TR34651 / SP360A1), currently a vacant lot.

The table which follows is a detailed summary of the exhibit revisions for Mirasera Substantial Conformance to Specific Plan No. 338 (SP338S1):

SUMMARY OF TEXT, TABLE & EXHIBIT REVISIONS FOR MIRASERA SUBSTANTIAL CONFORMANCE SPECIFIC PLAN (SP00338S1)
Plan View Aerial of the Project Site (Figure 2-3) • Updated configuration of the project site to be consistent with the current proposed Land Use Plan including revised Planning Area boundaries, circulation system and alignment of Avenue 38 and the ACOE Channel Facility per TTM 35058. • Updated the alignment of Avenue 38 and the ACOE Channel Facility through the Valante Specific Plan area to the west of the project site and the Christian Schools of the Desert site to the east of the project site. • Eliminated the proposed Class I Bikeway along Varner Road from Washington Street to Avenue 38.
Conceptual Land Use Summary (Table 4-1) • Planning Area 1 (Very High Density Residential Mix) overall acreage increased from 61.2 acres to 66.4 acres. • Planning Area 2 (High Density Residential Mix) overall acreage increased from 22.1 acres to 22.6 acres. • Planning Area 3 (Business Park/Office) overall acreage increased from 17.5 acres to 18.8 acres. • Planning Area 4 (Mixed Use/Live Work) overall acreage increased from 11.9 acres to 13.6 acres. • Planning Area 5 (Community Retail) overall acreage increased from 17.2 acres to 17.6 acres. • Planning Area 6 (Village Green) overall acreage increased from 6.0 acres to 8.2 acres. • Other; previously listed as Parks/Trails decreased from 8.0 acres to 2.7 acres, is now listed as Landscape Median/Trails. The acreage decreased because the proposed Varner Road trail was removed per Riverside County's request. The Drainage Channel has decreased from 14.8 acres to 11.3 acres and Miscellaneous Roads and Open Space has decreased from 31.1 acres to 28.6 acres. However, because the number of public streets decreased and the number of units has not changed, the amount of open space will increase for future site plans.
Conceptual Land Use Plan (Figure 4-1) • Updated Land Use Plan to match current configuration of the proposed development consistent with TTM 35058 including revisions to the circulation system and planning area boundaries. • Alignments of Avenue 38 and proposed ACOE Channel Facility have been updated with the channel running entirely in the east-west direction and not connecting to Varner Road. The Avenue 38 alignment has also been shifted to the north with a more gradual radius connecting to Varner Road. • Planning Area acreages have been updated to match the current layout and accommodate the addition of the 2.1 acre park site part of Planning Area 6.
Planning Area Exhibit (Figure 4-2) • Updated Planning Area Exhibit to revise the Planning Area boundaries for consistency with the current project layout as shown on TTM 35058.

SUMMARY OF TEXT, TABLE & EXHIBIT REVISIONS FOR MIRASERA SUBSTANTIAL CONFORMANCE SPECIFIC PLAN (SP00338S1)
Project Site Entries (Table 4-2) Revised the number of Secondary Community entries on Varner Road from 3 to 1 and the total number of Secondary Community entries from 5 to 3.
Text Revision – Pg. 4.21, Varner Road Section Revised dimension of ultimate full-width right-of-way for Varner Road (Major Highway) from 118' to 111'.
Conceptual Circulation Plan (Figure 4-3) - Updated the Circulation Plan to be consistent with the roadway system shown on TTM 35058. - The length of the Commercial Collector street section has been reduced due to the addition of the roundabout improvements. - The North Promenade street section has been reduced due to the addition of the 2.1 acre park in the north portion of the project site. - The Regional Trail and connection points along the project's southerly boundary (Varner Road) have been eliminated. - Street cross sections have been updated to reflect the current road widths. (refer to descriptions below for specific details regarding the street width revisions for Figures 4-4, 4-9, 4-10, 4-11, & 4-13)
Proposed Varner Road Cross Section (Figure 4-4) The typical section for Varner Road has been revised to provide an ultimate right-of-way of 111 feet instead of 118 feet. The 111-foot section will consist of (south to north) 5-foot wide landscaping, 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot median, 11', 11', 14' westbound through lanes), 22 feet of landscaping which includes a 5-foot meandering sidewalk.
Residential Collector Streetscape and Cross Section (Figure 4-9) The typical section for a Residential Collector has been revised to provide an ultimate right-of-way of 66 feet instead of 88 feet. The 66-foot section will consist of 11-foot parkways with 6-foot walks, and 44 feet of pavement (10' bike lane, 12' eastbound through lane, 12' westbound through lane and a 10' bike lane).
Commercial Collector Streetscape and Cross Section (Figure 4-10) The typical section for a Commercial Collector has been revised to provide an ultimate right-of-way of 104 feet instead of 102 feet. The 104-foot section will consist of 11-foot parkways with 6-foot walks, and 82 feet of pavement (8' bike lane, 12' and 13' eastbound through lanes, 16-foot median, 13' and 12' westbound through lanes, and 8' bike lane).
Main Promenade Streetscape and Cross Section (Figure 4-11) The Main Promenade Street Section has been revised to provide an ultimate right-of-way of 93 feet instead of 146 feet. The 93-foot section will consist of (west to east) 12-foot walks, 69 feet of pavement (13', 13', eastbound through lanes, 22-foot median, 13' westbound through lane and 8 feet of parking).
North Promenade Streetscape and Cross Section (Figure 4-13) The North Promenade Street Section has been revised to provide an ultimate right-of-way of 84 feet instead of 97 feet. The 84-foot section will consist of 16-foot parkways with 6-foot walks, 52 feet of pavement (8' bike lane, 13' eastbound through lane, 10-foot median, 13' westbound through lane and 8' bike lane).
Conceptual Land Use Plan (Figure 5-3) - Planning area boundaries and the overall circulation system have been revised to be consistent with Tentative Tract Map No. 35058. - Planning Area acreages have been revised to be consistent with Tentative Tract Map 35058 development layout and a new 2.1 acre park site has been added within Planning Area 6. - The alignment of Avenue 38 and the proposed ACOE Drainage Channel ROW have been modified and the overall acreage for the drainage channel decreased from 14.8 acres to 11.3 acres.

INFORMATIONAL ITEMS:

- As of this writing (1/12/2010), staff received no letters in opposition or in favor of this project.
- The project site is not located within:

- a. Fringe Toed Lizard sand source area
 - b. General Plan Policy Overlay Area
 - c. California Gnatcatcher, Quino Checkerspot Butterfly habitat.
-

- 3. The project site is located within:
 - a. The boundaries of the Desert Sands Unified School District.
 - b. Flood Zone AO of the FEMA Flood Plain.
 - c. The CVMHSCP fee area.
 - d. Compatibility Zone E of the Bermuda Dunes Airport.
 - 4. The subject site is currently designated as Assessor's Parcel Number 626-140-003, 626-150-004 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, and 025.
 - 5. The project site is within a 100-year flood zone, thus, the property must be protected from flooding prior to any development on the site. Therefore, the property owner and the adjacent property owners have entered into multi-party agreements with the United States Army Corps of Engineers (USACOE) to participate in the construction of a portion of a regional drainage facility that will tie the project into other flood systems up and down stream.
 - 6. The project was filed with the Planning Department on August 13, 2008.
 - 7. The project was reviewed by the Land Development Committee four times on the following dates, October 16, 2008; November 20, 2009; December 18, 2008; and January 22, 2009.
 - 8. Deposit based fee charged for this project, as of the time of staff report preparation on January 20, 2010, total \$89,846.59.
-

PO 2/3/10 Item 5.1

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

Memorandum

DATE: February 3, 2010
TO: The Planning Commission
FROM: Judy Deertrack, Project Planner
RE: Additional information provided after the staff report was printed for Item 5.1, SP338S1 and TR5058

Planning Commission,

The following information was provided after the staff report was distributed to members of the Planning Commission:

- Two additional letters were received from agencies/private entities on this project after the staff report was distributed. The letters are attached:
 - United States Department of the Interior Fish and Wildlife Service letter dated January 27, 2010
 - Sun City Palm Desert Community Associated letter dated February 2, 2010
- One additional letter of request was received from applicant's consultants, Hunsaker & Associates, dated January 28, 2010, requesting revisions to the conditions of approval for Tentative Tract No. 35058. The letter of request is attached.
- The Transportation Department has submitted 80 and 90 Series Conditions of Approval. At the time the staff report was distributed to the Planning Commission, these conditions were in "DEFERRED" status pending review by the Commission. Transportation Department is requesting a status change to "NOT APPLY" where the conditions of approval have been superseded by Specific Plan No. 338, Substantial Conformance No. 1.
- The following conditions of approval were developed after the staff report was printed based upon the recommendation from the United States Department of Fish and Game with a recommendation from the Planning Department that they be added to Tentative Tract Map No. 35058, and that Specific Plan No. 338, Substantial Conformance No. 1 be modified to conform to the mitigation measure:

10.Planning.XX SAND CAPTURE PLANTINGS

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

Per the recommendations of the United States Department of the Interior Fish and Wildlife Service Letter dated January 27, 2010, the applicant shall be responsible for planting and subsurface irrigation of native Honey Mesquite plants at least 10 feet (10') wide spanning the entire length of the development prior to completion of the first phase. Said plantings shall be located between the CVWD channel access road on its south side and the Class I Bike Trail aligned with Ave 38, within the 24' foot (24') section that is, and shall remain the applicant's responsibility.

30.Planning.XX CVWD AGENCY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, a clearance letter from the Coachella Valley Water District (CVWD) shall be required. The letter shall indicate that the following CVWD requirements, communicated via email to the project planner on February 2, 2010 have been completed to the satisfaction of CVWD-

- 1) Obtain a Conditional Letter of Map Revision (CLOMR) through the Federal Emergency Management Agency.
- 2) Execute an agreement with the District which shall include provisions outlined in the District Ordinance No. 1234. A copy of the Ordinance No. 1234 is enclosed for your convenience.
- 3) Submit to the District a Flood Control Facility Operations and Maintenance Manual for review and approval.
- 4) Grant flooding easements over the flood control facilities in a form and content reasonably acceptable to the District.
- 5) Submit final construction plans for the proposed flood control facilities and a detailed hydrological and hydraulic design report for review and approval.

50.Planning.XX CVWD AGENCY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF THE FIRST BUILDING PERMIT, a clearance letter from the Coachella Valley Water District (CVWD) shall be required. The letter shall indicate that the following CVWD requirements, communicated via email to the project planner on February 2, 2010 have been completed to the satisfaction of CVWD-

- 1) At the completion of the construction of the flood control facilities, submit "as-built" topography, construction drawings and engineering analysis for District review to verify that the design capacity is adequate.

2) Obtain a Letter of Map Revision (LOMR) through the Federal Emergency Management Agency, which removes the development from the special flood hazard area.

PC 2/3/10 Item 5.1



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sonny Bono Salton Sea National Wildlife Refuge Complex

906 West Sinclair Road

Calipatria, CA 92233-9744

760-348-5278 Fax 348-7245



RECEIVED

FEB 01 2010

Riverside County
Planning Department
Desert Office

January 27, 2010

Mr. Matt Straite
Project Planner
County of Riverside Planning Department
38686 El Cerrito Road
Palm Desert, CA 92211

Subject: Proposed Mirasera and Valante Land Use Plans

Dear Mr. Straite,

On March 19, 2009, I stopped by your office (spoke to Mr. Maurice Borrows) and reviewed plans for the proposed developments on private lands immediately to the south of 38th Street and the Coachella Valley National Wildlife Refuge (Refuge), located in the Thousand Palms area of the Coachella Valley. This U.S. Fish and Wildlife Service Refuge is dedicated to the protection of habitat, mostly sand dunes, for the Coachella Valley fringe-toed lizard, a species listed as threatened under the Endangered Species Act of 1973, as amended. Continued inputs of blow sand are crucial to maintaining these sand dunes and the ecosystems within the Refuge upon which this and other listed and sensitive species depend. Lands just south of the Refuge, including the lands proposed for development, have received blow sand for centuries as part of the natural processes of the Coachella Valley.

Therefore, it is very probable that residential or commercial development of areas downwind from the Refuge will experience periodic inputs of significant and frequent blowing sand as this ecological process continues. We appreciate the extent and thoughtful approach Riverside County has taken in its community planning around the Refuge. Our hope is to build on this approach and ensure that people associated with these proposed developments are clearly aware of the high potential for blowing sand, and to offer some suggestions that would likely significantly lessen the amount of sand that would accumulate in these areas once development occurs. Our goal is also to do this in such a way that the ecosystems of the Refuge would also benefit, and to do so with low monetary and environmental costs.

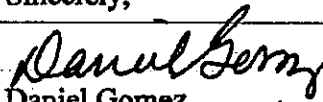
Short sand fences have been constructed on the Refuge to enhance blowsand ecosystem function. While somewhat effective in enhancing fringe-toed lizard habitat through increasing the depth of deposited blow sand in a location, these fences have been found to be of limited utility in reducing the quantity of sand from exiting the Refuge boundary. This is because the quantities of blowsand transported by the wind through the Refuge are such that the capacity of these fences is typically overwhelmed in a short period of time, and subsequently much of the sand blows past these fences; this evidenced by the buildup of dunes along 38th Street.

One suggestion we have for the proposed developments on the south side of 38th Street is to establish and maintain a wide swath of subsurface irrigated native honey mesquite plants along the development's northern boundaries to capture sand. Mesquite is very effective at capturing blow sand, as can be seen in the mesquite hummocks along the Banning Fault in the Willow Hole area. The proposed developments would provide the mesquite plants, planting, irrigation system, and irrigation water. These mesquite shrubs or trees would slow wind speeds close to the ground, causing blow sand to deposit in that location; this would greatly reduce the amount of sand that would otherwise accumulate within the downwind proposed developed areas, and the mesquite stands would continually adjust to new sand inputs (unlike fences). This mesquite stand would also provide a wide range of overall ecological benefits to native sensitive species (i.e., Coachella Valley fringe-toed lizard and Palm Springs round-tailed ground squirrel). This possibility however, may be affected by plans to possibly build a flood diversion canal along that corridor.

Other possibilities for capturing blow sand include a screening fence of some type. Although not as desirable due to the lack of ecological benefits and the constant necessary maintenance, such a fence would also significantly reduce accumulations of sand within the development. If constructed along 38th Street, the accumulated sand outside the Refuge could be collected by the developer, and transported to an upwind portion of the Refuge to be deposited, as occurs in a limited fashion now through the County of Riverside.

The architects and designers working on these developments have probably already taken blowing sand into consideration to a certain extent. However, if we can be of help in arriving at improved options or if you have any questions, please feel free to call me at (760) 348-5278 x225.

Sincerely,



Daniel Gomez
Deputy Project Leader

RECEIVED

FEB 02 2010

Riverside County
Planning Department
Desert Office



**SUN CITY
PALM DESERT**
Community Association

February 2, 2010

Riverside County Planning Department
Attn: Judy Deertrack
38686 El Cerrito Road
Palm Desert, CA 92211

Dear Ms. Deertrack,

Sun City Palm Desert Community Association is in receipt of the notice of hearing for Specific Plan No. 338, Substantial Conformance No. 1 / Tentative Tract Map no. 35058.

We have reviewed the staff report and Conditionals of Approval. We concur with staff's recommendations that no development shall occur prior to the relocation of 38th Street and the construction of the flood control improvements within a portion of Sun City Palm Desert Community Association.

We strongly urge the Planning Commission to approve as recommended by staff.

Sincerely,

A handwritten signature in cursive script that reads "Sandy Seddon".

Sandy Seddon
General Manager

CC: SCPDCA Board of Directors



HUNSAKER & ASSOCIATES

IRVINE, INC.

PLANNING
ENGINEERING
SURVEYING
GOVERNMENT RELATIONS

IRVINE
LOS ANGELES
RIVERSIDE
SAN DIEGO

January 28, 2010

Ms. Judy Deertrack
Planner IV
COUNTY OF RIVERSIDE – DESERT OFFICE
38686 El Cerrito Road
Palm Desert, CA 92211

RECEIVED

FEB 01 2010

Riverside County
Planning Department
Desert Office

Subject: **Request for Revisions to the Conditions of
Approval for Tract 35058
Unincorporated Territory of the County of Riverside**

Dear Judy:

On behalf of Mirasera, LLC, Hunsaker & Associates Irvine, Inc. is requesting revisions to the draft conditions of approval for Tentative Tract Map 35058 (TR35058) dated January 21, 2010 listed below. Following the condition in question is our justification for its revision.

FOUNDING PARTNERS:

RICHARD HUNSAKER

TOM R. MCGANNON

JOHN A. MICHLER

DOUGLAS G. SNYDER

Requested Conditions of Approval for TR35058 to be Revised

10. PLANNING 031

SP – AIRPORT INFO SIGNS

~~"During initial sales of properties within the project, large airport related informational signs shall be installed and maintained by the developer. These signs shall be installed in conspicuous locations and shall clearly depict the proximity of the property to the Bermuda Dunes Airport and aircraft traffic patterns."~~

Justification: This condition should be part of the 80 series conditions because it's related to the sale or lease of units.

10. PLANNING 032

SP – INFORMATIONAL BROCHURE

"An informational brochure shall be provided to prospective buyers or renters showing the locations of aircraft flight patterns. [Exhibit BD-8 of RCALUCP shall suffice] The frequency of over flights, the typical altitudes of aircraft, and the range of noise levels that can be expected from individual aircraft over flights shall be described."

Justification: This condition should be part of the 80 series conditions because it's related to the sale or lease of units.

10. PLANNING 038

SP – M/M PROGRAM

"The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

Justification: This condition should be removed because it is the same as 10. PLANNING 033.

Three Hughes
Irvine, California

92618-2021

(949) 583-1010 PH

(949) 583-0759 FX

www.hunsaker.com



Ms. Judy Deertrack
Planner IV
COUNTY OF RIVERSIDE – DESERT OFFICE
January 28, 2010
Page 2

30. TRANS 014 SP – SP338/VARNER IMPROVEMENT

Prior to the approval of any implementing projects, the following improvements shall be completed: Varner Road from the westerly project boundary east to the projects easterly boundary, matching the existing improvements along Varner Road shall be improved to provide the following: Varner Road shall be constructed to provide three eastbound and three westbound through lanes within a Major Highway right-of-way (118'). The cross-section of the corridor shall provide (south to north) 10-foot wide landscaping, 84-feet of pavement (14', 11', 11' eastbound through lane, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 5-foot wide landscaping, 5-foot wide sidewalk, 4-foot wide landscaping and 10-foot wide bike path. Varner Road frontage improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Cal Trans and County Transportation Department. or as approved by the Transportation Department.

Justification: Condition status should read "Not Apply" instead of "Deferred." The required improvements for Varner Road should be consistent with conditions 50. TRANS 039 and 50. TRANS 040. Varner Road is proposed to provide a 111' R/W instead of a 118' R/W, as it is stated in 50. TRANS 039 and 50. TRANS 040.

30. TRANS 015 SP – SP338/38TH AVE IMPROVEMENT

Prior to the approval of any implementing projects, the following improvements shall be completed: 38th Avenue shall be improved to the Ultimate full section within the project boundaries. The improvements shall reflect a Major Highway roadway classification as approved by the Transportation Department. The off-site portion of 38th Avenue (between the projects westerly boundary and Varner Road) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of this portion of 38th Avenue shall be coordinated with SP00360.

Justification: Condition status should say "Not Apply" instead of "Deferred." The required improvements for Avenue 38 should be consistent with condition 50. TRANS 041. There are also additional off-site improvements required for Avenue 38 from the eastern project boundary to Washington Street, as it is stated in 50. TRANS 041.

30. TRANS 016 SP – VARNER RD OFF-SITE RAW

Prior to the issuance of the 500th building permit the project proponent shall obtain sufficient off-site right-of-way along Varner Road from the project boundary to Washington Street to facilitate the construction of 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes) and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department.

Justification: Condition status should say "Not Apply" instead of "Deferred." This condition needs to be revised to match conditions 50. TRANS 032-038. Varner Road is phased based on traffic counts as the Transportation Department has agreed to.



Ms. Judy Deertrack
Planner IV
COUNTY OF RIVERSIDE – DESERT OFFICE
January 28, 2010
Page 3

30. TRANS 017

SP – VARNER RD OFF-SITE CONSTR

Prior to the issuance of the 1,000th building permit, Varner Road from the project boundary to Washington Street shall be designed and constructed to include 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department. The above mentioned improvements shall include barrier rail and glare shield fencing between Interstate 10 and Varner Road as approved by the Transportation Department.

Justification: Condition status should read "Not Apply" instead of "Deferred." This condition needs to be revised to match conditions 50. TRANS 032-038. Varner Road is phased based on traffic counts as the Transportation Department has agreed to.

50. PLANNING 040

SP – AVIGATION EASEMENT

"Prior to the sale of any property within the project boundary or prior to the recordation of a final map, whichever occurs first, an Avigation Easement containing the provisions indicated in Countywide Policy 4.3.5 shall be dedicated to the Bermuda Dunes Airport. Said easement shall remain in effect for as long as the airport remains in operation."

Justification: This condition should be removed. It is the same as 10. PLANNING 036.

80. TRANS 013

SP – VARNER RD OFF-SITE R/W

Prior to the issuance of the 500th building permit the project proponent shall obtain sufficient off-site right-of-way along Varner Road from the project boundary to Washington Street to facilitate the construction of 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes) and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department.

Justification: Condition status should read "Not Apply" instead of "Deferred." This condition needs to be revised to be consistent with condition 50. TRANS 032-038. Varner Road is phased based on traffic counts as the Transportation Department has agreed to.



Ms. Judy Deertrack
Planner IV
COUNTY OF RIVERSIDE – DESERT OFFICE
January 28, 2010
Page 4

80. TRANS 014 SP – VARNER RD OFF-SITE CONSTR

Prior to the issuance of the 1,000th building permit, Varner Road from the project boundary to Washington Street shall be designed and constructed to include 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department. The above mentioned improvements shall include barrier rail and glare shield fencing between Interstate 10 and Varner Road as approved by the Transportation Department.

~~Justification: Condition status should read "Not Apply" instead of "Deferred."~~
This condition needs to be revised to be consistent with condition 50. TRANS 032-038. Varner Road is phased based on traffic counts as the Transportation Department has agreed to.

90. TRANS 012 SP – SP338/38TH AVE IMPROVEMEN

Prior to the first building final inspection, the following improvements shall be completed: 38th Avenue shall be improved to the Ultimate full section within the project boundaries. ~~The improvements shall reflect a Major Highway roadway classification as approved by the Transportation Department. The off-site portion of 38th Avenue (between the projects westerly boundary and Varner Road) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of this portion of 38th Avenue shall be coordinated with SP00360.~~

Justification: This condition needs to be revised to be consistent with 50. TRANS 046. There are also additional off-site improvements required for Avenue 38 from the eastern project boundary to Washington Street, as stated in condition 50. TRANS 046.

90. TRANS 013 SP – SP338/VARNER IMPROVEMENT

Prior to the first building final inspection, the following improvements shall be completed: Varner Road from the westerly project boundary east to the projects easterly boundary, matching the existing improvements along Varner Road shall be improved to provide the following: Varner Road shall be constructed to provide three eastbound and three westbound through lanes within a Major Highway right-of-way (118'). The cross-section of the corridor shall provide (south to north) 10-foot wide landscaping, 84-feet of pavement (14', 11', 11' eastbound through lane, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 5-foot wide landscaping, 5-foot wide sidewalk, 4-foot wide landscaping and 10-foot wide bike path. Varner Road frontage improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Cal Trans and County Transportation Department. or as approved by the Transportation Department.

Justification: This condition needs to be revised to be consistent 50. TRANS 044 and 50. TRANS 045. Varner Road is proposed to provide a 111' R/W instead of a 118' R/W, as stated in conditions 50. TRANS 044 and 50. TRANS 045.



Ms. Judy Deertrack
Planner IV
COUNTY OF RIVERSIDE – DESERT OFFICE
January 28, 2010
Page 5

Thank you for your consideration of our request to revise the conditions of approval for TR 35058 dated January 21, 2010. If you have any questions please give me a call at (949) 462-3841 or email me at gsnyder@hunsaker.com.

Sincerely,

HUNSAKER & ASSOCIATES IRVINE, INC.

A handwritten signature in black ink, appearing to read 'Garrett D. Snyder'.

Garrett D. Snyder
Planner

GS:tl

Attachments:

xc: Shelley McCollough, Mirasera, LLC
Vic Cooper
Doug Snyder
Ted Frattone, H&A

W.O. 3479-4X
(f:\c\wo\3479\4X L01-gs.doc)

02/02/10
11:03Riverside County LMS
CONDITIONS OF APPROVAL

Page: 1

TRACT MAP Tract #: TR35058

Parcel: 626-150-007

80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 13

SP - VARNER RD OFF-SITE R/W

NOTAPPLY

Prior to the issuance of the 500th building permit the project proponent shall obtain sufficient off-site right-of-way along Varner Road from the project boundary to Washington Street to facilitate the construction of 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes) and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department.

80.TRANS. 14

SP - VARNER RD OFF-SITE CONSTR

NOTAPPLY

Prior to the issuance of the 1,000th building permit, ~~Varner Road from the project boundary to Washington Street shall be designed and constructed to include 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department. The above mentioned improvements shall include barrier rail and glare shield fencing between Interstate 10 and Varner Road as approved by the Transportation Department.~~

90. PRIOR TO BLDG FINAL INSPECTION

TRANS DEPARTMENT

90.TRANS. 12

SP - SP338/38TH AVE IMPROVEMEN

NOTAPPLY

Prior to the first building final inspection, the following improvements shall be completed:

38th Avenue shall be improved to the Ultimate full section within the project boundaries. The improvements shall reflect a Major Highway roadway classification as approved by the Transportation Department. The off-site portion of 38th Avenue (between the projects westerly boundary and Varner Road) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of this portion of 38th

02/02/10
11:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 2

TRACT MAP Tract #: TR35058

Parcel: 626-150-007

~~90. PRIOR TO BLDG FINAL INSPECTION~~

90.TRANS. 12 SP - SP338/38TH AVE IMPROVEMEN (cont.) NOTAPPLY

Avenue shall be coordinated with SP00360.

90.TRANS. 13 SP - SP338/VARNER IMPROVEMENT NOTAPPLY

~~Prior to the first building final inspection, the following improvements shall be completed: Varner Road from the westerly project boundary east to the projects easterly boundary, matching the existing improvements along Varner Road shall be improved to provide the following: Varner Road shall be constructed to provide three eastbound and three westbound through lanes within a Major Highway right-of-way (118'). The cross-section of the corridor shall provide (south to north) 10-foot wide landscaping, 84-feet of pavement (14', 11', 11' eastbound through lane, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 5-foot wide landscaping, 5-foot wide sidewalk, 4-foot wide landscaping and 10-foot wide bike path. Varner Road frontage improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Cal Trans and County Transportation Department or as approved by the Transportation Department.~~

90.TRANS. 14 SP - SP338 38TH AVE IMPROVEMEN RECOMMND

~~Prior to the first building final inspection, the following improvements shall be completed, subject to such phasing of improvements as may be determined by the County Transportation Department or as approved by the Director of the Transportation Department. Avenue 38 shall be improved from the westerly project boundary to the easterly project boundary to the ultimate full cross-section. Within the parkway, a 10' wide concrete bike trail shall be provided on the north side of the new Avenue 38. The improvements shall reflect a Major Highway classification as approved by the Transportation Department. The offsite portions of Avenue 38 (between the western project boundary and Varner Road and the eastern project boundary and Washington Street) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of Avenue 38 shall be coordinated with TR34651 and PP22977.~~

90.TRANS. 15 SP - SP338/VARNER IMPROVEMENT RECOMMND

Prior to the first building final inspection, the following improvements shall be completed, subject to such phasing

02/02/10
11:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 3

PRACT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 15

SP - SP338/VARNER IMPROVEMENT (cont.)

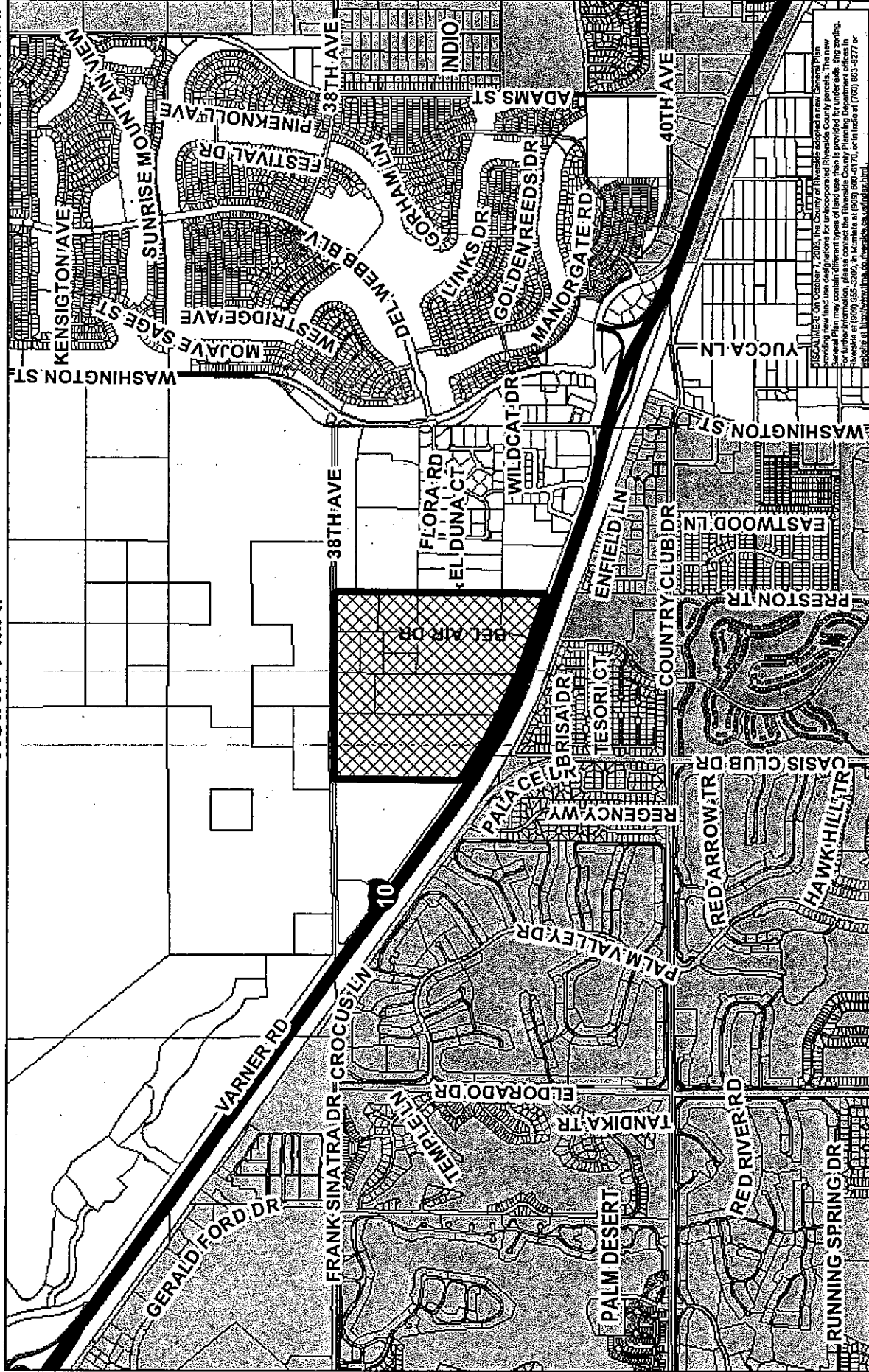
RECOMMND

of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department. Varner Road shall be improved between the western and the eastern boundaries of TR35058 to provide, ultimately, three eastbound and three westbound through lanes within a Major Highway right-of-way (111'). The cross-section of the corridor shall provide (south-to-north) 5-foot wide landscaping, 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 22 feet of landscaping which includes a 5-foot meandering sidewalk. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department. or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects. Note: The easterly driveway on Varner Road (Lot No. 1) shall be restricted to right turning movements only. Additional right-of-way along Varner Road shall be dedicated to accomodate a right turn lane as approved by the Transportation Department. A Hardscape raised center median shall be constructed on Varner Road from 'F' Street to easterly of the aforementioned driveway as approved by the Transportation Department.

Supervisor Wilson
District 4
Date Drawn: 8/25/08

TR35058 VICINITY MAP

Planner: Maurice Borrowes
Date: 11/19/08
VICINITY MAP



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Bermuda Dunes
Township/Range: T5SR6E
Section : 1

Assessors
Bk. Pg. 626-14 & 15
Thomas
819 D2
Bros. Pg.



Providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under state law. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 953-3300, in Murietta at (951) 950-4170, or in Indio at (760) 933-4277 or by email at planning@riversidecounty.org.

Supervisor Wilson
District 4

Date Drawn: 8/25/08

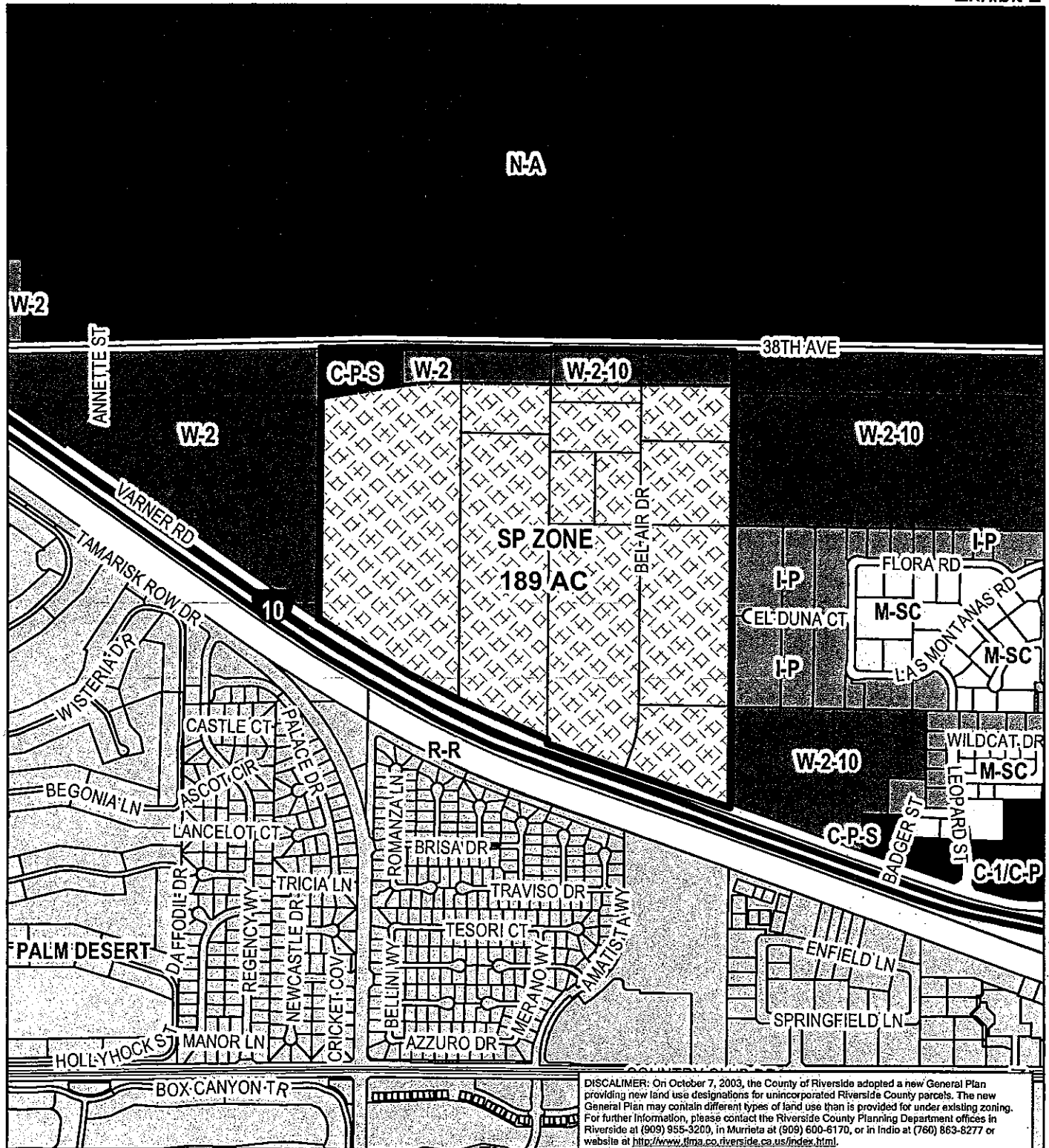
TR35058

EXISTING ZONING

Planner: Maurice Borrows

Date: 11/19/08

Exhibit 2



Zone
District: Bermuda Dunes
Township/Range: T5SR6E
Section : 1

RIVERSIDE COUNTY PLANNING DEPARTMENT

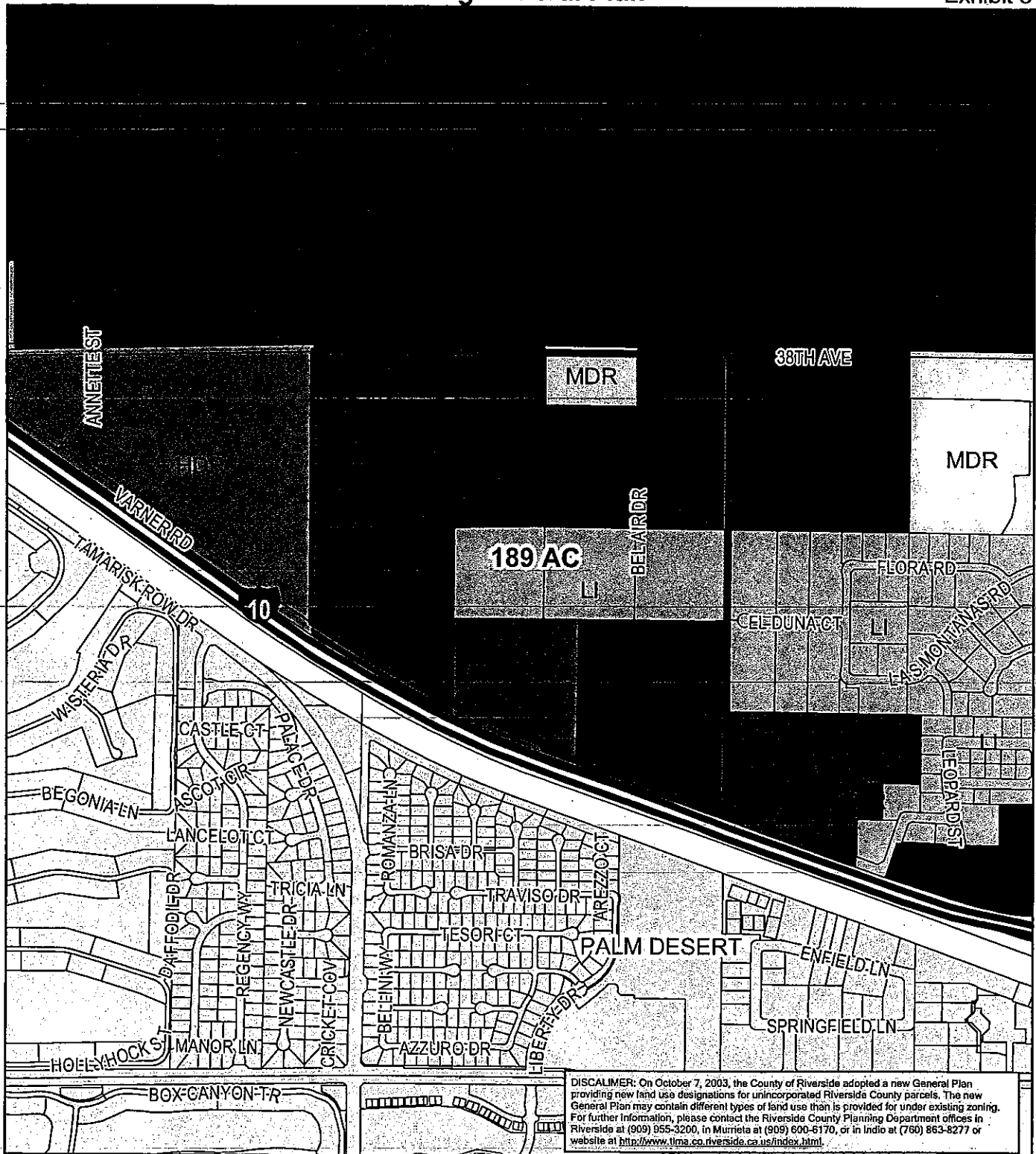


Assessors
Bk. Pg. 626-14 & 15
Thomas
Bros. Pg. 819 D2

Supervisor Wilson
District 4
Date Drawn: 8/25/08

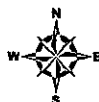
TR35058
Existing General Plan

Planner: Maurice Borrows
Date: 11/19/08
Exhibit 5



Zone
District: Bermuda Dunes
Township/Range: T5SR6E
Section : 1

RIVERSIDE COUNTY PLANNING DEPARTMENT



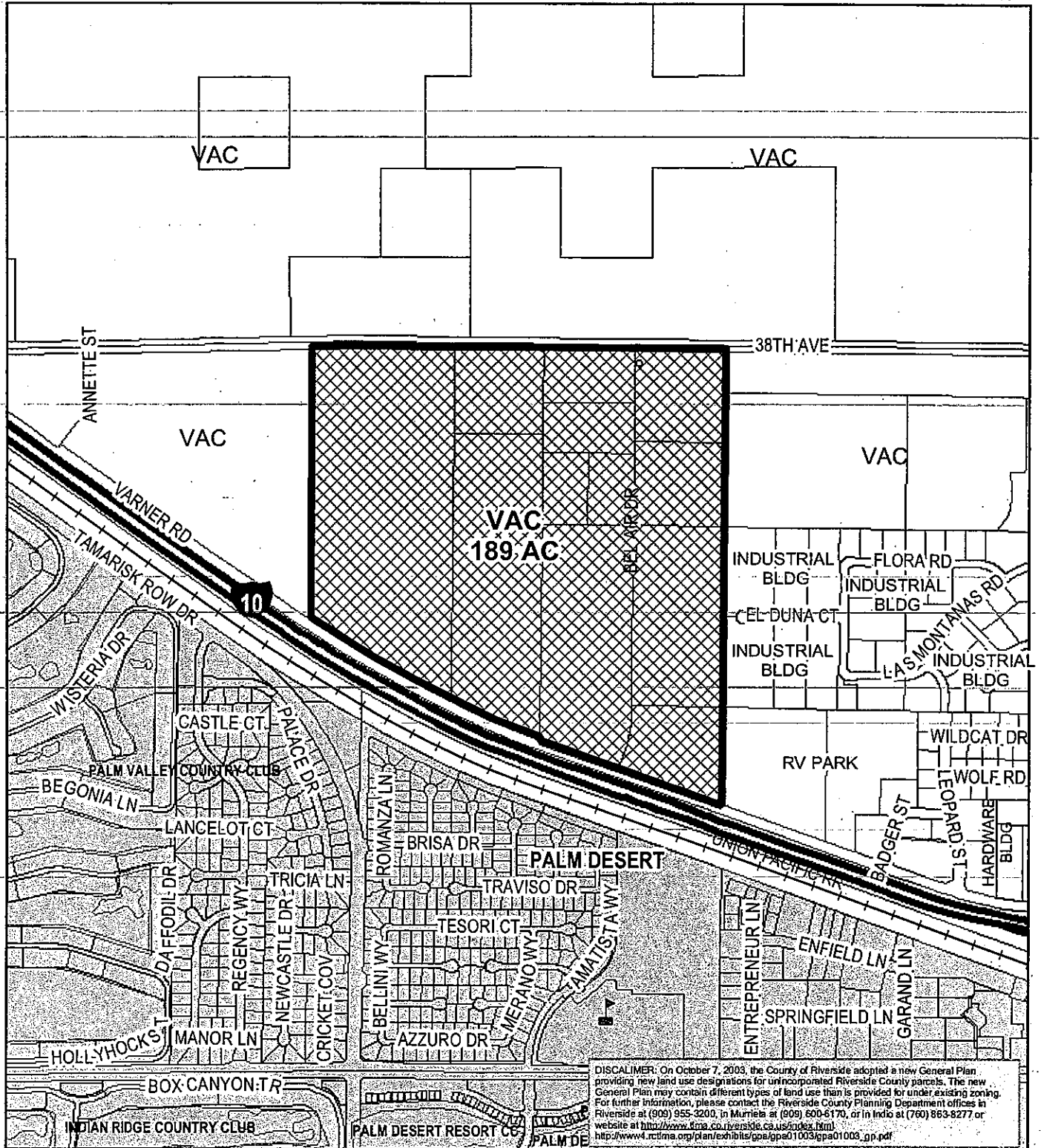
Assessors
Bk.Pg. 626-14 & 15
Thomas Bros. Pg. 819 D2

Supervisor Wilson
District 4
Date Drawn: 8/25/08

TR35058

Land Use

Planner: Maurice Borrows
Date: 11/19/08
Exhibit 1



Zone
District: Bermuda Dunes
Township/Range: T5SR6E
Section: 1

RIVERSIDE COUNTY PLANNING DEPARTMENT

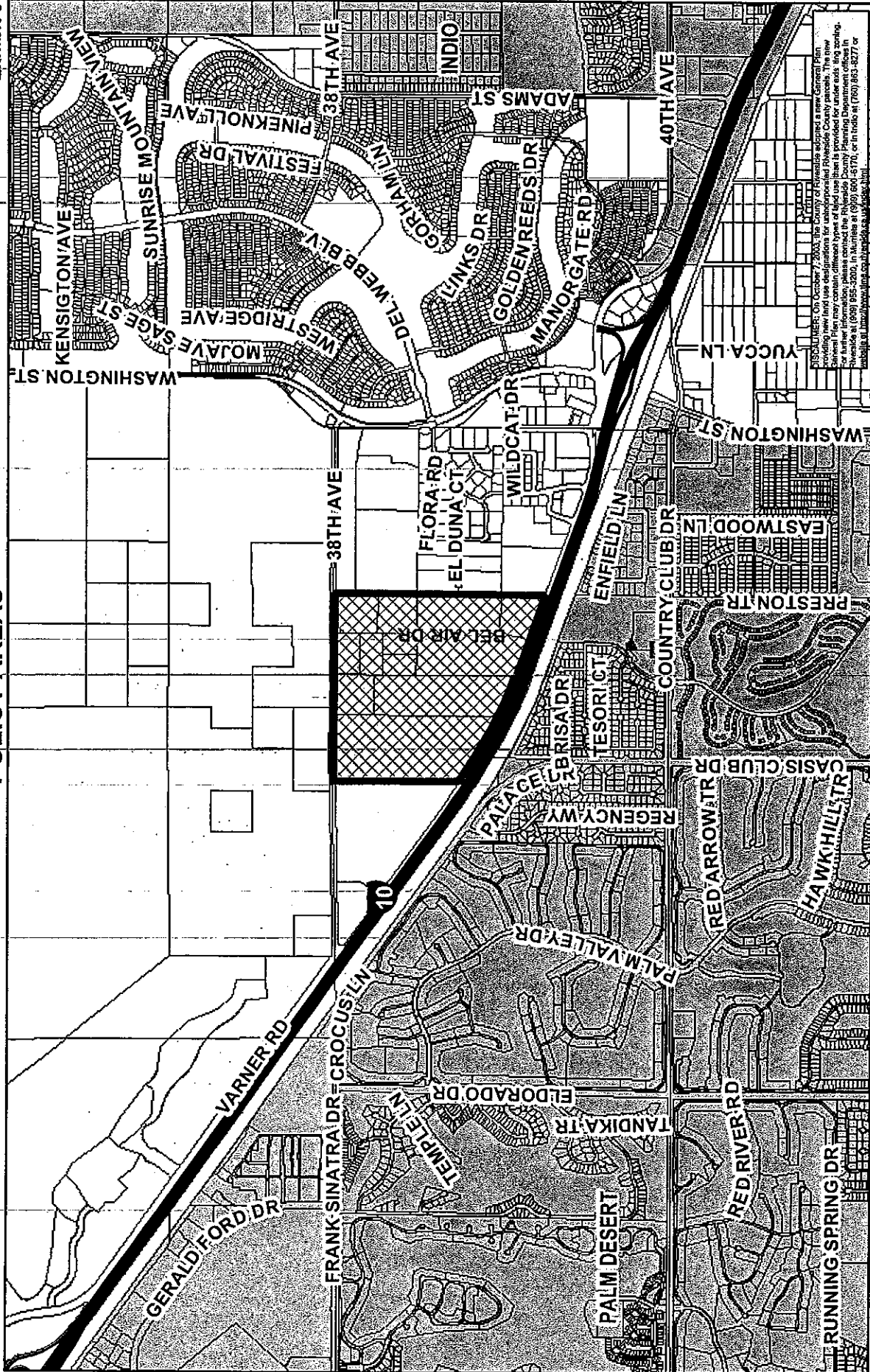
Assessors
Bk. Pg. 626-14 & 15
Thomas
Bros. Pg. 819 D2



Supervisor Wilson
District 4
Date Drawn: 8/25/08

TR35058 POLICY AREAS

Planner: Maurice Borrows
Date: 11/19/08
Exhibit 8



Zone
District: Bermuda Dunes
Township/Range: T5SR6E

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 626-14 & 15
Thomas

Section : 1
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Bros. Pg. 819 D2

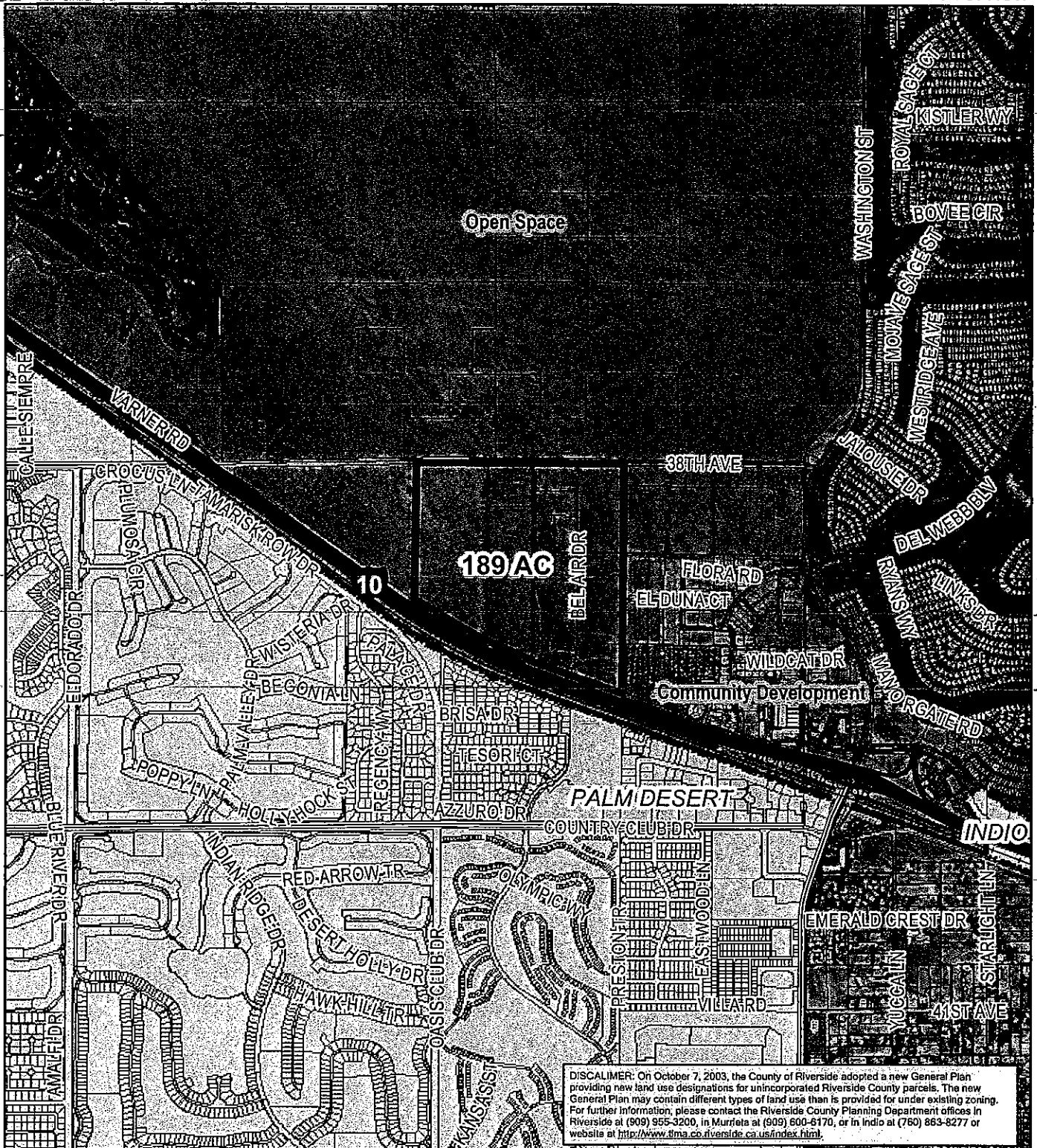
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Supervisor Wilson
District 4
Date Drawn: 8/25/08

TR35058

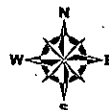
Planner: Maurice Borrows
Date: 11/19/08
Exhibit Overview

DEVELOPMENT OPPORTUNITY



RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: Bermuda Dunes
Township/Range: T5SR6E
Section: 1



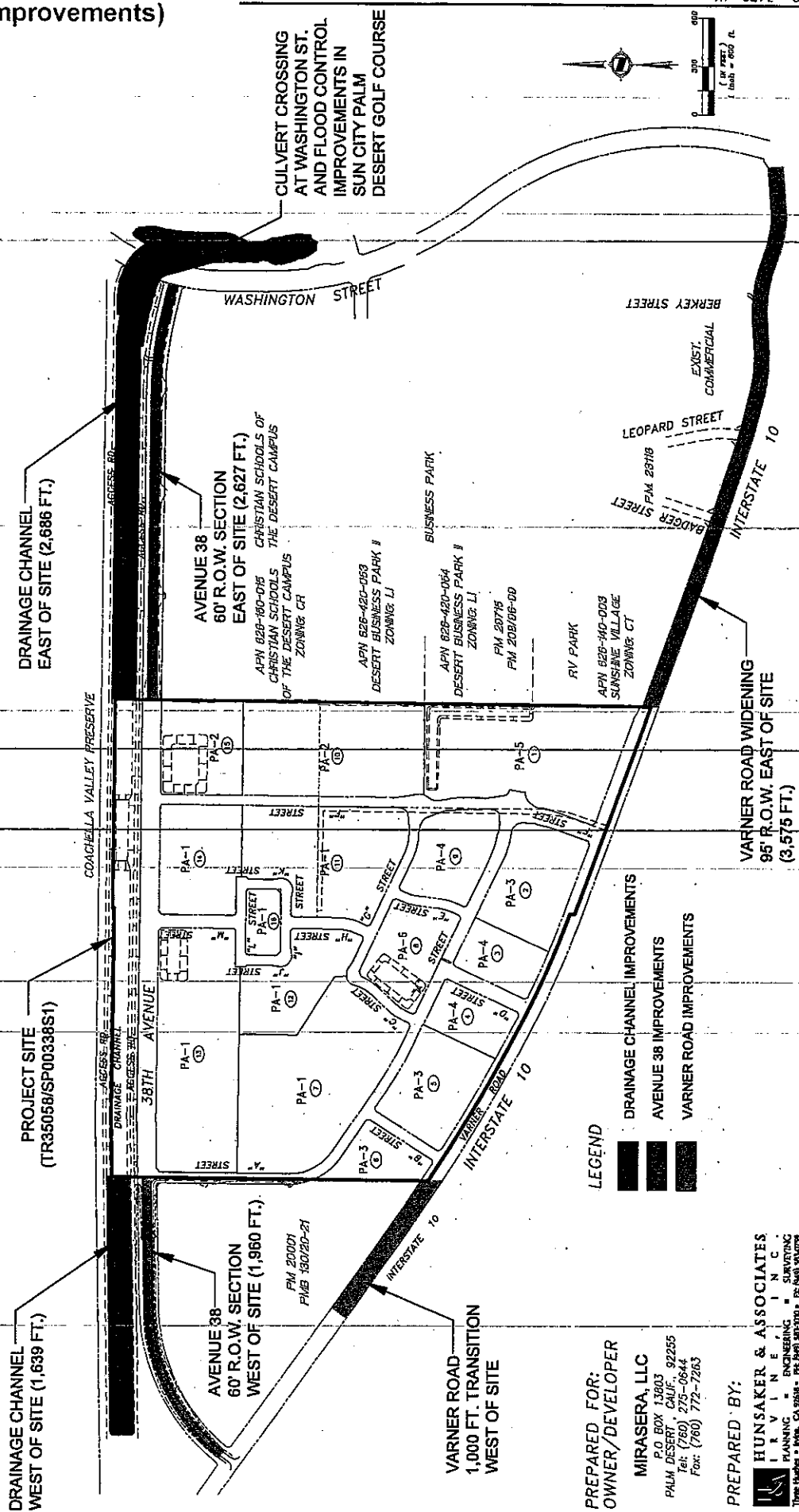
Assessors
Bk. Pg. 626-14 & 15
Thomas
Bros. Pg. 819 D2

PLANNER: J. DEERTRACK

EA
CONSUMERS & ASSOCIATES
MARKETING INC.
PLANNING • DESIGN • RESEARCH • PROMOTION
10000 Wilshire Blvd., Suite 1000, Los Angeles, CA 90024
Tel: (213) 709-1234 • Fax: (213) 709-1235

SP 0033B, SP 00338S1 & TR35058

MIRASERA OFFSITE IMPROVEMENTS TENTATIVE TRACT MAP NO. 35058 (TR35058) / SUBSTANTIAL CONFORMANCE SPECIFIC PLAN (SP00338S1)



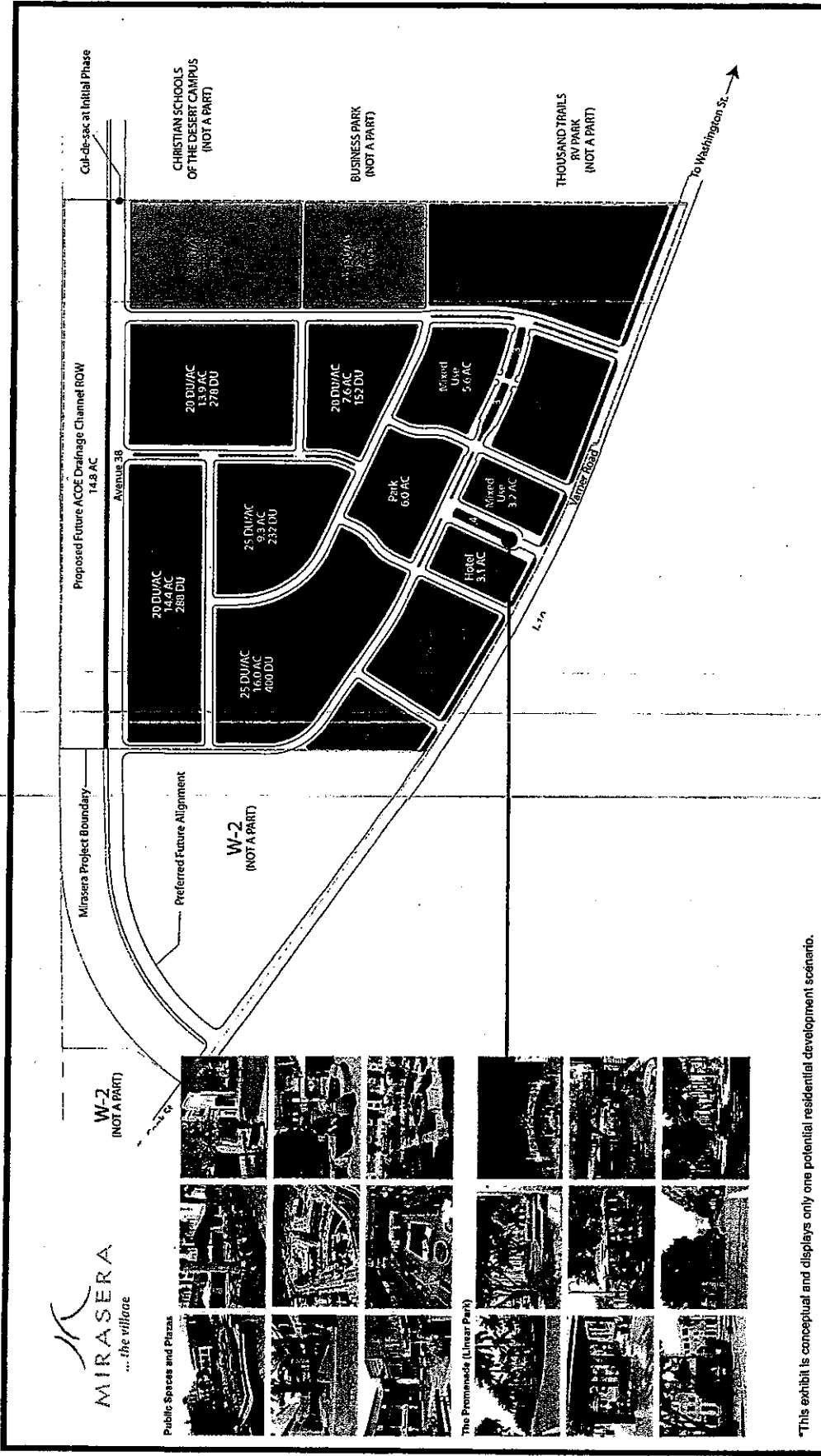
PREPARED FOR:
 OWNER/DEVELOPER

MIRASERA, LLC
 P.O. BOX 13803
 PALM DESERT, CALIF. 92255
 Tel: (760) 275-0644
 Fax: (760) 772-7263

PREPARED BY:

HUNSAKER & ASSOCIATES
 ENGINEERS, PLANNERS, ARCHITECTS
 11001 N. GARDEN AVENUE, SUITE 200
 GARDEN GROVE, CA 92640
 Tel: (714) 261-1000 • Fax: (714) 261-1001

SP0338
ORIGINAL
EXHIBITS



*This exhibit is conceptual and displays only one potential residential development scenario.

CONCEPTUAL LAND USE PLAN

MIRASERA
40421.04.000 SPECIFIC PLAN

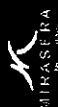
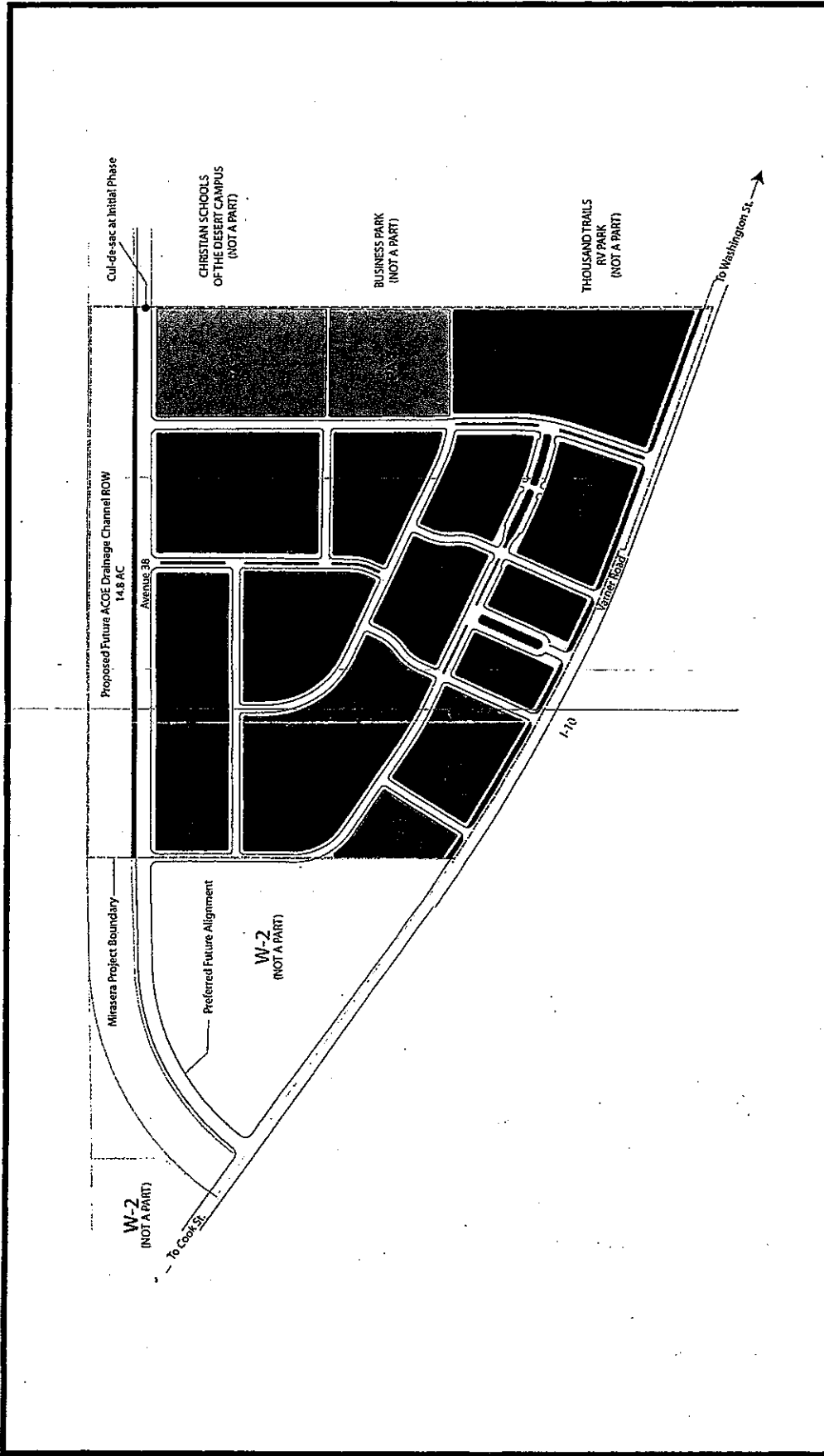


Figure 4-1

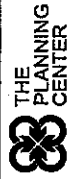




PLANNING AREA EXHIBIT



MIRASERA
40421.04.000 SPECIFIC PLAN



TKD



0 200 400 600
FEET



Figure 4-2

MIRASERA SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT

SPECIFIC PLAN

 September 15th, 2006

**TABLE 4-1
CONCEPTUAL LAND USE SUMMARY**

PLANNING AREA	LAND USE	ACRES	RESIDENTIAL UNITS PER ACRE	NON-RESIDENTIAL F.A.R.	UNITS	NON-RESIDENTIAL SQUARE FEET
PLANNING AREA 1*						
PA 1	Very High Density Residential Mix	61.2	20-25	N/A	1,350	N/A
PLANNING AREA 2*						
PA 2	High Density Residential Mix	22.1	12	N/A	265	N/A
PLANNING AREA 3						
PA 3	Business Park/Office	17.5	N/A	0.3	N/A	228,700
PLANNING AREA 4						
PA 4	Mixed Use/Live Work	11.9**	16**	.32	141***	122,700
PLANNING AREA 5						
PA 5	Community Retail	17.2	N/A	0.25	N/A	187,300
PLANNING AREA 6						
PA 6	Village Green	6.0	N/A	N/A	N/A	N/A
OTHER						
N/A	Parks/Trails	8.0	N/A	N/A	N/A	N/A
N/A	Drainage Channel	14.8	N/A	N/A	N/A	N/A
N/A	Misc. Roads and Open Space	31.1	N/A	N/A	N/A	N/A
PROJECT TOTAL		189.8	9.25 (Gross)		1,756	538,700

*A density transfer of up to 10% shall be allowed between residential Planning Areas.

**A 3.1 acre Hotel is included in the acreage total of Planning Area No. 4. The 16 residential units per acre figure is based on the remaining acreage (8.8 acres).

***200 Hotel Units within Planning Area 4 are not included in the unit total.

internally linked to offer multiple options for entering or leaving the site. Primary streets within the internal circulation pattern will service major development components and secondary roads will service specific uses and individual properties.

**TABLE 4-2
PROJECT SITE ENTRIES**

PERIMETER ROADS	PRIMARY COMMUNITY ENTRY	SECONDARY COMMUNITY ENTRY	SIGNALIZED ENRTY
Varner Road	2	3	3
Avenue 38	1	2	0
TOTAL	3	5	3

Varner Road

As shown on **Figure 4-4** (Proposed Varner Road Cross Section) The project proponent shall construct Varner Road from the west project boundary to the east project boundary at its ultimate full width as a Major highway (118 foot right-of-way) including landscaping and parkway-improvements in conjunction with development.

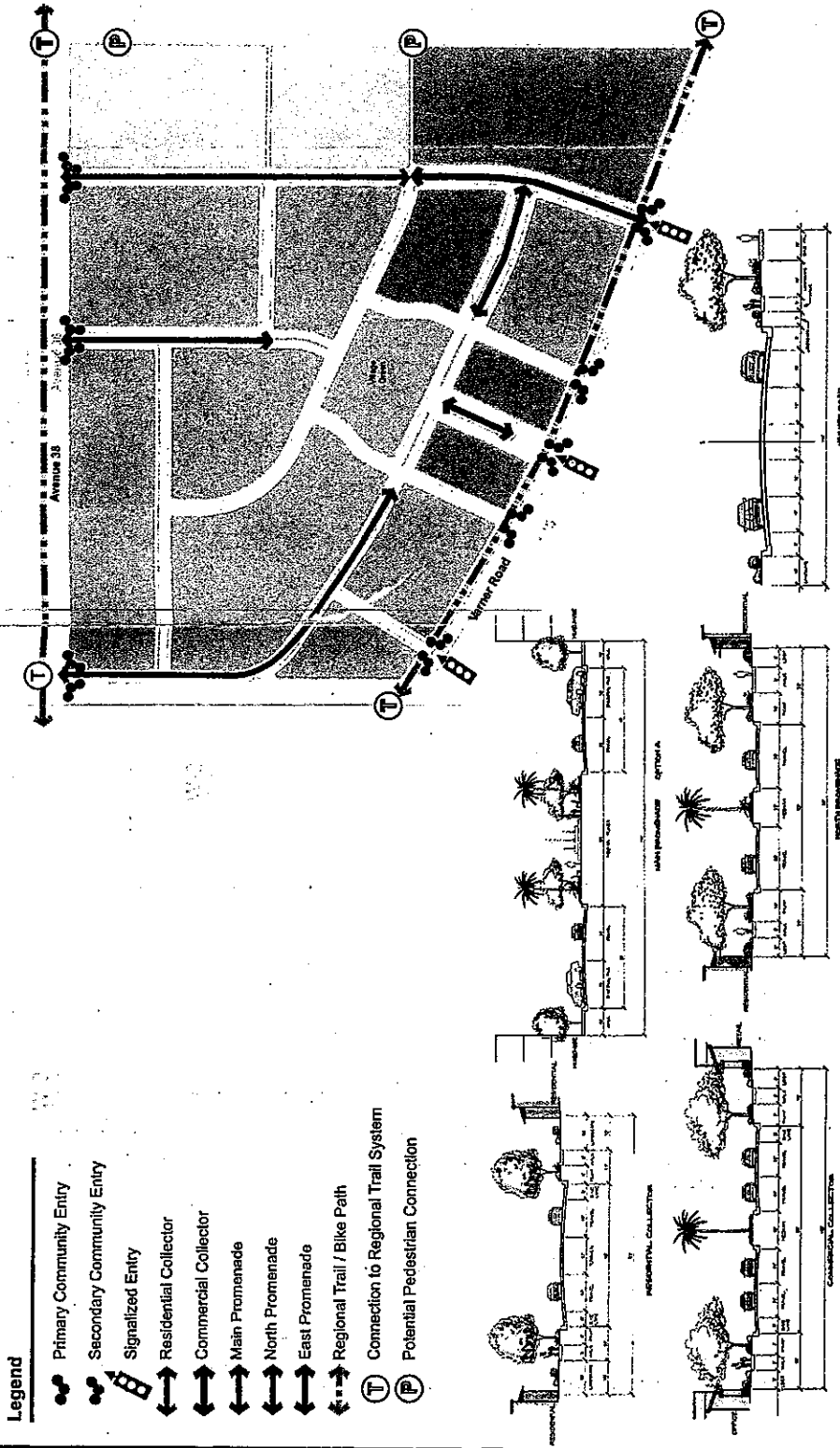
Avenue 38

The project proponent shall construct Avenue 38 from the west project boundary to the east project boundary at its ultimate full width as a Major highway (118 foot right-of-way) including landscaping and parkway improvements in conjunction with development.

Pedestrian

The proposed pedestrian circulation plan is intended to create a unified system that encourages pedestrian use. Pedestrian circulation is accomplished through an extensive paseo system which provides connectivity throughout the entire project site. All streets have a minimum 5-foot wide sidewalk separated from the street by a minimum 6-foot wide parkway. Along busier streets the sidewalk/parkway width increases. In addition to public sidewalks, individual residential and commercial projects within Mirasera are required to provide internal paseos that provide connections to adjacent uses. The paseo system is incorporated into the project design because the proximity between on-site land uses make walking a feasible and desirable transportation mode. The Mirasera paseo system will connect to the Riverside County regional trail network. 8-foot wide regional trails are located along the northern half of Varner Road and the northern half of the proposed Avenue 38.

The pedestrian circulation system has been developed to achieve the following: 1) provide a paseo system which links together the entire Mirasera project site while providing connection to the Riverside County regional trail network; 2) maximize safety and functionality between vehicular routes and pedestrian paths; 3) create a pleasant walking environment by providing elements of visual interest (i.e. vistas, rest stops, fountains, etc.); and 4) accommodate the needs of all pedestrians (including special needs groups such as children or the handicapped).



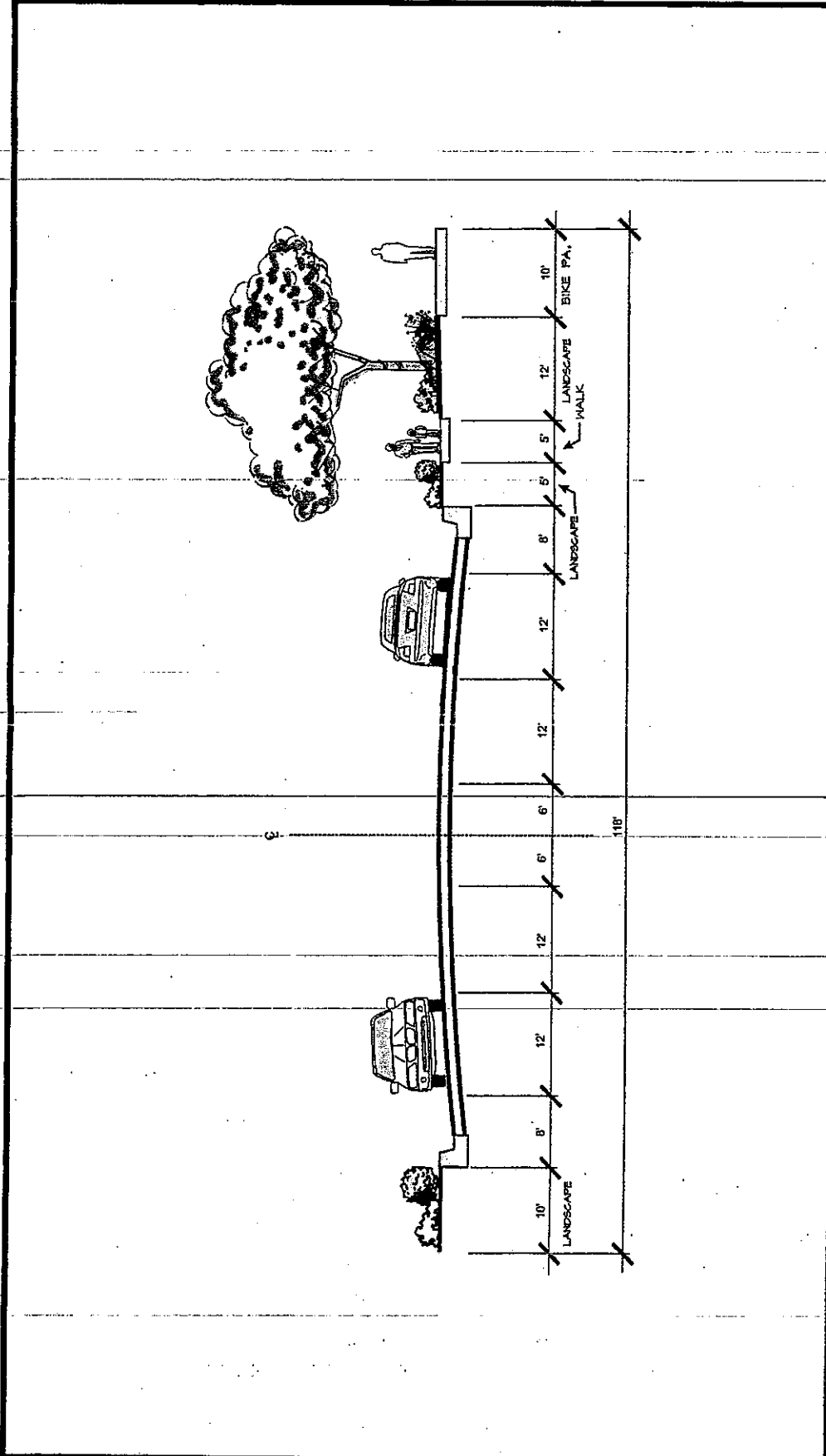
CONCEPTUAL CIRCULATION PLAN

Stantec

MIRASERA
40421.04.000 SPECIFIC PLAN



Figure 4-3



PROPOSED VARNER ROAD CROSS SECTION



MIRASERA
40421.04.000 SPECIFIC PLAN



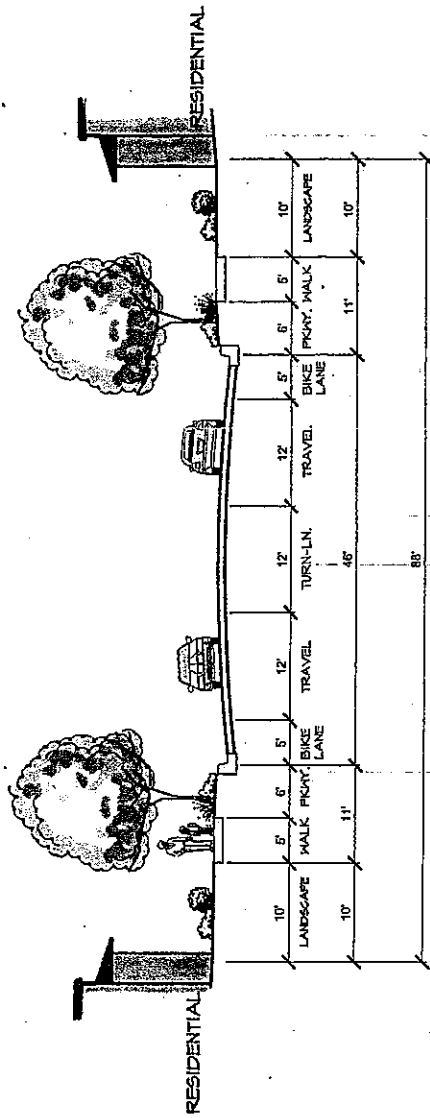
THE
PLANNING
CENTER



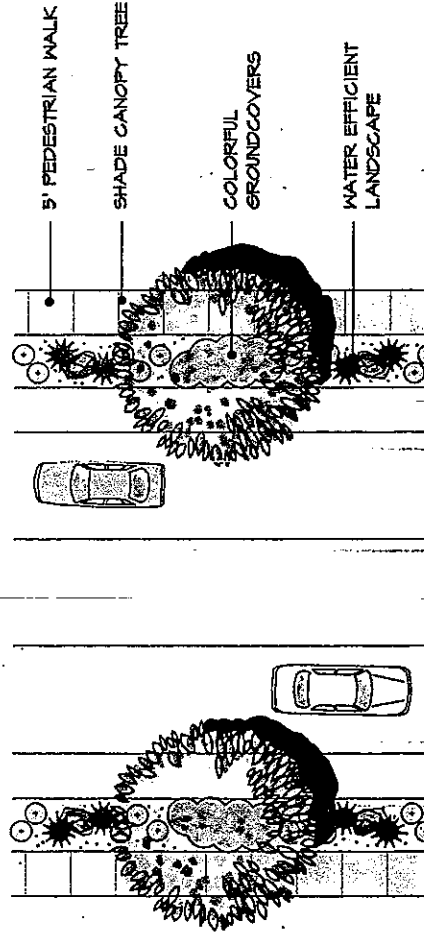
TKD



Figure 4-4



Residential Collector



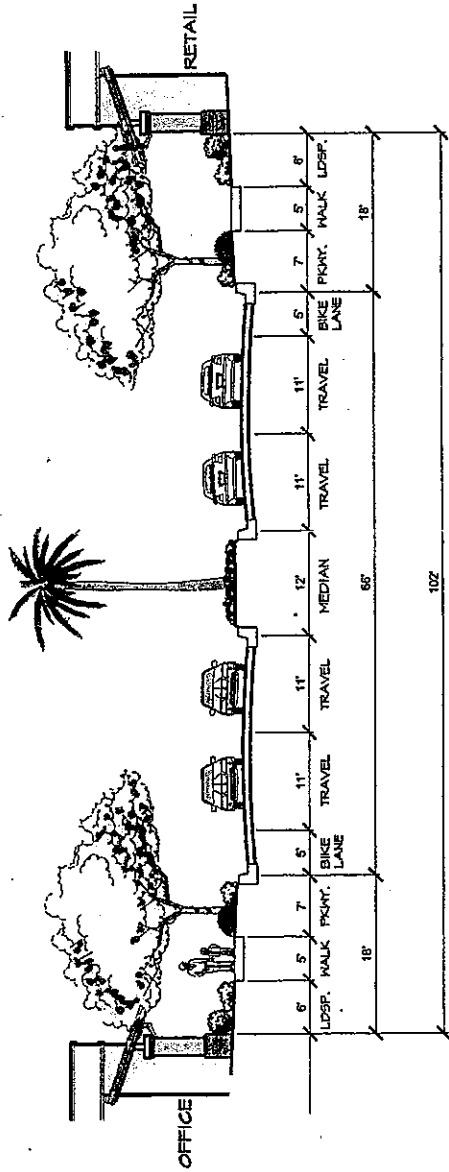
RESIDENTIAL COLLECTOR STREETSCAPE AND CROSS SECTION



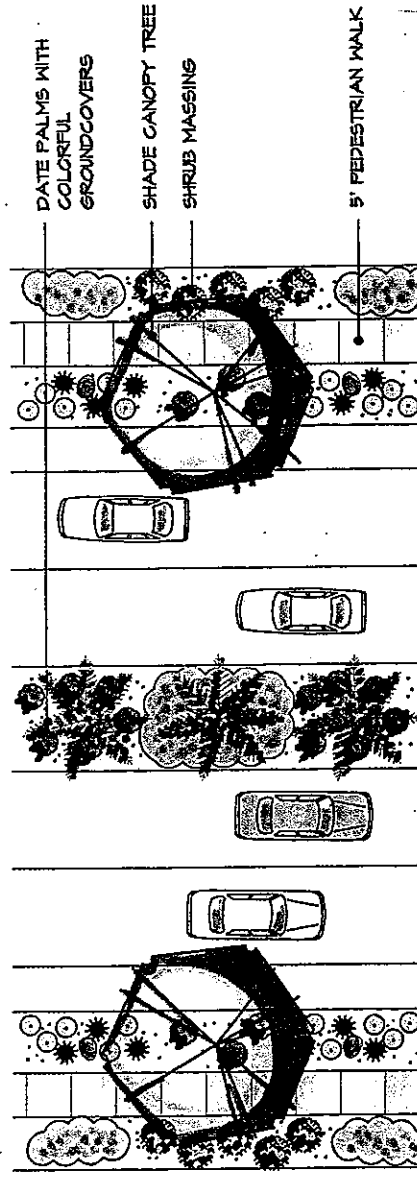
MIRASERA
40421.04.000 SPECIFIC PLAN



Figure 4-9



Commercial Collector



Stantec

COMMERCIAL COLLECTOR STREETSCAPE AND CROSS SECTION

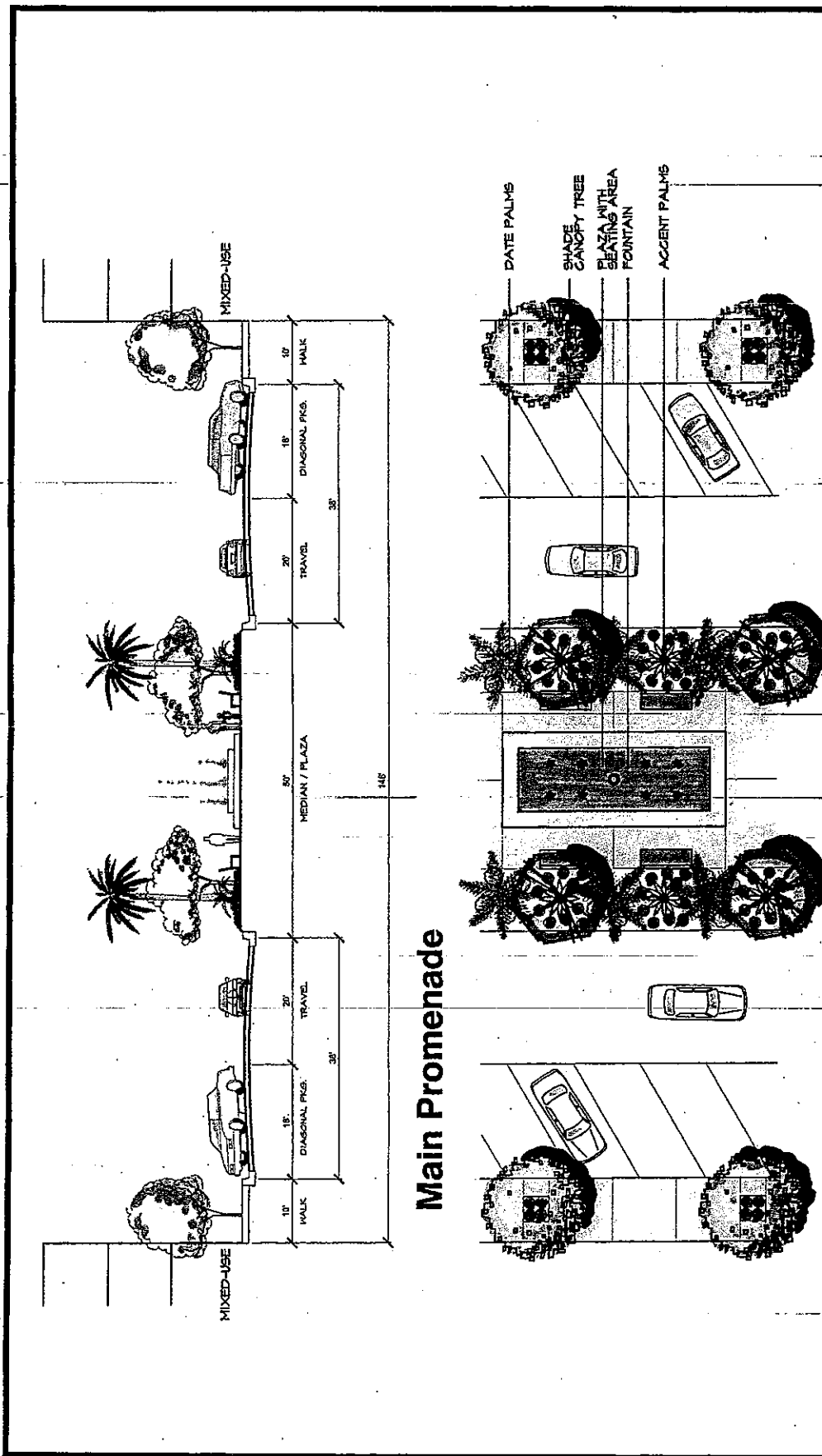
MIRASERA
40/21.04.000 SPECIFIC PLAN

THE PLANNING CENTER

TKD

NOT TO SCALE

Figure 4-10



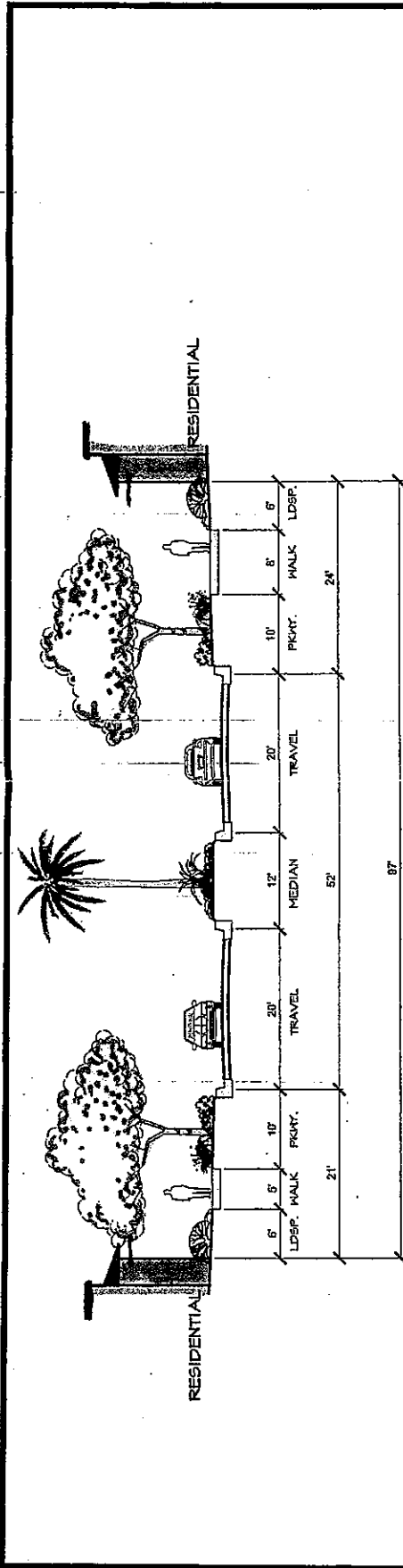
MAIN PROMENADE STREETSCAPE AND CROSS SECTION (OPTION A)



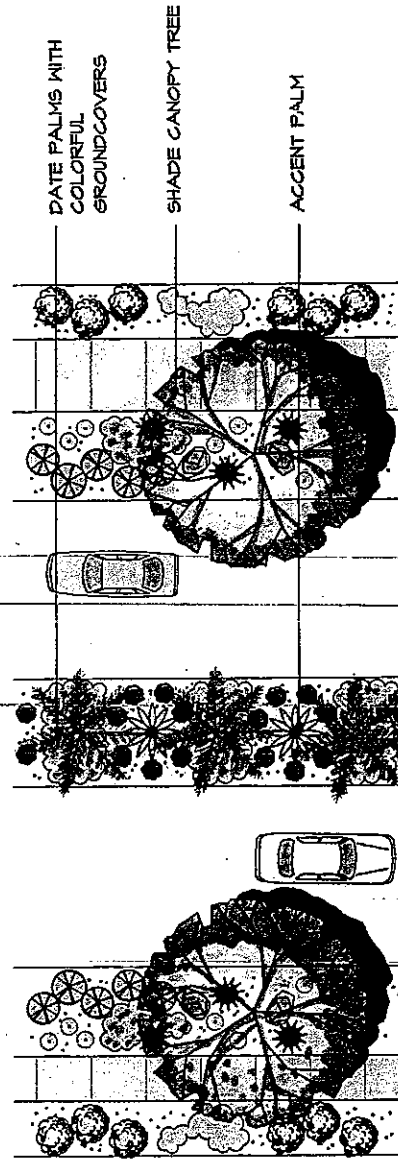
MIRASERA
40421.04.000 SPECIFIC PLAN



Figure 4-11



North Promenade



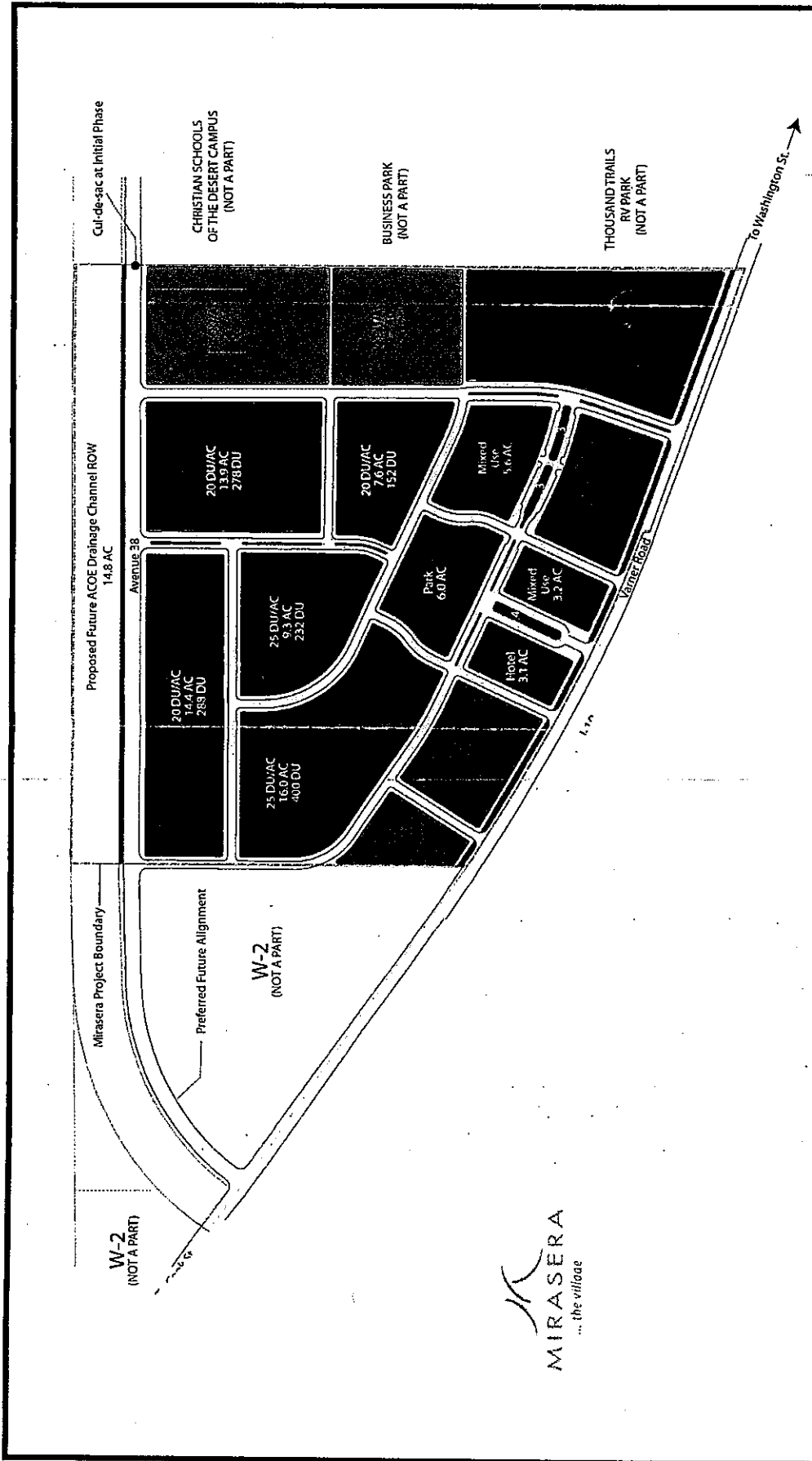
NORTH PROMENADE STREETSCAPE AND CROSS SECTION



MIRASERA
40421.04.000 SPECIFIC PLAN



Figure 4-13

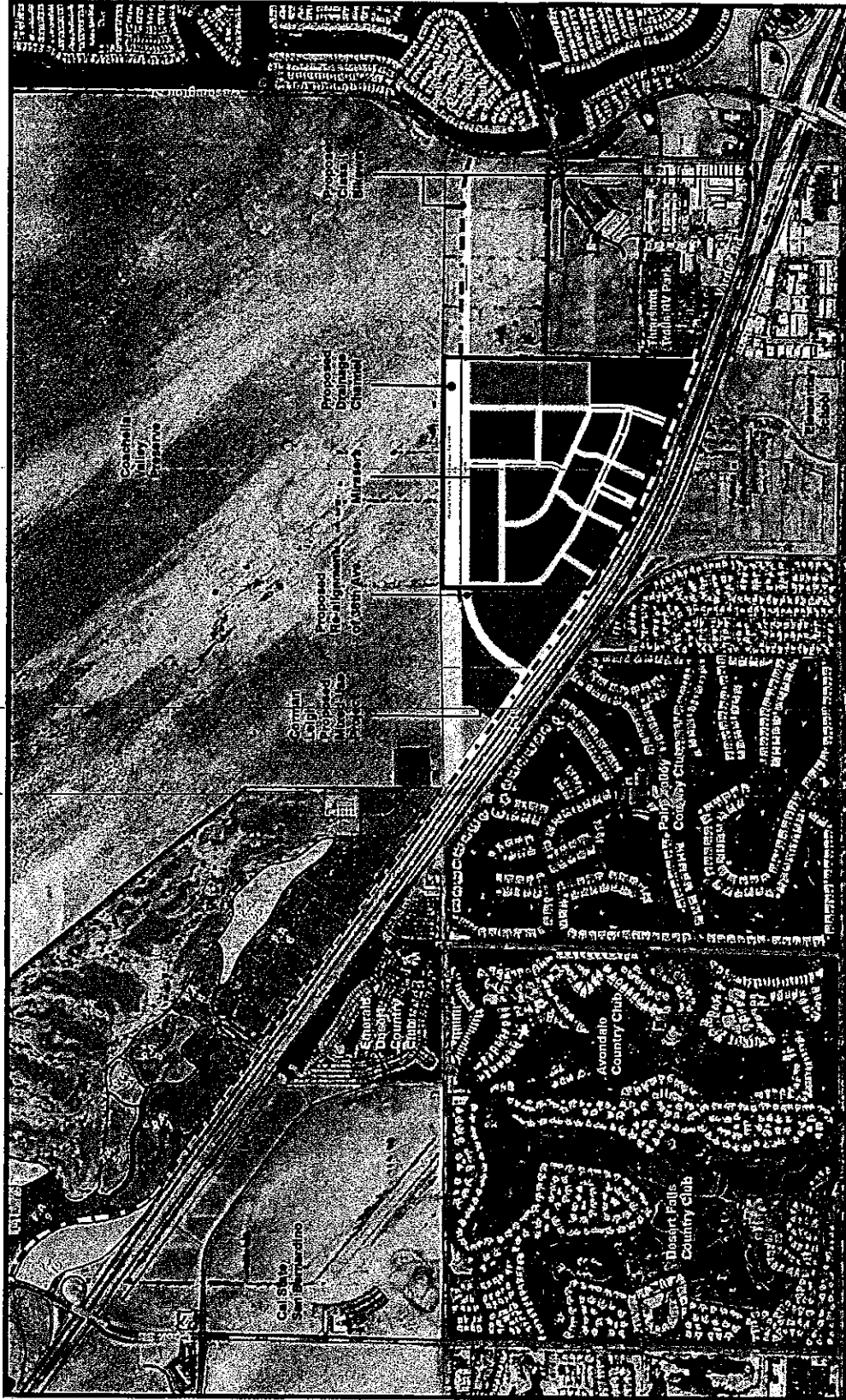


CONCEPTUAL LAND USE PLAN

MIRASERA
40421.04.000 SPECIFIC PLAN



Figure 5-3



PLAN VIEW AERIAL OF THE PROJECT SITE

MIRASERA
40421 04.000 SPECIFIC PLAN



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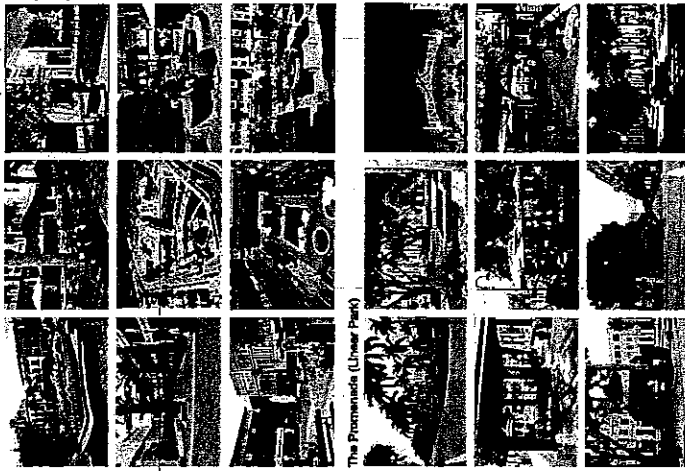


Figure 2-3

SP0338S1 REVISED EXHIBITS



Public Spaces and Places



The Promenade (Linear Park)

Mirasera Project Boundary

Proposed Future ACQE Drainage Channel ROW

W-2
(NOT A PART)

Preferred Future Alignment

W-2
(NOT A PART)

To Cook Street

I-10

Vander Road

To Washington Street

COURTNEY
SCHOOL
OF THE
DESIGN COLLEGE
(NOT A PART)

BURNING PARK
(NOT A PART)

THOMAS
TRAILS
RV PARK
(NOT A PART)

*This exhibit is conceptual and displays only one potential residential development scenario.

CONCEPTUAL LAND USE PLAN

MIRASERA
SPECIFIC PLAN NO. 33851

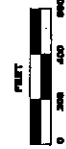
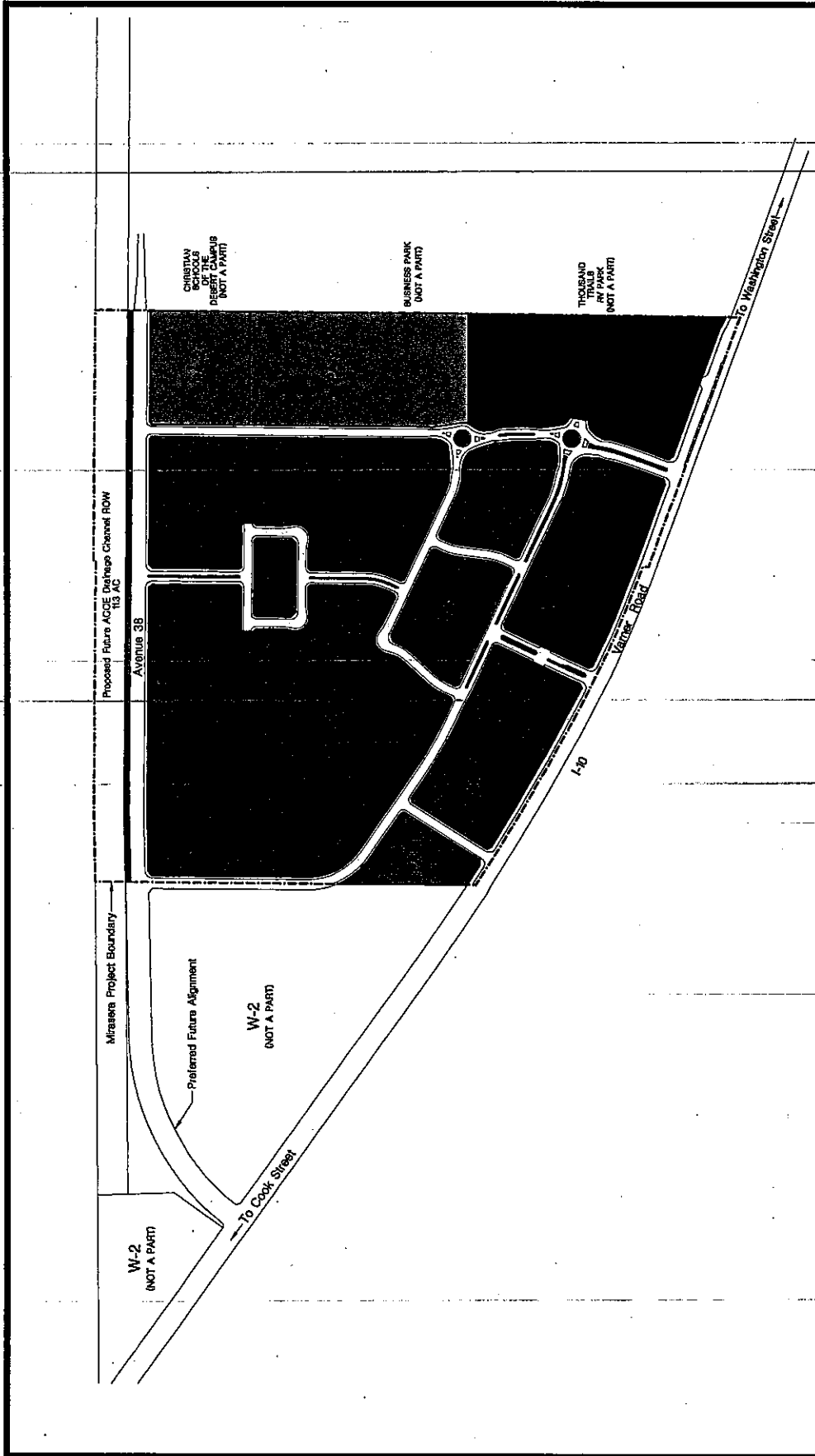


Figure 4-1

HUNSAKER & ASSOCIATES
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HUNSAKER & ASSOCIATES
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PLANNING AREA EXHIBIT

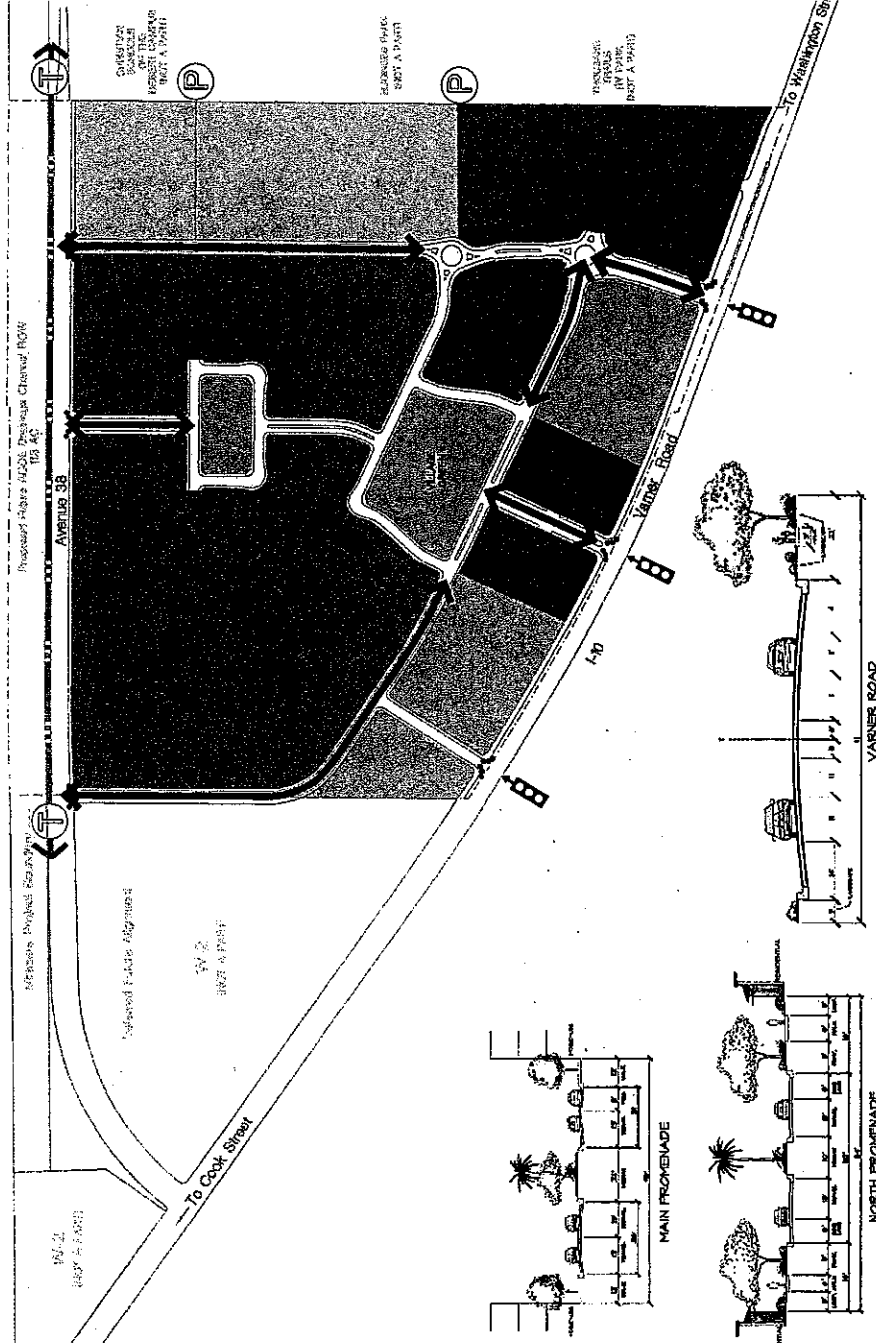


MIRASERA
 SPECIFIC PLAN NO. 33851

Figure 4-2

Legend

- Primary Community Entry
- Secondary Community Entry
- Signalized Entry
- Residential Collector
- Commercial Collector
- Main Promenade
- North Promenade
- East Promenade
- Regional Trail / Bike Path
- Connection to Regional Trail System
- Potential Pedestrian Connection



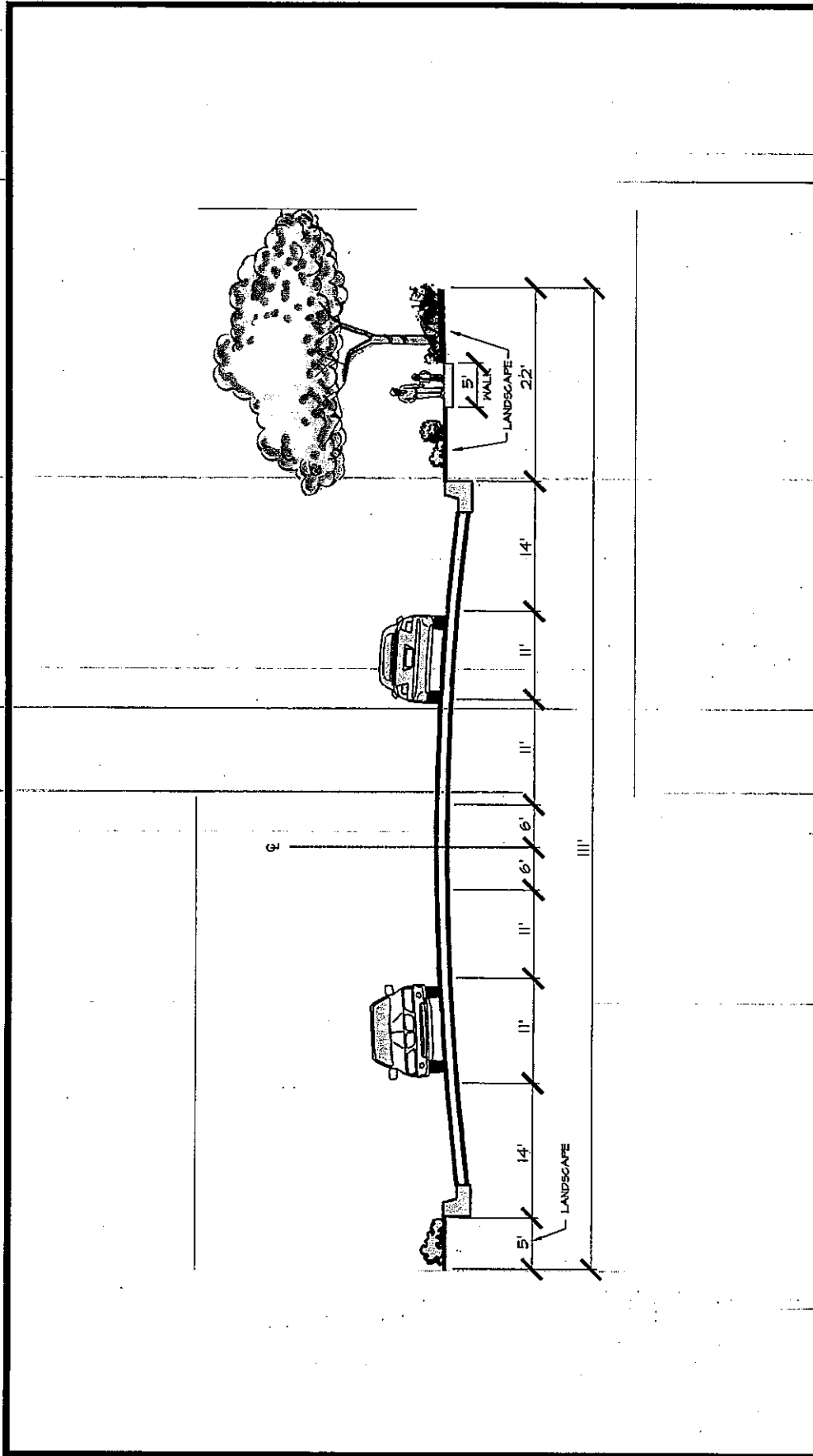
CONCEPTUAL CIRCULATION PLAN

MIRASERA
SPECIFIC PLAN NO. 33051

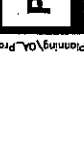


Figure 4-3

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PLANNING & ENGINEERING
10000 Wilshire Blvd., Suite 200
Beverly Hills, CA 90210
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Fax: (310) 274-1101



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PROPOSED VARNER ROAD CROSS SECTION

MIRASERA
 SPECIFIC PLAN NO. 33851

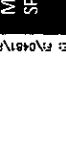
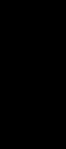
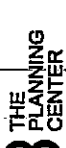
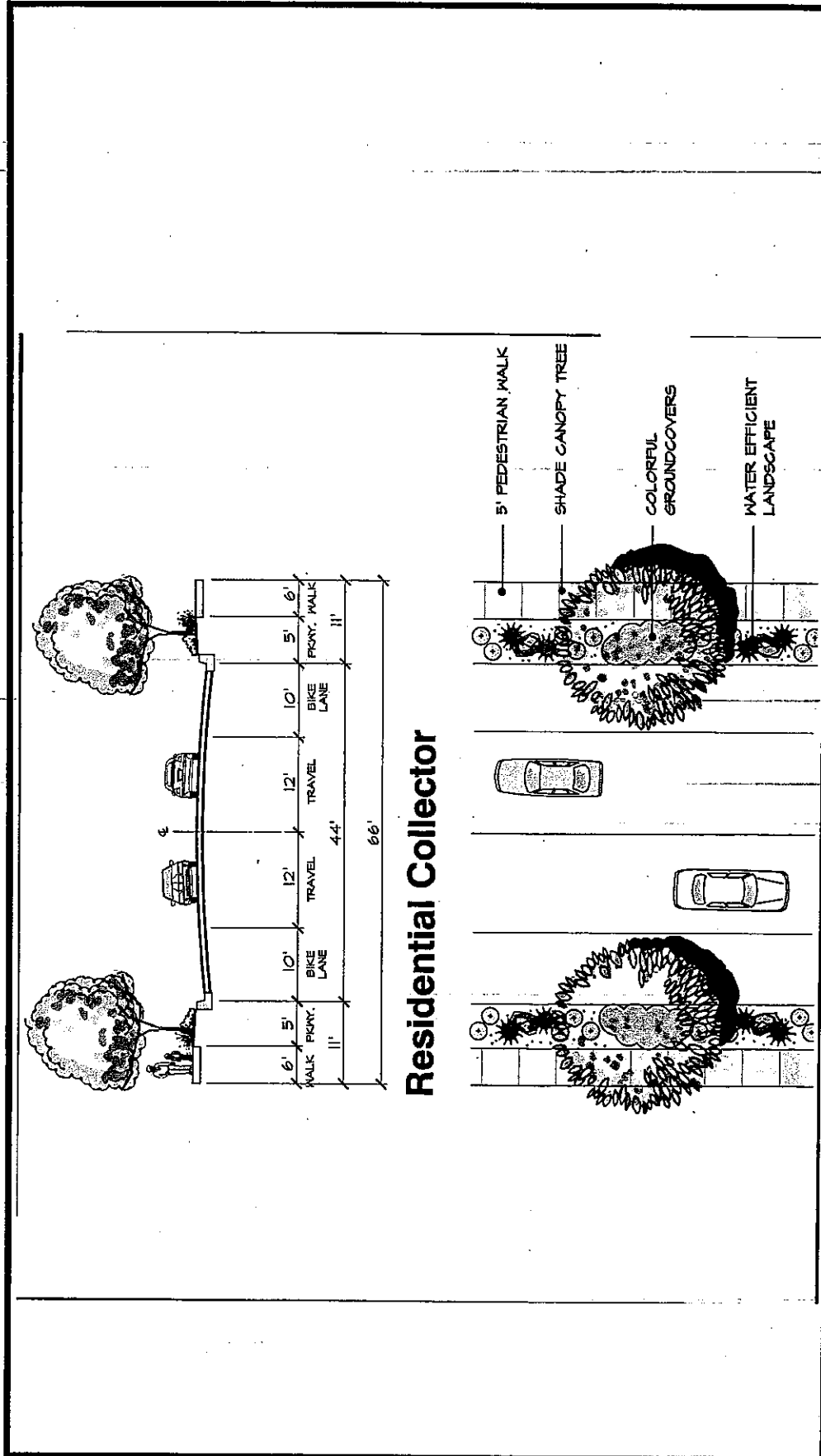


Figure 4-4



Residential Collector

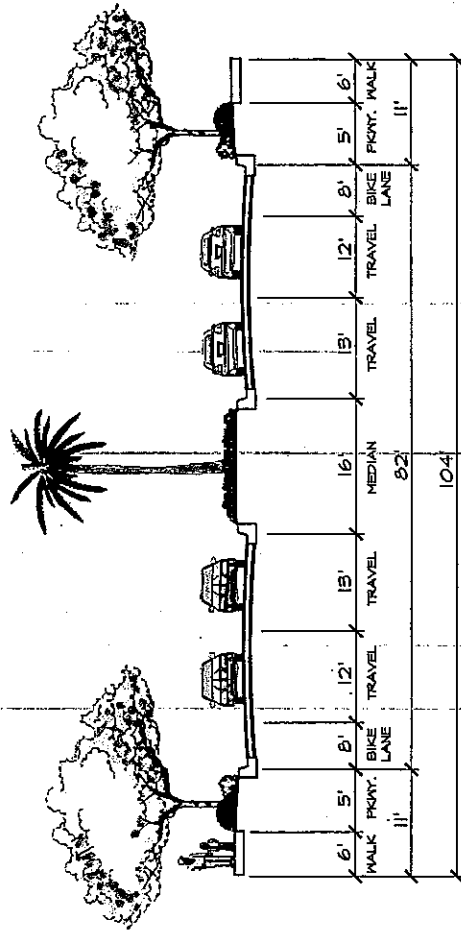
RESIDENTIAL COLLECTOR STREETSCAPE AND CROSS SECTION

MIRASERA
SPECIFIC PLAN NO. 33851

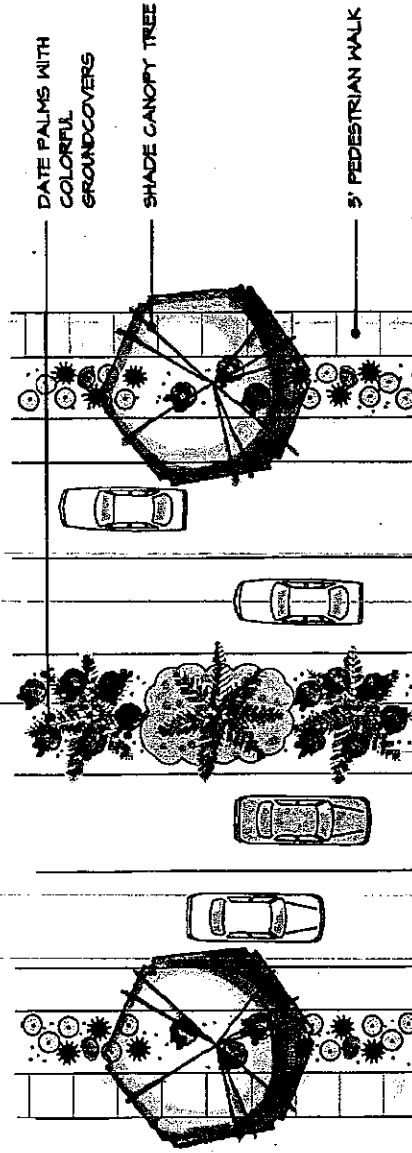


Figure 4-9

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Commercial Collector



COMMERCIAL COLLECTOR STREETSCAPE AND CROSS SECTION

MIRASERA
SPECIFIC PLAN NO. 33851



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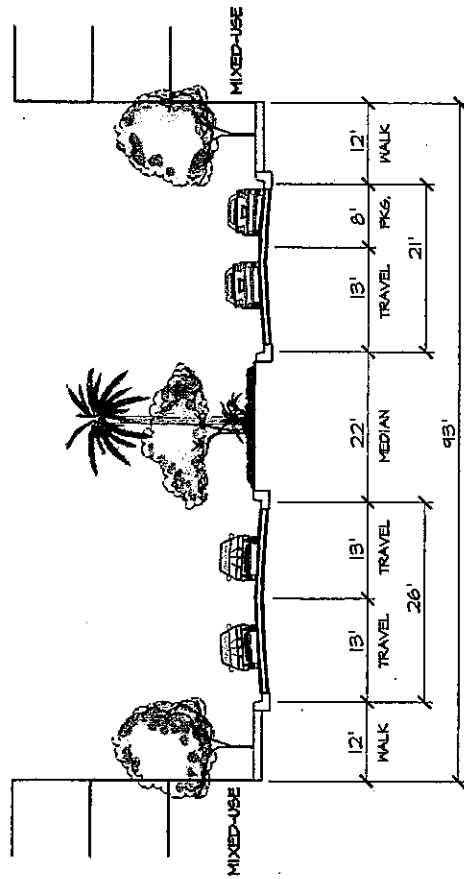


TKD

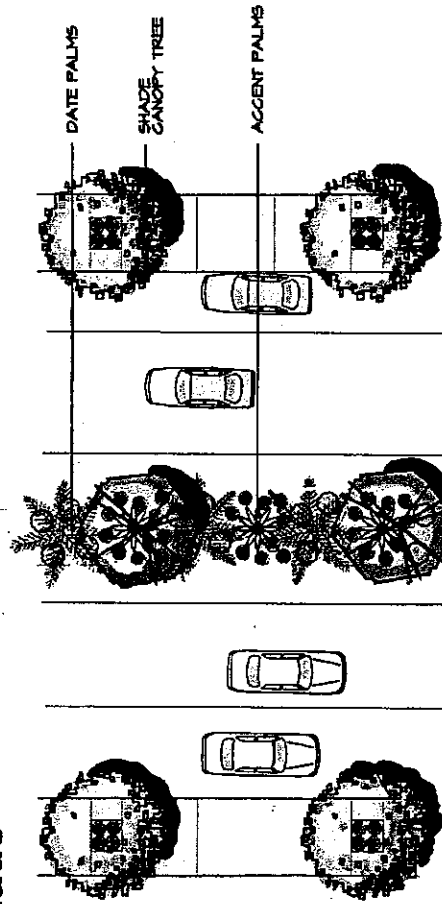


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Figure 4-10



Main Promenade



MAIN PROMENADE STREETSCAPE AND CROSS SECTION (OPTION A)

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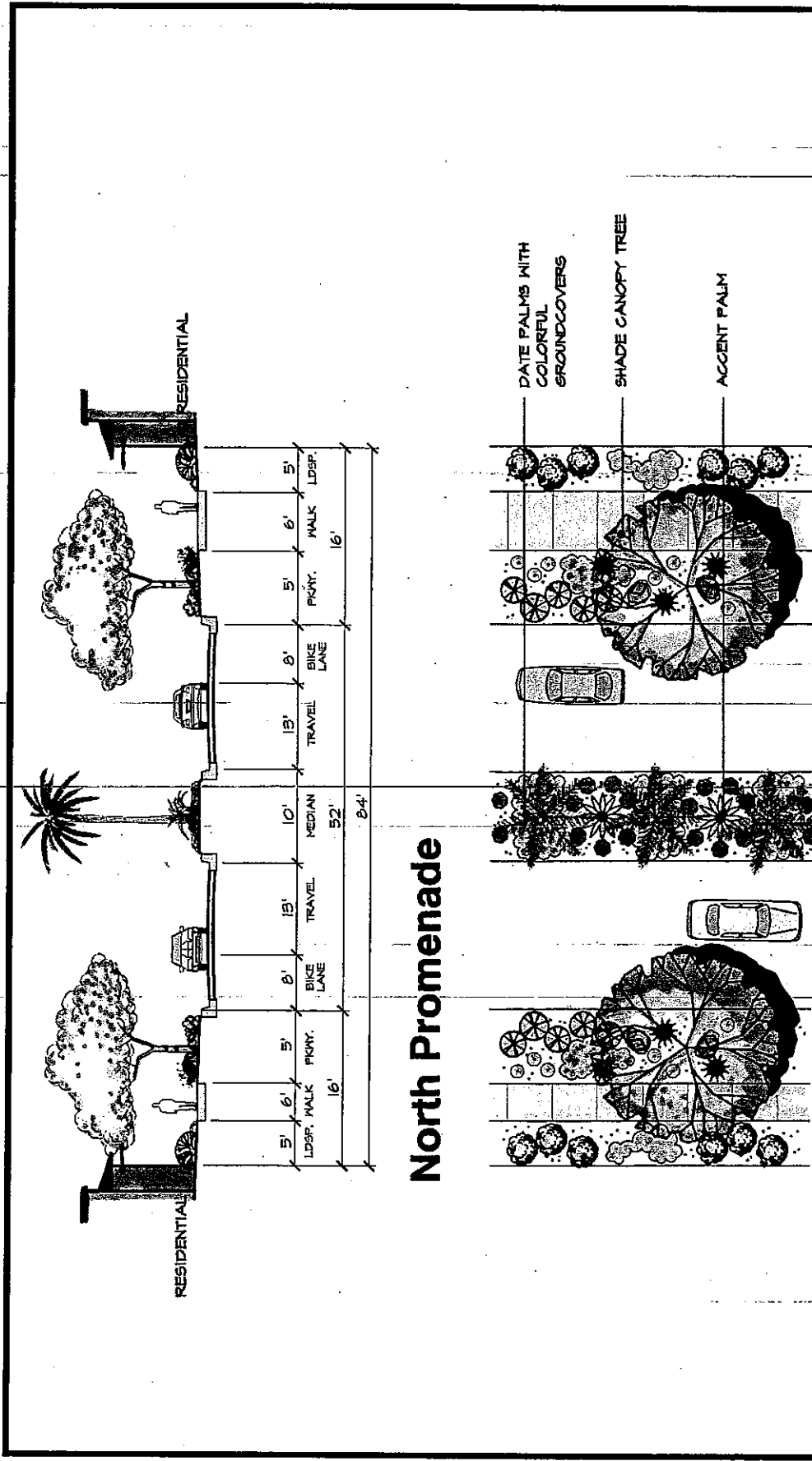
MIRASERA
 SPECIFIC PLAN NO. 33851



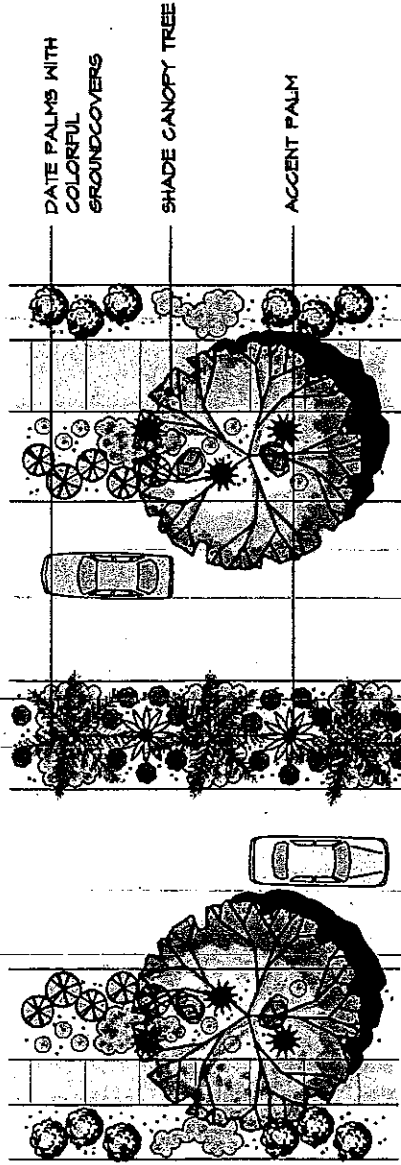
TKD



Figure 4-11



North Promenade



NORTH PROMENADE STREETSCAPE AND CROSS SECTION

MIRASERA
SPECIFIC PLAN NO. 33857



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Figure 4-13

**MIRASERA SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT
SUBSTANTIAL CONFORMANCE SPECIFIC PLAN (SP00338S1)**
**TABLE 4-1
CONCEPTUAL LAND USE SUMMARY**

PLANNING AREA	LAND USE	ACRES	RESIDENTIAL UNITS PER ACRE	NON-RESIDENTIAL F.A.R.	UNITS ⁴	NON-RESIDENTIAL SQ FT ⁵
PLANNING AREA 1¹						
PA 1	Very High Density Residential Mix	66.4	20-25	N/A	1,350	N/A
PLANNING AREA 2¹						
PA 2	High Density Residential Mix	22.6	12	N/A	265	N/A
PLANNING AREA 3						
PA 3	Business Park/Office	18.8	N/A	0.3	N/A	228,700
PLANNING AREA 4						
PA 4	Mixed Use/Live Work	13.6	16 ²	0.32	141 ³	122,700
PLANNING AREA 5						
PA 5	Community Retail	17.6	N/A	0.25	N/A	187,300
PLANNING AREA 6						
PA 6	Village Green	8.2	N/A	N/A	N/A	N/A
OTHER						
N/A	Landscape Medians/Trails	2.7	N/A	N/A	N/A	N/A
N/A	Drainage Channel	11.3	N/A	N/A	N/A	N/A
N/A	Misc. Roads and Open Space	28.6	N/A	N/A	N/A	N/A
PROJECT TOTAL		189.8	9.25 (Gross)		1,756	538,700

¹A density transfer of up to 10% shall be allowed between residential Planning Areas.

²A 3.7 acre Hotel is included in the acreage total of Planning Area No. 4. The 16 residential units per acre figure is based on the remaining acreage (9.9 acres).

³200 Hotel Units within Planning Area 4 are not included in the unit total.

⁴Total number of permitted dwelling units established by original approval for SP00338 (approved by Board of Supervisors of the County of Riverside on November 2, 2007)

⁵Maximum non-residential square footage established by original approval for SP00338 (approved by board of Supervisors of the County of Riverside on November 20, 2007)

internally linked to offer multiple options for entering or leaving the site. Primary streets within the internal circulation pattern will service major development components and secondary roads will service specific uses and individual properties.

TABLE 4-2
PROJECT SITE ENTRIES

PERIMETER ROADS	PRIMARY COMMUNITY ENTRY	SECONDARY COMMUNITY ENTRY	SIGNALIZED ENTRY
Varner Road	2	1	3
Avenue 38	1	2	0
TOTAL	3	3	3

Varner Road

As shown on **Figure 4-4** (Proposed Varner Road Cross Section) The project proponent shall construct Varner Road from the west project boundary to the east project boundary at its ultimate full width as a Major highway (111 foot right-of-way) including landscaping and parkway improvements in conjunction with development.

Avenue 38

The project proponent shall construct Avenue 38 from the west project boundary to the east project boundary at its ultimate full width as a Major highway (118 foot right-of-way) including landscaping and parkway improvements in conjunction with development.

Pedestrian

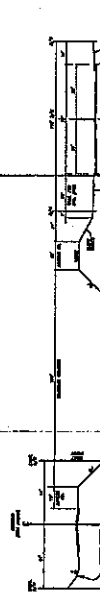
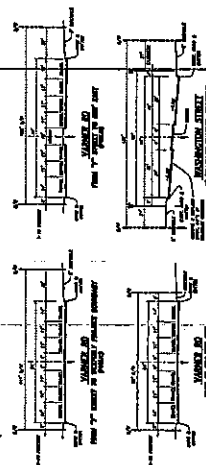
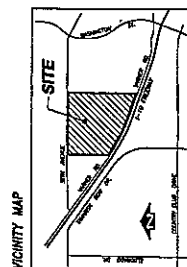
The proposed pedestrian circulation plan is intended to create a unified system that encourages pedestrian use. Pedestrian circulation is accomplished through an extensive paseo system which provides connectivity through the entire project site. All streets have a minimum 5-foot wide sidewalk separated from the street by a minimum 6-foot wide parkway. Along busier streets the sidewalk/parkway increases. In addition to public sidewalks, individual residential and commercial projects within Mirasera are required to provide internal paseos that provide connections to adjacent uses. The paseo system is incorporated into the project design because the proximity between on-site land uses make walking a feasible and desirable transportation mode. The Mirasera paseo system will connect to the Riverside County regional trail network. 8-foot wide regional trails are located along the northern half of the proposed Avenue 38.

The pedestrian circulation system has been developed to achieve the following: 1) provide a paseo system which links together the entire Mirasera project site while providing connection to the Riverside County regional trail network; 2) maximize safety and functionality between vehicular routes and pedestrian paths; 3) create a pleasant walking environment by providing elements of visual interest (i.e. vistas, rest stops, fountains, etc.); and 4) accommodate the needs of all pedestrians (including special needs groups such as children or the handicapped).

TR35058

LEGAL DESCRIPTION
BEING A PORTION OF THE WEST HALF OF SECTION 9 AND A PORTION OF THE
NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 6 EAST, SBA.

LEGAL DESCRIPTION
BEING A PORTION OF THE WEST HALF OF SECTION 9 AND A PORTION OF THE
NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 6 EAST, SBA.



CONCLUSIONS

[illegible]

ASSESSOR PARCEL NUMBERS

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828-150-005
828-150-006
828-150-007
828-150-008
828-150-009
828-150-010
828-150-011
828-150-012
828-150-013
828-150-014
828-150-015

CASEMENT NOTES

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ABSTRACT

[illegible]

DATE

LOT #	DESCRIPTION
1	COMMONS, RETAIL
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3	WATER COE
4	PORT HIGH DENSITY RE
5	HIGH DENSITY RESIDEN
6	PORT HIGH DENSITY RE
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STATEMENT OF OWNERSHIP

MEMOR' STATE THAT THIS MAP WAS PREPARED UNDER
BY SUPERVISION AND THAT THE OWNER OF RECORD HAS
VOLUNTARILY AND CONSENTS TO THE FILING OF THIS MAP.

1

9

SAJIM

2

Exercises

THE JUDICIAL

1

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COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: EA 42021
Project Case Type (s) and Number(s): SP00338S1 and TR35058
Lead Agency Name: County of Riverside Planning Department – Desert Office
Address: 38686 Cerrito Road, Palm Desert, California 92211
Contact Person: Judy Deertrack
Telephone Number: (760) 393-3410
Applicant's Name: Mirasera, LLC
Applicant's Address: P.O. Box 13803, Palm Desert, CA 92255
Engineer's Name: Hunsaker and Associates, Inc.
Engineer's Address: 3 Hughes, Irvine, CA 92618

I. PROJECT INFORMATION

A. Project Description:

The proposed project is for a substantial conformance to existing Specific Plan No. 338 to accommodate changes to planning area boundaries, acreages, and the project's overall circulation system. The proposed specific plan revisions have been incorporated to provide consistency with Tentative Tract Map No. 35058 and are reflected in the changes below:

1. Conceptual Land Use Summary (Table 4-1)

- a) Planning Area 1 (Very High Density Residential Mix) overall acreage increased from 61.2 acres to 66.4 acres.
- b) Planning Area 2 (High Density Residential Mix) overall acreage increased from 22.1 acres to 22.6 acres.
- c) Planning Area 3 (Business Park/Office) overall acreage increased from 17.5 acres to 18.8 acres.
- d) Planning Area 4 (Mixed Use/Live Work) overall acreage increased from 11.9 acres to 13.6 acres.
- e) Planning Area 5 (Community Retail) overall acreage increased from 17.2 acres to 17.6 acres.
- f) Planning Area 6 (Village Green) overall acreage increased from 6.0 acres to 8.2 acres.
- g) Other; previously listed as Parks/Trails decreased from 8.0 acres to 2.7 acres, is now listed as Landscape Median/Trails. The acreage decreased because the proposed Varner Road trail was removed per Riverside County's request. The Drainage Channel has decreased from 14.8 acres to 11.3 acres and Miscellaneous Roads and Open Space has decreased from 31.1 acres to 28.6 acres. However, because the number of public streets decreased and the number of units has not changed, the amount of open space will increase for future site plans.

The proposed changes to Planning Areas 1 through 6 will not change the overall project acreage, dwelling unit count, density, and non-residential square footage.

2. Conceptual Land Use Plan (Figure 4-1)

EA No.42021

- a) Planning area boundaries and the overall circulation system have been revised to be consistent with Tentative Tract Map No. 35058.
 - b) Planning Area acreages have been revised to be consistent with Tentative Tract Map 35058 development layout and a new 2.1 acre park site has been added within Planning Area 6.
 - c) The alignment of Avenue 38 and the proposed ACOE Drainage Channel ROW have been modified and the overall acreage for the drainage channel decreased from 14.8 acres to 11.3 acres.
- 3. Planning Area Exhibit (Figure 4-2)
 - a) Planning area boundaries have been revised to be consistent with TTM 35058.
- 4. Project Site Entries (Table 4-2)
 - a) The number of Secondary Community Entry's on Varner Road decreased from 3 to 1, subsequently decreasing the total number of Secondary Community Entry's from 5 to 3.
- 5. Text Revision (Page 4.21, Varner Road Section)
 - a) Revised Varner Road right-of-way (Major Highway) from 118' to 111'
- 6. Conceptual Circulation Plan (Figure 4-3)
 - a) The Circulation Plan has been updated to be consistent with the overall roadway system for TTM 35058.
 - b) The ultimate full width right-of-way for the Commercial Collector Street has been reduced, due to the addition of roundabout improvements.
 - c) The ultimate full width right-of-way for the North Promenade Street has been reduced, due to the addition of the 2.1 acre park within Planning Area 6.
 - d) The Regional Trail along the project's southerly boundary has been eliminated per Riverside County's request.
 - e) Varner Road, Residential Collector Streetscape, Commercial Collector Streetscape, Main Promenade Streetscape, and North Promenade Streetscape Cross-Sections have been revised to be consistent with TTM 35058.
- 7. Proposed Varner Road Cross Section (Figure 4-4)
 - a) The ultimate right-of-way has decreased from 118' to 111'
- 8. Residential Collector Streetscape and Cross Section (Figure 4-9)
 - a) The ultimate right-of-way has decreased from 88' to 66'
- 9. Commercial Collector Streetscape and Cross Section (Figure 4-10)
 - a) The ultimate right-of-way has increased from 102' to 104'
- 10. Main Promenade Streetscape and Cross Section (Figure 4-11)
 - a) The ultimate right-of-way has decreased from 146' to 93'

11. North Promenade Streetscape and Cross Section (Figure 4-13)

- a) The ultimate right-of-way has decreased from 97' to 84'

12. Conceptual Land Use Plan (Figure 5-3)

- a) Planning area boundaries and the overall circulation system have been revised to be consistent with Tentative Tract Map No. 35058.
- b) Planning Area acreages have been revised to be consistent with Tentative Tract Map 35058 development layout and a new 2.1 acre park site has been added within Planning Area 6.
- c) The alignment of Avenue 38 and the proposed ACOE Drainage Channel ROW have been modified and the overall acreage for the drainage channel decreased from 14.8 acres to 11.3 acres.

On August 10, 2009 an application for substantial conformance was submitted to the County of Riverside Planning Department. Per staff's direction at a meeting prior to application submittal, a request for determination of substantial conformance with a specific plan was agreed upon between the applicant and staff, to be in compliance with Tentative Tract Map No. 35058.

Tentative Tract Map No. 35058 is a Schedule 'C' subdivision of approximately 190 gross acres into sixteen (16) numbered lots consisting of the following: seven (7) residential lots that will consist of 1,756 dwelling units with varying product types including single-family detached court homes, walk-up townhomes, condominiums and flats totaling 89 acres. One (1) commercial retail lot consisting of 187,300 square feet of retail space on 17.6 acres, three (3) commercial office lots consisting of 228,700 square feet of business park/office development on 18.8 acres, three (3) mixed-use lots consisting of 141 live/work units, 122,700 square feet of retail/office space and a 200 room hotel. Other features of the project include a future drainage channel located at the northerly project boundary adjacent to Avenue 38, three (3) detention basins, one (1) retention basin and related infrastructure improvements. The project site is expected to be utilized as mass graded super pads and/or rough graded building pads and anticipated to be graded by the land owner for sale to merchant builders or for further development by the owner.

Project Location

Tentative Tract Map No. 35058 is located in the Western Coachella Valley, adjacent to the northeast portion of the City of Palm Desert, County of Riverside. The project is located northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street.

B. Type of Project: Site Specific ☒; Countywide ☐; Community ☐; Policy ☐.

C. Total Project Area: 189.3 gross acres

Residential Acres: 89	Lots: 7	Units: 1,756	Projected No. of Residents: 3,250
Commercial Acres: 36.4	Lots: 4	Sq. Ft. of Bldg. Area: 416,000	Est. No. of Employees: N/A
Industrial Acres: N/A	Lots: N/A	Sq. Ft. of Bldg. Area: N/A	Est. No. of Employees: N/A
Other: Mixed- Use 13.6 acres; Road 30.8 acres, Drainage 11.3 acres and Open Space 8.2 acres			

D. Assessor's Parcel No(s): 626-150-004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 025, and 626-140-003.

E. Street References:— The project site is located northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street as shown on the Regional Location Map (Figure 3).

F. Section, Township & Range Description or reference/attach a Legal Description:
Section 1 and 2, Township 5 South, Range 6 East, San Bernardino Base Meridian

Brief description of the existing environmental setting of the project site and its surroundings: The subject property is currently vacant and in a relatively natural state, although there has been some farming. The property is relatively flat, sloping east to west with a grade change of approximately 40 feet. Property to the east has an RV park and, further to the east, a business park. Property to the west is vacant and similar to the subject property. Property to the north is the Coachella Valley Preserve, a natural area set aside for the preservation of the fringe-toed lizard and desert flora and fauna.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

- 1. Land Use:** Modifications to the types and patterns of proposed on-site land uses of Specific Plan (SP338) has amended the Riverside County General Plan. Adoption of the Mirasera Specific Plan constitutes a mandatory General Plan Land Use Map amendment to coincide with the Specific Plan Land Use Map. The General Plan land uses designations have undergone boundary adjustments according to the proposed layout of Specific Plan No. 338.
- 2. Circulation:** The project will add overall trips to the area. Circulation facilities exist and are proposed to serve the proposed project. The proposed project meets with all other applicable circulation policies of the General Plan.
- 3. Multipurpose Open Space:** Approximately 8 acres of open space was required as part of Specific Plan No. 338, Substantial Conformance No. 1. The open space lots are located within Planning Area No. 6 (PA 6). The project proponent will be required to pay development impact fees pursuant to Riverside County Ordinance No. 659, which includes a component for the development of Regional Parks and Multipurpose Trails and will meet all other applicable Multipurpose Open Space element policies.
- 4. Safety:** The proposed project has allowed for sufficient provision of emergency response services to the future business activities of this project. The proposed project will be built per building code regulations (Riverside County Ordinance No. 457) and will meet with all other applicable Safety Element policies.
- 5. Noise:** The proposed project is adjacent to an interstate highway and an urban arterial roadway. Sufficient mitigation against any foreseeable noise sources in the area has been provided for in the design of the project. The proposed project meets with all other applicable Noise element policies.
- 6. Housing:** The proposed project meets all applicable Housing element policies. The proposed project will provide single family residences for approximately 3,250 (x per 1,756 DU) people.

7. **Air Quality:** The proposed project will have an effect upon air quality during construction and due to increases in traffic related to the project's commercial/retail, residential, and mixed uses. In mitigation measures all applicable Air Quality Element policies will be discussed. As the proposed project is consistent with the current land use designation of the site, the project will not conflict with or obstruct implementation of the Air Quality Management Plan for the Salton Sea Air Basin or the Coachella Valley State Implementation Plan.

B. General Plan Area Plan(s): Western Coachella Valley

C. Foundation Component(s): Community Development (CD)

D. Land Use Designation(s): Commercial Office (CO), High Density Residential (HDR), Highest Density Residential (HHDR), Mixed Use, and Open Space – Recreation (OS-R)

E. Overlay(s), if any: N/A

F. Policy Area(s), if any: N/A

G. Adjacent and Surrounding Area Plan(s), Foundation Component(s), Land Use Designation(s), and Overlay(s) and Policy Area(s), if any: Community Development; Commercial Retail (CR), Commercial Tourist (CT), Light Industrial (LI), High Density Residential (HDR), Mixed Use and Open Space - Conservation Habitat (OS-CH)

H. Adopted Specific Plan Information

1. **Name and Number of Specific Plan, if any:** Mirasera Specific Plan No. 338

2. **Specific Plan Planning Area, and Policies, if any:** PA 1 thru PA 6

I. Existing Zoning: SP338

J. Proposed Zoning, if any: N/A

K. Adjacent and Surrounding Zoning: To the north, the land is zoned Natural Assets (N-A), to the south is Interstate 10 and City of Palm Desert; to the west is Controlled Development Areas (W-2), and to the east is Controlled Development Areas (W-2) and Industrial Park (I-P).

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (X) would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☒ Aesthetics	☒ Hazards & Hazardous Materials	☐ Public Services
☐ Agriculture Resources	☒ Hydrology/Water Quality	☒ Recreation
☒ Air Quality	☒ Land Use/Planning	☒ Transportation/Traffic
☒ Biological Resources	☐ Mineral Resources	☒ Utilities/Service Systems
☒ Cultural Resources	☒ Noise	☐ Other
☐ Geology/Soils	☐ Population/Housing	☐ Mandatory Findings of Significance

IV. DETERMINATION

On the basis of this initial evaluation:

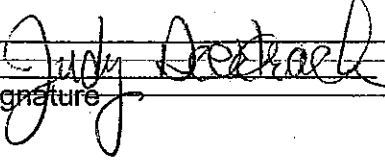
A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED

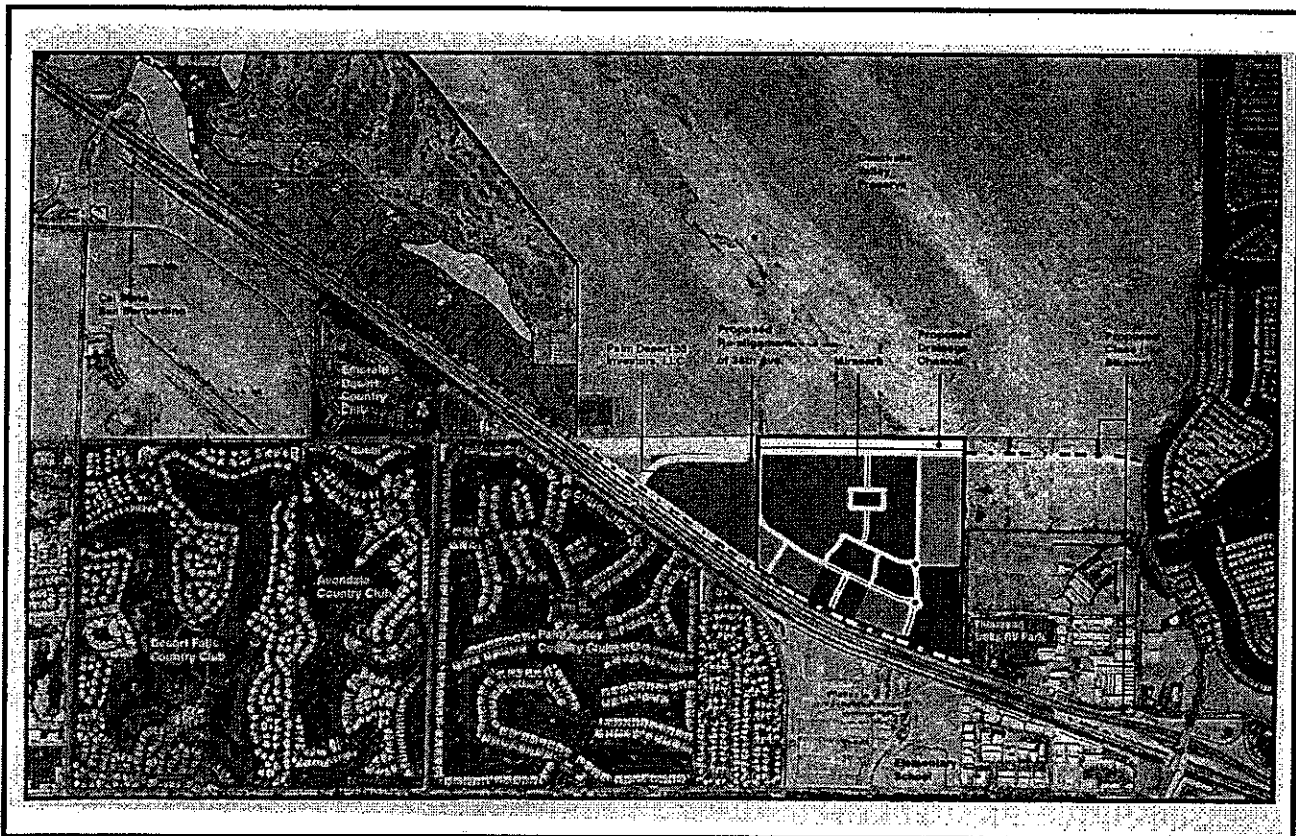
- ☐ I find that the proposed Project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project, described in this document, have been made or agreed to by the Project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed Project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED

- ☐ I find that although the proposed Project could have a significant effect on the environment **NOTHING FURTHER IS REQUIRED** because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed Project.
- ☒ I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.
- ☐ I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the Project in the changed situation; therefore, a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the Project as revised.
- ☐ I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the Project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the Project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following: (A) The Project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Project, but the Project proponents decline to adopt the mitigation measures or alternatives; or (D) Mitigation

measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the Project on the environment, but the Project proponents decline to adopt the mitigation measures or alternatives.

	January 10, 2010
Signature	Date
Judy Deertrack	For Ron Goldman, Planning Director
Printed Name	



HUNSAKER & ASSOCIATES
P L A N N I N G • E N G I N E E R I N G • S U R V E Y I N G
Three Hughes • Irvine, CA 92618 • TEL (949) 263-1200 • FAX (949) 263-0799

Figure 2-3

Figure 2- Vicinity Map

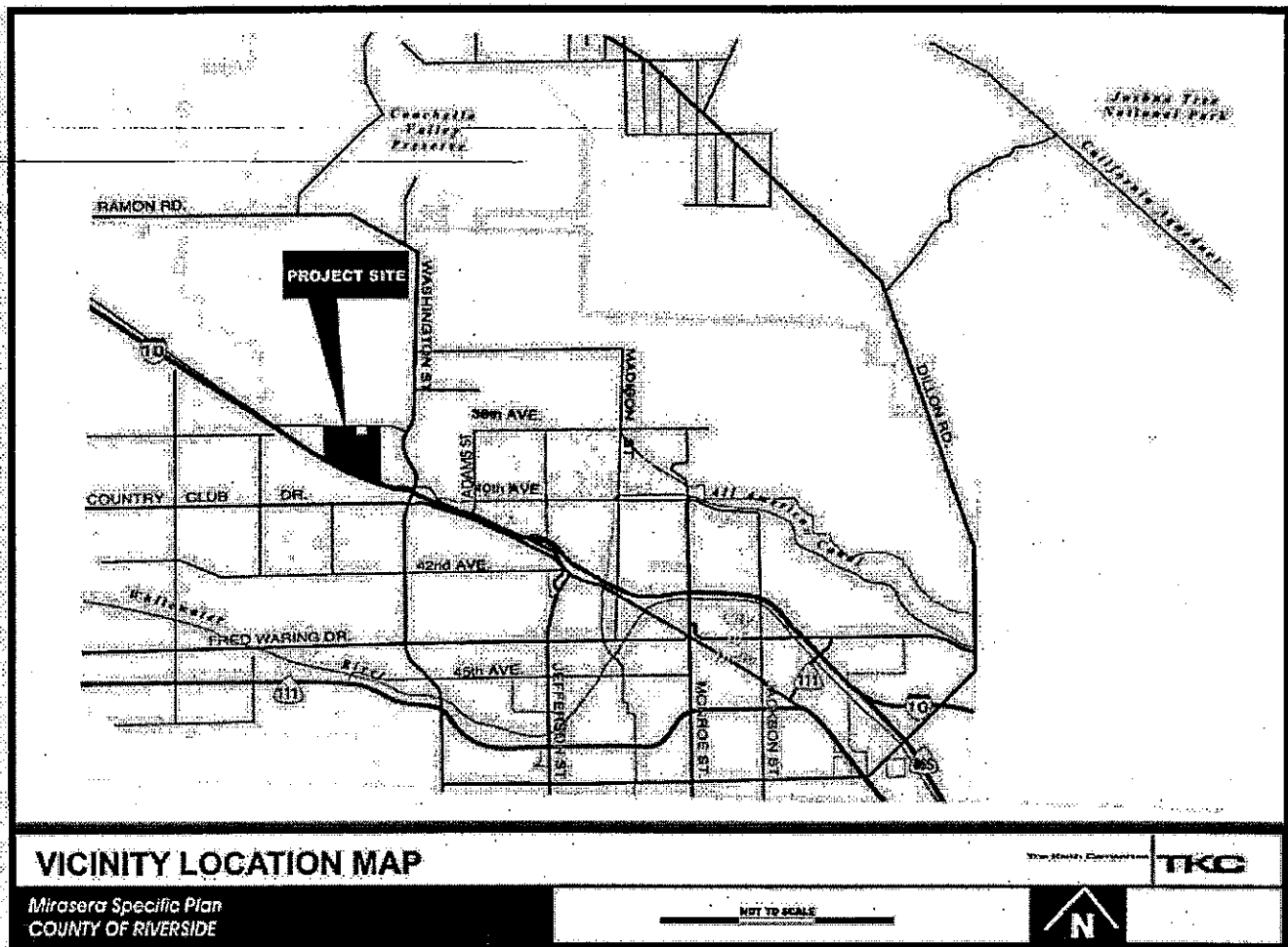


Figure 3 – Regional Location Map

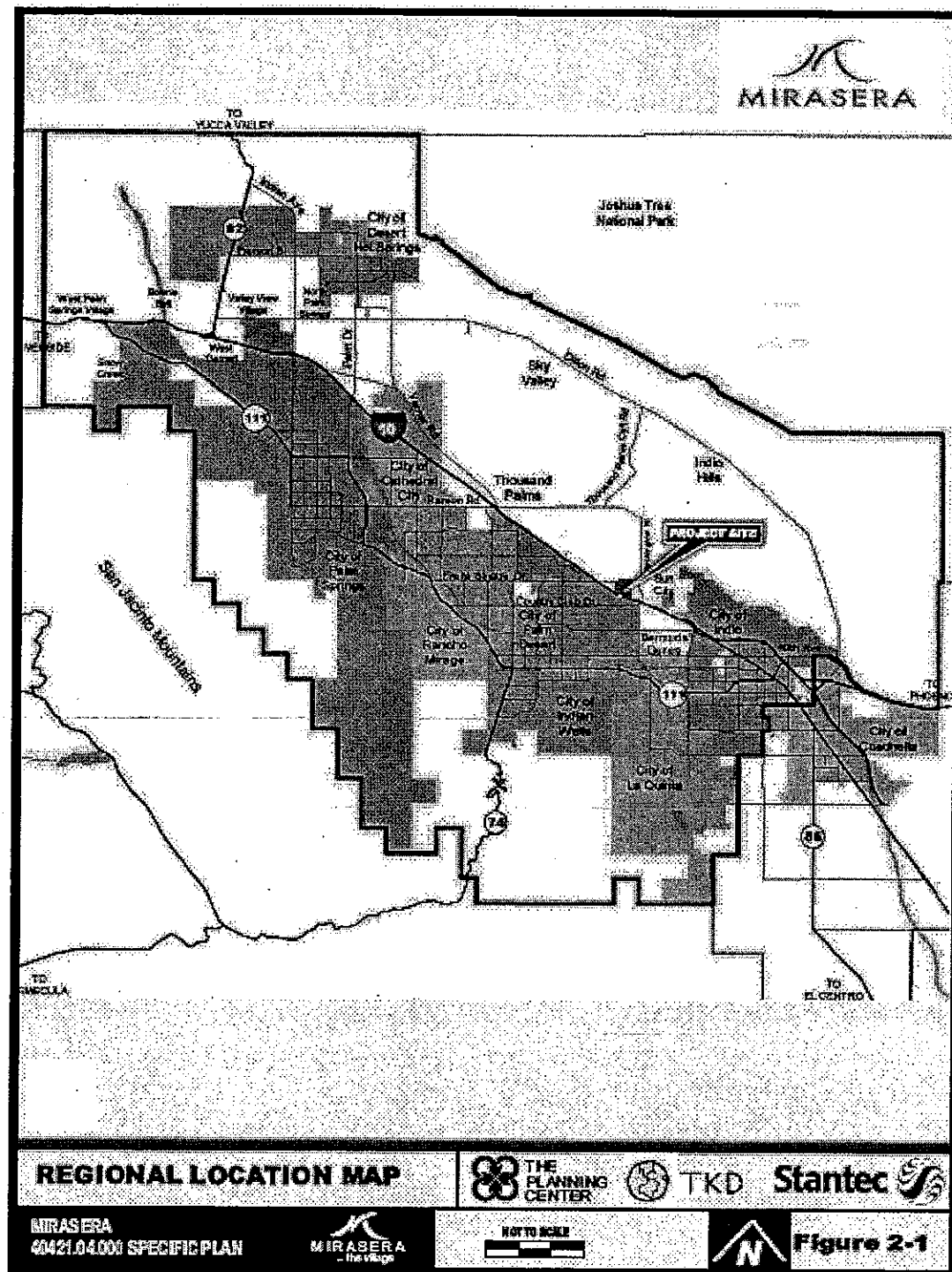
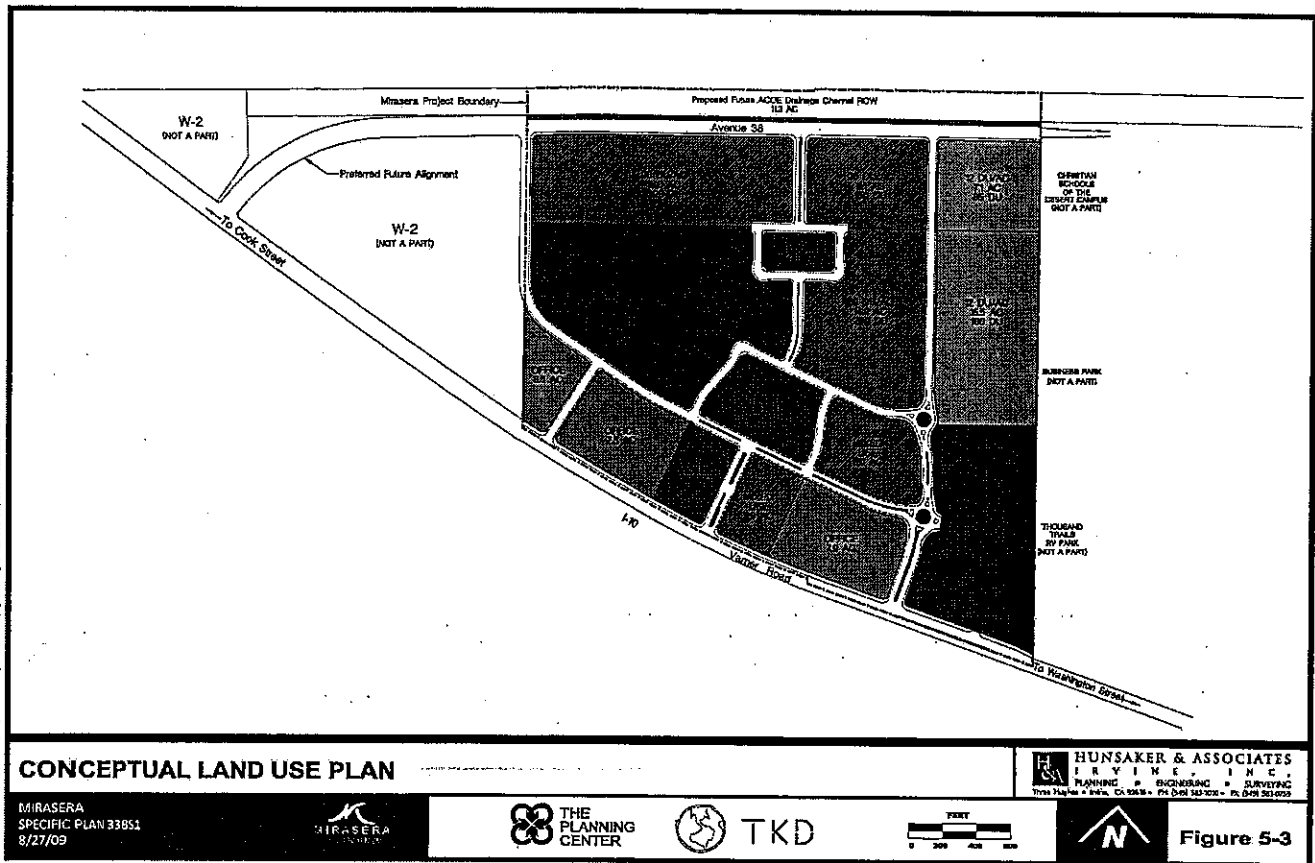


Figure 4 – Conceptual Land Use Plan



ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Addendum to Environmental Impact Report No. 486 has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Addendum is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, upon a determination under Ordinance 348, Section 2.11, that the projects comprise a non-substantial modification of a condition of approval, diagram or text of the specific plan that does not change the basic design or improvements required, and is consistent with the original resolution adopting the specific plan, its conditions of approval, and the specific plan text; furthermore, that the tentative tract map does not increase the land use density or intensity in any phase or planning area beyond that allowed by the specific plan. The purpose of this Addendum is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS Would the project:				
1. Scenic Resources	☐	☒	☐	☐
a) Have a substantial effect upon a scenic highway corridor within which it is located?				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	☐	☐	☒	☐

Source: RCIP Fig. C-7 "Scenic Highways"; SP338 and EIR486

Findings of Fact:

a) The property associated with the project is located adjacent to I-10, a County eligible scenic highway. As such, the property shall comply with the goals and policies contained in the Scenic Highway section of the Riverside County Integrated Project. The Land Use Element (LU 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8), the Circulation Element (C 19.1, 19.2), the Western Coachella Valley Area Plan (WCVAP 18.1), and the Multipurpose Open Space Element (OS 22.1, 22.2, 22.3, 22.4, 22.5). The above General Plan Elements contain policies that will affect development along scenic corridors.

The intent, as stated in the RCIP, is to "...conserve significant scenic resources along designated scenic highways for future generations and to manage development along scenic highways and corridors so as not to detract from the area's scenic quality."

Policies generally reflect that overriding statement by specifying development parameters such as requiring a 50-foot setback from scenic highways, ensuring compatible landscaping, structures, signs, and grading, placing utilities underground, limiting signs, avoiding solid walls, and generally preserving the scenic attributes along a corridor by balancing the objectives of maintaining scenic resources and accommodating compatible land uses.

b) No specific scenic resources such as rock outcroppings or unique features exist on the site and development of the project will not obstruct any prominent scenic vista or other views open to the public. The proposed project will change the appearance of the project site from the adjacent public roadways. The project will not create an aesthetically offensive site open to public view and impacts related to aesthetics are considered to be less than significant.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

2. Mt. Palomar Observatory

a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?

☐☒☐☐

Source: Ord. No. 655, GIS, EIR486

Findings of Fact:

According to the RCIP, the project site is located within 45 miles of the Mt. Palomar Observatory. Ordinance No. 655 contains approved materials and methods of installation, definition, general requirements, requirements for lamp source and shielding, prohibition and exceptions. With the incorporation of project lighting requirements of the Riverside County Ordinance No. 655 into the proposed project, this impact will be reduced to a less than significant impact.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

3. Other Lighting Issues

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

☐☒☐☐

b) Expose residential property to unacceptable light levels?

☐☐☒☐

Source: GP, EIR 486, Project Materials

Findings of Fact:

a) The project will introduce new sources of nighttime light and glare into the area from street lighting, as well as outdoor lighting from industrial and other project-related uses. Spill of light onto surrounding properties, and "night glow" can be reduced by using hoods and other design features on light fixtures used within the proposed project. Inclusion of these design features in the project will be required through standard County conditions of approval, plan checks, permitting procedures, and code enforcement. Potential impacts associated with substantial light glare are reduced to below the level of significance through these standard County practices and procedures.

b) No residences currently exist near the project site. However, existing residential uses across Interstate 10 from the proposed project will be subject to additional nighttime light levels due to additional street lights and other outdoor lighting throughout the project. However, the proposed project will reduce light spill to surrounding areas through the use of hoods and other design features. Inclusion of these design features in the project will be required through implementation of standard County conditions of approval, plan check and permit procedures. With incorporation of appropriate design features to reduce light spill, it is expected that residential property would not be exposed to

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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unacceptable light levels above those addressed within EIR No. 486, and no additional mitigation would be necessary.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

AGRICULTURE RESOURCES	Would the project:			
4. Agriculture	☐	☐	☐	☒
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riv. Co. Agricultural Land Conservation Contract Maps)?	☐	☐	☐	☒
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	☐	☐	☐	☒
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Source: RCIP Fig. OS-2 "Agricultural Resources," GIS database and Project Materials, NRCS, Ord. No. 625, FMMP

Findings of Fact:

a) According to the Riverside County GIS database, and the Riverside County General Plan, the project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, no impacts will occur to Farmland from the proposed project.

b) Currently the project site is undeveloped and vacant with no existing agricultural uses on the project site. The project site is not within a County of Riverside Agricultural Preserve area, nor is it subject to a Williamson Act Contract. There will be no impacts due to conflicts with exiting agricultural.

c) Construction of the proposed project will establish a mix use development. There is no agriculturally-zoned property in the project vicinity. There will be no impacts due to development of non-agricultural uses near agriculturally zoned property.

d) There is no Farmland on or in the vicinity of the project. For this reason, impacts involving the conversion of Farmland to a non-agricultural use will not occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

AIR QUALITY	Would the project:			
5. Air Quality Impacts	☐	☐	☒	☐
a) Conflict with or obstruct implementation of the	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
applicable air quality plan?				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	☐	☐	☒	☐
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	☐	☐	☒	☐
f) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Source: EIR 486, Riverside County Integrated Project (RCIP); Fugitive Dust (PM10) Mitigation Plan for Mirasera Tentative Tract No. 35058, prepared by Hunsaker and Associates Irvine, Inc., dated August 6, 2008

Findings of Fact:

a) The Air Quality Management Plan (AQMP) for the Salton Sea Air Basin (SSAB) sets forth a comprehensive program that will lead the SSAB into compliance with all federal and state air quality standards. The 2007 AQMP was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of South Coast Air Quality Management District (SCAQMD), and to return clean air to the region. Projects that are considered to be consistent with the AQMP would not interfere with attainment because this growth is included in the projections used to formulate the AQMP. Therefore, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended daily emissions thresholds. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections.

In addition to the AQMP, the SCAQMD also has a Coachella Valley State Implementation Plan (CVSIP) specifically for PM-10. The CVSIP includes control measures which will reduce the emissions of fugitive dust for construction, disturbed lands, unpaved roads/lots, paved roads, agriculture and over seeding. The proposed project will not conflict with any of these policies during construction or operation. Construction activities will be required to adhere to SCAQMD Rule 403 and 403.1 for the reduction of fugitive dust during construction activities. The project will comply with any operational control measures by paving project roads and parking areas and installing an eight-foot high wall around the project site, which will reduce the amount of windblown fugitive dust.

b) The criteria pollutant emissions from construction of this project are above the SCAQMD-recommended daily regional thresholds for NO_x and CO in 2008, NO_x in 2009x; NO_x and VOC during 2010 and 2011. Based on the localized significance threshold (LST) analysis of the proposed project,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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the short-term construction will not exceed the thresholds at the nearest sensitive receptor for NO_x, CO, PM-10, or PM-2.5.

Although the construction emissions from the project are over applicable thresholds at the regional level, the project is below thresholds at the localized level. These construction emissions are temporary and with the incorporation of the mitigation measures as listed in EIR486, the impact from construction emissions are considered less than significant.

The project is located in a sparsely populated area that is occasionally impacted by windy conditions. This wind would aid in dispersal and dry deposition of emissions and particulates generated by project operations. The surrounding land uses are mainly industrial/commercial and the project is compatible with those surrounding land uses (see (a) above). Also, the project site is located less than 0.4 miles from the I-10 freeway. The air quality impacts to sensitive receptors within the vicinity of the project site are below localized significance thresholds for operations. With the incorporation of the mitigation measures as stated in EIR486, the impact from operational emissions is considered less than significant.

c) The Coachella Valley portion of the SSAB within which the proposed project is located is designated as a non-attainment area for ozone and PM-10 under both state and federal standards. The project will exceed regional thresholds for VOC, NO_x, and CO during construction, and exceeds the daily threshold for VOC, NO_x, CO, and PM-10 during the operational phase of the project.

The Riverside County Integrated Project General Plan Final Program Environmental Impact Report and Draft Program EIR ("RCIP EIR") certified by the Riverside County Board of Supervisors on October 7, 2003, evaluated the potential environmental impacts associated with a theoretical build-out of all unincorporated areas which is expected to occur in 2037, or possibly later. The projections developed and analyzed in this EIR estimated potential population, dwelling units, and employment for unincorporated areas of the County. The General Plan's land uses served as the basis for these projections. The Riverside County General Plan reflects the past, present, and probable future development for the area within which the proposed project is located and the GP EIR described and evaluated the conditions contributing to area-wide and regional cumulative impacts.

The Riverside County Board of Supervisors found that despite adoption of all feasible mitigation measures, implementation of the Riverside County General Plan would result in significant unavoidable and cumulative impacts, including those to air quality. The Board of Supervisors adopted the Riverside County General Plan because, "in its view, the economic, social, and other benefits that the project will produce and will render the significant effects acceptable" and issued a Statement of Overriding Considerations. (Resolution No. 2003-488) The project's impacts to air quality would not exceed the impacts that have already been addressed during the adoption of the RCIP EIR. Therefore, the project's impact to air quality standards is considered cumulatively less than significant.

d) The closest sensitive receptor is located approximately 425 feet south of the project site. The proposed project's short-term and long-term emissions were above regional thresholds for VOC, NO_x, CO, and PM-10, but were below all localized significance thresholds. Given the distance to sensitive receptors, and the results of the LST analysis for NO_x emissions, exposure of sensitive receptors to substantial concentrations of pollutants is not anticipated. Therefore, impacts are considered less than significant.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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e) The proposed project would include the construction of approximately 1,756 dwelling units, all of which are considered to be sensitive receptors. However, there are no known substantial emitters within one mile of the project site. Impacts are expected to be less than significant.

f) It is anticipated that the major potential sources of odor from the project would occur during construction. Construction equipment exhaust would be the main source of odors that could occur. However, given the fact that the project and its roadways for access are not located within or adjacent to large residential areas, nor an area which would have land uses of large numbers of people that could be exposed to the odors (outdoor malls, schools), impacts related to odors during construction are considered less than significant.

Mitigation: See EIR 486 for applicable mitigation measures, together with the conditions of approval for Tentative Tract Map No. 35058, and more particularly the requirements for PM10.

Monitoring: See EIR 486 for applicable monitoring measures; Building and Safety Department, County of Riverside.

BIOLOGICAL RESOURCES Would the project:				
6. Wildlife & Vegetation	☐	☐	☒	☐
a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	☐	☐	☒	☐
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	☐	☒	☐	☐
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	☐	☐	☒	☐
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

Source: GIS, EIR486, SP338, Biological Report prepared by BonTerra Consulting dated September 29, 2005

Findings of Fact:

a) The project site is located within the Coachella Valley Multi-Species Conservation Plan (CVMSHCP) fee area but is not located within designated conservation area. The MSHCP is a multi-agency, multi-municipality conservation planned that is designed to focus on the biological resources within the Coachella Valley and simplify compliance with laws and regulations related to endangered species and associated habitats. Development impact fees are required at a cost of \$5,730 per acre of development.

~~The project site does not conflict with the provisions of any of the above adopted Habitat Conservation Plans, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan. Impacts associated with the project are less than significant.~~

b-c) A general reconnaissance field survey was conducted on August 18, 2002, by Consulting Biologist Michael C. Couffer to evaluate the potential of the project site to support special status plants and animals and determine the need for further focused biological surveys. An additional field survey was conducted on September 20, 2005, by Senior Biologists Sam Stewart and Stacie Tennant to identify the vegetation types and plant species present on the project site. All plant species observed were recorded in field notes.

Special status plant surveys were conducted on Area B in 2004 and 2005. Surveys were conducted on April 5, 2004, by Mr. Stewart, Ms. Pam De Vries, and Ms. Noreen Cabanting of BonTerra Consulting, and Consulting Biologist Mr. Fred Roberts. Surveys were conducted on February 24, 2005, March 17, 2005 and on March 22, 2005, by Sandra J. Leatherman, Ms. De Vries, and Andrea Warmiment. All areas of Area B containing native habitats potentially suitable for special status species were sampled using meandering transect. Field notes were taken during the surveys.

According to the biological report for the project site, native and non-native vegetation types, including developed areas, would be impacted by the proposed project. A total of 41.3 acres of creosote bush scrub with disturbance would be directly impacted by implementation of the proposed project. Creosote bush scrub is the most abundant vegetation type in the Coachella Valley and impacts on this vegetation type on the project site would be considered less than significant given the small amount impacted relative to the amount present throughout the Coachella Valley.

Construction of the proposed project would result in the loss of up to approximately 230.5 acres of native and non-native habitats that provide foraging opportunities for a limited number of wildlife species. Removing or altering habitats on the project site would result in the loss of small mammals, reptiles, and other animals of slow mobility that live in the proposed project=s direct impact area. More mobile wildlife species now using the project site would be forced into remaining areas of open space, consequently increasing competition for available resources in those areas. This situation would result in the loss of individuals that cannot successfully compete. However, the loss of habitat, loss of wildlife, and wildlife displacement that would result from construction of the proposed project would not be considered significant because these impacts would not substantially diminish habitat for

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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wildlife in the region nor reduce any specific wildlife populations in the region to below self-sustaining numbers.

Project implementation would result in impacts on habitat occupied by flat-tailed horned lizard, a state Species of Special Concern. Although considered adverse, impacts to this species would not be considered significant given the size of the area occupied by the population on the project site relative to the range of this species. Additionally, implementation mitigation measures listed in EIR486 would benefit this species, further reducing the adversity of project impacts.

Project implementation would result in impacts on habitat occupied by the Coachella Valley fringe-toed lizard, a federally-listed "Threatened" and state-listed "Endangered" species. Impacts to this species would be considered significant according to the California Environmental Quality Act (CEQA); however, implementation of mitigation measures listed in EIR486 would reduce impacts to a level considered less than significant.

Project implementation would result in impacts on habitat with a low potential for Le Conte's thrasher. Project implementation would eliminate marginally suitable foraging habitat for this species on the project site. The loss of foraging habitat on the project site is considered adverse, but less than significant due to the limited amount of project related habitat loss relative to the availability of foraging habitat for this species in the Coachella Valley.

Project implementation would result in impacts on habitat occupied by Palm Springs pocket mouse, a state species of special concern. Although considered adverse, impacts to this species would not be considered significant given the acreage of suitable habitat on the project site relative to the range of this species. Additionally, implementation of mitigation measures listed in EIR486 would benefit this species, further reducing the adversity of project impacts.

Impacts to sensitive species other than the burrowing owl and desert tortoise are less than significant as they are unlikely to occur in any quantity, if at all. With implementation of mitigation measures stated in EIR486 potential impacts to burrowing owl, desert tortoise and migratory birds are reduced to less than significant levels.

d) The project site is bound to the south by I-10 and does not currently connect any areas of open space as a wildlife movement corridor. The proposed flood control improvements involve the construction of a soft-bottomed channel that would allow wildlife movement to areas to the east and west of the project site. Therefore, potential for genetic exchange among both common and special status reptile and small mammal species populations on and in the vicinity of the project site would not be impacted by the project. Birds and larger mammal species, which are capable of crossing larger areas of inhospitable habitat, would also be expected to use the flood control improvements to move between areas of open space.

e-f) The project site does not contain riparian habitat, wetlands (as defined in Section 404 of the clean water act), or other sensitive natural community. The proposed project would not have an adverse effect on federally protected wetlands, riparian habitat, or other sensitive natural community. Ephemeral washes are located within the project site. If the on-site ephemeral washes meet the criteria of a "waters of the U.S." under jurisdiction of the U.S. Army Corps of Engineers (Corps) or a "streambed" under jurisdiction of California Department of Fish and Game (CDFG), impacts to these washes would require permits or authorizations from these agencies. With implementation of

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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mitigation measures as stated in EIR486, potential impacts to waters of the U.S. and streambeds are reduced to less than significant levels.

g) There are no local ordinances regarding biological issues that would need to be addressed as a result of the project. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources.

Mitigation: See EIR 486 for applicable mitigation measures, together with the conditions of approval from Tentative Tract Map No. 35058.

Monitoring: See EIR 486 for applicable monitoring measures, together with the conditions of approval from Tentative Tract Map No. 35058; and the Planning and Building and Safety Departments, County of Riverside.

CULTURAL RESOURCES Would the project:

7. Historic Resources	☐	☒	☐	☐
a) Alter or destroy an historic site?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	☐	☒	☐	☐

Source: RCIP Fig. OS-7 "Phase I Cultural Resources Investigation" prepared by Stantec, dated April 2004 and October 2005

Findings of Fact: a) & b) No prehistoric or historic-period cultural resources were found within the corridor during the intensive pedestrian survey performed by Stantec. Historical background research was conducted and Historic maps were consulted for the proposed project site. Because no significant artifacts, features, buildings, structures, or TCPs were found within the study area, the proposed project will not impact any known significant cultural resource. Stantec archaeologists recommend that the project should proceed without requiring additional archaeological work except for monitoring of initial mass grading activities (top three feet of soil removal) and deep trenching during the early phases of project construction. Initial monitoring is warranted for this project due to the potential for buried prehistoric deposits.

Site studies concluded that prehistoric cultural resources are "low" for the site; however, the project area has the potential to contained buried cultural resources. In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, State Health and Safety Code Section 7050.5 state that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. The project will not result in impacts to historical resources.

Mitigation: See EIR 486 for applicable mitigation measures, together with the conditions of approval from Tentative Tract Map No. 35058.

Monitoring: See EIR 486 for applicable monitoring measures, together with the conditions of approval from Tentative Tract Map No. 35058, and the Planning and Building and Safety Departments, County of Riverside.

8. Archaeological Resources	☐	☒	☐	☐
a) Alter or destroy an archaeological site.	☐	☒	☐	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
d) Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☒	☐

Source: RCIP Fig. OS-6 "Archaeological Sensitivity", "Phase I Cultural Resources Investigation" prepared by Stantec, dated April 2004 and October 2005

Findings of Fact:

a) & b) The field survey performed by Stantec archaeologists produced negative results for potential cultural resources. The records search conducted at the Eastern Information Center found that no recorded cultural resource sites were found on the project site. Outside the project boundaries but within a one-mile radius, EIC records show nearly 30 other previous studies covering various tracts of land and linear features. As a result of these and other similar studies in the vicinity, eight historical/archaeological sites and isolates were previously recorded within the scope of the records search.

According to records on file at the Eastern Information Center, approximately half of the study area had been previously surveyed for cultural resources (Tables 1 and 2). The most recent survey was conducted in 2004, for a 182 acre parcel, just south of the corridor, known as the "Hatch" property (Goodman and Mouriquand: 2004) which included a portion of the corridor area. No cultural resources were found during that survey. When the property was previously surveyed, in July 2000, by CRM TECH, one pottery fragment and one small granitic ground stone fragment were observed on the property south of the corridor, but these artifacts were not mapped or recorded and were not observed in the 2004 survey. Within a one-mile radius of the corridor a total of nineteen (19) surveys have been conducted; four sites were found during these studies. The nearest recorded archaeological site; a light scatter of ceramics and fire affected rock, is located just east of the eastern end of the corridor (CA-RIV-4215). A large prehistoric occupation site is south of Interstate 10 (CA-RIV-3222). Southwest of the I-10/Washington freeway overpass is a historic site (CA-RIV-6383 H) consisting of the remains of a wooden structure. A prehistoric ceramic scatter (CA-RIV-5559) is one mile to the southwest.

CEQA establishes that "a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (PRC §21084.1). "Substantial adverse change," according to PRC §5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired." Since no "historical resources" as defined by CEQA, were discovered during the course of this study, the study recommended that:

- No historical resources exist within or adjacent to the project area, and thus the project as currently proposed will not cause a substantial adverse change to any known historical resources.
- No further cultural resources investigation is necessary for the proposed project unless development plans undergo such changes as to include areas not covered by this study.

c) There are no known human burials on the project site. The proposed project is not expected to disturb any human remains, including those interred outside of formal cemeteries. Due to the

EA No.42021

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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previously disturbed and developed condition of the project area the discovery of human remains is extremely unlikely. Therefore impacts to human remains are less than significant and mitigation is not necessary. However, in the unlikely event that during construction suspected human remains are uncovered, all activities in the vicinity of the remains shall cease and the contractor shall notify the County Coroner immediately pursuant to CA Health and Safety Code Section 7050.5 and CA RPC Section 5097.98.

d) A response was received on September 5, 2005, from the NAHC that a search of their files failed to indicate the presence of Native American cultural resources in the immediate project area. It was also noted that this absence of information in their files does not indicate an absence of cultural resources in any project area. The response letter from NAHC is found in Appendix B. A response was received from the Agua Caliente Band of Cahuilla Indians on July 27, 2005. The Bands' Cultural Resource Coordinator requested that the project site be monitored during ground disturbing activities. Mr. Nixon indicated that although the study area falls within the Agua Caliente Band's Traditional Cultural Use Area, no cultural resources were known to exist within the described study area.

Mitigation: See EIR 486 for applicable mitigation measures, together with the conditions of approval from Tentative Tract Map No. 35058.

Monitoring: See EIR 486 for applicable monitoring measures, together with the conditions of approval from Tentative Tract Map No. 35058, and the Planning and Building and Safety Departments, County of Riverside.

9. Paleontological Resources

a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?

☐	☐	☒	☐
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Source: RCIP Fig. OS-8 "Paleontological Sensitivity",

Findings of Fact: According to the Riverside County General Plan, the proposed project site is designated as an area of low paleontological sensitivity.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

GEOLOGY AND SOILS Would the project:

10. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?

☐	☐	☒	☐
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b) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

☐	☐	☒	☐
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Source: RCIP Fig. S-2 "Earthquake Fault Study Zones," EIR486 and Geotechnical Engineering Report prepared by Earth Systems, dated November 5, 2002

Findings of Fact:

a & b) The site is located in a region of generally high seismicity, as is all of Southern California. The San Andreas Fault zone within the Coachella Valley includes the Garnet Hill, the Banning, and the

EA No.42021

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mission Creek Faults which traverse along the northeast margin of the valley. The Coachella Valley segment of the San Andreas Fault system may be capable of generating a magnitude seven or greater earthquake within the next 50 years. Therefore, during the life of the project, the site is expected to experience strong ground motions from earthquakes on regional and or local causative faults. The primary seismic risk at the site is a potential earthquake along the San Andres Fault.

The project will be required to implement the site-specific recommendations in the November 2002 Geotechnical Engineering Report. The proposed development must be designed in accordance with the requirements of the latest edition of the Uniform Building Code (UBC) or the California Building Code (CBC). The UBC/CBC provides procedures for earthquake resistant structural design that include considerations for on-site soil conditions, seismic zoning, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters presented in the Geotechnical Engineering Report prepared by Earth Systems, dated November 5, 2002 are based on the seismic zone, soil profile, and the proximity of know faults with respect to the subject site.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

11. Liquefaction Potential Zone

☐ ☐ ☒ ☐

a) Be subject to seismic-related ground failure, including liquefaction?

Source: RCIP Fig. S-3 "Generalized Liquefaction", Uniform Building Code (UBC), Geotechnical Engineering Report prepared by Earth Systems, dated November 5, 2002

Findings of Fact:

a) Liquefaction is the loss of soil strength from sudden shock (usually earthquake shaking), causing the soil to become a fluid mass. In general, for the effect of liquefaction to be manifested at the surface, groundwater levels must be within 50 feet of the ground surface and the soils within the saturated zone must be susceptible to liquefaction. The potential for liquefaction to occur at the site is considered negligible because the depth of groundwater beneath the site exceeds 100 feet. The report stated that no free groundwater was encountered in the exploratory borings conducted at the site. Thus, liquefaction is not considered to be a design concern for this project. Impacts are expected to be less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

12. Ground-shaking Zone

☐ ☐ ☒ ☐

Be subject to strong seismic ground shaking?

Source: RCIP Fig. S-18 "Inventory of Facilities Storing Hazardous Materials", EIR486 and Geotechnical Engineering Report prepared by Earth Systems, dated November 5, 2002

Findings of Fact:

The project site would be subject to seismic ground shaking from a regional earthquake. The level of ground shaking that would be experienced at the project site from one of these faults or any other active faults in the region, would be a function of several factors including earthquake magnitude, type of faulting, rupture propagation path, distance from the epicenter, earthquake depth, duration of shaking, site topography, and site geology. To reduce the risks associated with seismically-induced

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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ground shaking, engineered design and earthquake-resistant construction increases safety and allows development in seismic areas. The UBC requires the developer to take the location and type of subsurface materials into consideration when designing or retrofitting foundations and structures for a particular site. Because the proposed project is in Seismic Zone 4, structures are required to be designed in accordance with parameters of Chapter 16 of the current UBC. Therefore, adequate structural protection in the event of an earthquake would be provided, thus reducing impacts from strong seismic ground shaking to a less than significant level.

The project will be required to implement the site-specific recommendations in the November 2002 Earth Systemsy Geotechnical Investigation Report. The proposed development must be designed in accordance with the requirements of the latest edition of the Uniform Building Code (UBC) or the California Building Code (CBC). The UBC/CBC provides procedures for earthquake resistant structural design that include considerations for on-site soil conditions, seismic zoning, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters presented in the SoCal Preliminary Geotechnical Investigation Report are based on the seismic zone, soil profile, and the proximity of know faults with respect to the subject site.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

13. Landslide Risk

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?

☐	☐	☐	☒
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Source: RCIP Fig. S-4 "Earthquake-Induced Slope Instability Map, RCIP Fig S-5 "Regions Underlain by Steep Slopes"

Findings of Fact:

a) Topographically, the site is relatively flat and is not in an area susceptible to earthquake-induced landslides. Therefore, the project site is not subject to landslide, collapse, or rockfall hazards. There is no evidence of past landslides on site or in the project vicinity. The proposed project will adhere to the Seismic Zone 4 soil and foundation support parameters of the UBC, as required by County and state law. There are no impacts associated with landslides risk.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

14. Ground Subsidence

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in ground subsidence?

☐	☐	☒	☐
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Source: RCIP Fig. S-7, "Documented Subsidence Areas," EIR486 and Geotechnical Engineering Report prepared by Earth Systems, dated November 5, 2002

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Land subsidence associated with groundwater-level declines has been recognized as a potential problem in the Coachella Valley. However, the potential for seismically induced ground subsidence is considered to be moderate at the site. Removal and re-compaction of the near-surface soils is estimated to result in an average subsidence of about 0.6 to 1.4 inches in the upper 30 feet of soils.

Current UBC standards and the Geotechnical Report's recommendations for design and construction are intended to reduce the potential for major structural damage.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

15. Other Geologic Hazards

a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

Source: USGS, RCIP Safety Element, Site Visit

Findings of Fact:

a) Tsunamis and seiches do not pose hazards due to the inland location of the site and lack of nearby bodies of standing water at the site elevation. There are also no known active volcanoes in the project vicinity. Mudflows are usually associated with slopes and the project site is relatively flat.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

16. Slopes

a) Change topography or ground surface relief features?

b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?

c) Result in grading that affects or negates subsurface sewage disposal systems?

Source: USGS, RCIP Fig. S-4, "Earthquake-Induced Slope Instability Map"

Findings of Fact:

a, b, & c) The project site is relatively level and will not be significantly modified as a result of the project. Minor surface grading and leveling will be required. No cut or fill slopes greater than 2:1 or higher than 10 feet will be created. Compliance with Riverside County Building and Safety Ordinance No. 457 is required regardless of the project's proposed changes to topography. Ordinance No. 457 will assure cut or fill slopes are manufactured appropriately. Prior to the issuance of grading permits, the County of Riverside requires Building and Safety review of the grading plans to assure the grading plans will not affect or negate subsurface sewage plans. Compliance with Ordinance No. 457 and the Uniform Building Code (UBC) or California Building Code (CBC) will reduce potential impacts due to changes in topography and cut and fill slopes as a result of the proposed project to a less than significant level. There are no known subsurface sewage disposal systems on site.

Mitigation: No mitigation measures are required.

EA No.42021

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required.

17. Soils	☐	☐	☒	☐
a) Result in substantial soil erosion or the loss of topsoil?				
b) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒

Source: EIR486 and Geotechnical Engineering Report prepared by Earth Systems, dated November 5, 2002

Findings of Fact:

a) According to the Geotechnical report, the near-surface soils generally consist primarily of variable loose to dense, sands, silty sand, and some silt. The project site is relatively flat; therefore, is not subject to significant erosion by water through surface drainage during construction. Earth-disturbing activities associated with demolition and construction would be temporary and would be regulated by the NPDES permitting process. Construction of the project would eliminate exposed, un-landscaped areas, which would tend to decrease erosion. Specific erosion impacts would depend largely on the effectiveness of the required erosion control programs for the site and the length of time soils would be subject to conditions that would be affected by erosion processes.

All construction activities would be required to comply with Chapter 33 of the UBC which regulates excavation activities and the construction of foundations and retaining walls, including drainage and erosion control. Compliance with the NPDES permit process and the UBC requirements would minimize effects from erosion.

Because the NPDES permit requirements of the RWQCB and the UBC must be satisfied prior to and during project construction, the potential hazards posed by substantial soil erosion or the loss of topsoil would be regulated and reduced to a less-than-significant level.

b) The on-site soils consist of sands, silty sand, and some silt that have been visually classified as very low to non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for this site.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

18. Erosion	☐	☐	☒	☐
a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?				
b) Result in any increase in water erosion either on or off site?	☐	☐	☒	☐

Source: NRSC, Project location, SoCal

Findings of Fact:

a) The proposed project is in relatively flat terrain. The site is not adjacent to a river, stream, or lake bed. Therefore, the project will not result in a significant change in disposition, siltation or erosion. The

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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County's SCA and BMPs in conjunction with the SWPPP will minimize the potential for erosion and siltation during construction.

b) As indicated in Section 17a above, the project site is greater than one acre in size, and, therefore, is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the SWRCB. The developer for the proposed project must comply with all applicable requirements of the above Permit, including the preparation of a SWPPP, applicable NDPES Regulations, and BMPs. The SWPPP must describe the site, the project, construction period erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion, maintenance responsibilities, and non-stormwater management controls. Inspection of construction site before and after storms is required to identify stormwater discharge from the construction activity and to identify and implement controls where necessary.

In addition, all construction activities would be required to comply with Chapter 33 of the UBC, which regulates excavation activities and the construction of foundations and retaining walls, including drainage and erosion control. Compliance with the NPDES permit process and the CBC requirements would minimize effects from erosion.

Because the NPDES permit requirements of the RWQCB and the UBC must be satisfied prior to and during project construction, any increase in water erosion, either on or off site, would be regulated and reduced to a less-than-significant level.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

19. Wind Erosion and Blowsand from project either on or off site.

☐
☐
☐
☒

a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?

Source: RCIP Figure S-8 "Wind Erosion Susceptibility Map," Ord. 460, Sec. 14.2 & Ord. 484

Findings of Fact:

a) The project site is located in a high to moderate wind erosion susceptibility area. The County requires a site-specific wind erosion study as a SCA and BMP in areas of very high to high wind erosion susceptibility and a disclosure about wind erosion susceptibility on property title, building design to resist wind loads, and builder education about the wind environment and design features. The grading contractor will need to secure an approved PM₁₀ plan and comply with the provisions contained therein. Continued compliance with the PM₁₀ plan will assure that there are no significant impacts associated with blowsand.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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HAZARDS AND HAZARDOUS MATERIALS Would the project:

20. Hazards and Hazardous Materials

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

☐ ☐ ☒ ☐

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

☐ ☐ ☒ ☐

c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?

☐ ☐ ☐ ☒

d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

☐ ☐ ☐ ☒

e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

☐ ☐ ☐ ☒

Source: Project proposal, Ord. 348, Phase 1-ESA

Findings of Fact:

a & b) Development of the proposed mixed use land uses will incrementally increase the use and disposal of substances such as cleaning products, fertilizers, pesticides, and standard office supplies, etc. The proposed project buildings are to be used for residential and commercial uses under the existing Specific Plan zoning. The zoning designation allows certain land uses which might use hazardous materials. Such uses, if ever proposed on the site in the future, would be subject to standard Department of Environmental Health policies and permitting procedures. However, as proposed, the project will not involve transport, use or disposal of hazardous materials. The proposed project will not create a significant hazard to the public or environment; potential impacts are less than significant.

c) The proposed project will not impair the implementation of, or physically interfere with, an emergency response plan and/or emergency evacuation plan. The proposed project includes adequate access for emergency response vehicles and personnel, as developed in consultation with County Fire personnel. No impacts are expected.

d) The proposed project would not emit hazardous emissions or handle hazardous materials, substances, or waste. Furthermore, there are no existing or proposed schools within one-quarter mile of the project site. Therefore, the proposed project would not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of a school. No impacts are expected.

e) A federal, state, and local Radius Profile Report from Environmental Data Resources, Inc. dated February 8, 2006 was reviewed for the property. The report contains records of registered sites in the vicinity of the property. Also, neither the property nor the adjacent properties were listed in the National Priority List (NPL) which is a database of uncontrolled or abandoned hazardous waste sites.

EA No.42021

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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This environmental regulatory database search reviewed all regulatory agency lists compiled pursuant to Government Code Section 65962.5, and revealed that the proposed project is not located on a site which is included on the Cortese list of hazardous materials sites. Therefore, no impacts are expected.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

21. Airports	☐	☒	☐	☐
a) Result in an inconsistency with an Airport Master Plan?	☐	☒	☐	☐
b) Require review by the Airport Land Use Commission?	☐	☒	☐	☐
c) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☒	☐	☐
d) For a Project within the vicinity of a private airstrip, or heliport, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☒	☐	☐

Source: RCIP Figure S-19 "Airport Locations," EIR486

Findings of Fact:

a) According to the General Plan, the project site is located within Zones C, D, and E of the Bermuda Dunes Airport which is located approximately 2 1/4 miles to the southeast.

b) The entire project site is located within the Airport Master Plan boundary. The Airport Land Use Commission (ALUC) reviewed the proposed project for consistency with the adopted Airport Master Plan. EIR No. 486 evaluated impacts resulting from project implementation on the airport, and determined that the Specific Plan would not have any significant impacts upon airport development.

The proponent for the project worked on the overall design and marketing concepts for over three years. At the time that the final design was considered, the entire project site was well outside any compatibility zone for the Bermuda Dunes Airport. However, in late 2004, those zones were changed and the new Riverside County Airport Land Use Compatibility Plan (RCALUCP) was adopted. As a result of that rezoning, there are now inconsistencies within Zone C as it overlays the Mirasera property. However, because of the general nature of the RCALUCP, further analysis refined the potential impacts of the development of the project. Extensive examination of the project's affect on the airport and the airport's affect on the project were done by the project proponent and experts in the field. That analysis shows that the Mirasera project, as redesigned, has no impact on Airport operations and vice versa.

c) All land uses within Zones D and E, which overlay the Mirasera project, were found by the RCALUCP to comply with those compatibility zones. Some of the residential land uses initially proposed within zone C as shown in the RCALUCP did not comply with the density uses for the C zone.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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To deal with those exceptions, the ALUCP first considered the alignment of the westerly end of the C zone as it overlays the Mirasera project. The configuration of that C zone's westerly boundary was determined by the alignment of Oasis Avenue south of the I-10 freeway. That alignment, while convenient for a general zone configuration on the ground, was in fact, not perpendicular to the axis of the flight corridor, and did not conform to the flight patterns around the Bermuda Dunes airport. The ALUCP, upon consideration of the distance of the Mirasera C zone site from the Bermuda Dunes airport, the arbitrary determination of the westerly end of the C zone by alignment with Oasis Avenue south of the I-10 freeway, the availability of alternative open space for aircraft in distress, together with other circumstances and considerations, determined that sufficient mitigating conditions existed to provide Mirasera with an exception under Section 3.3.6 of the ALUC compatibility guidelines for all of the Mirasera land uses proposed that lay west of a line perpendicular to the axis of the Bermuda Dunes Airport flight line as shown on Figure 5-3. Following that finding, final mitigation was achieved by amending the Mirasera Specific Plan land uses to move the one remaining multi-family residential site out of the C zone and replace it with park land. With those changes the project was found to be consistent with the ALUCP.

d) The project site is not located within the vicinity of a private airstrip or heliport, therefore no impacts relating to private airstrip or heliport is anticipated.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

22. Hazardous Fire Area

a) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

☐
☐
☒
☐

Source: RCIP Fig. S-11 "Wildfire Susceptibility", GIS

Findings of Fact:

a) According to the County General Plan (Figure S-11), the proposed development site is not located within a High Fire Area where wildlands are adjacent to urbanized areas or residences are intermixed with wildlands. The proposed project site is currently vacant, with vacant lands that abut the site to the north and west. The site is covered with scrub brush and wind blow debris. The proposed project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires; therefore, potential impacts are considered less than significant.

Mitigation: None required.

Monitoring: None required.

HYDROLOGY AND WATER QUALITY Would the project:

23. Water Quality Impacts

a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

☐
☒
☐
☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☒	☐	☐
e) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☒	☐	☐
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☒	☐	☐
g) Otherwise substantially degrade water quality?	☐	☐	☒	☐
h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g., water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g., increased vectors and odors)?	☐	☐	☒	☐

Source: Project design, RCIP Fig. S-9 "100- and 500- Year Flood Hazard Zone", FEMA; Preliminary Hydrology Analysis for Mirasera Tentative Tract No. 35058, prepared by Hunsaker & Associates Irvine, Inc, dated January 13, 2009

Findings of Fact:

a) Implementation of the proposed project will result in the alteration of the site's use and will introduce structures which will impede percolation of storm water as it travels across the project site. This will result in the alteration of the existing drainage patterns on site as well as downstream from the site; the impervious surfaces proposed by the project will reduce infiltration of rainfall and increase storm water runoff volumes. In the existing condition a substantial amount of off site would sheet flow into the site.

The proposed facilities, with ultimate developments of the tributary areas, necessary connections, and adequate maintenance of the facilities, will convey flows safely through the region in accordance to RCFC&WCD, Riverside County Road Department and Coachella Valley Water District requirements. The construction of storm drain and/or other flood control devices are required by the County's regulatory requirements and are enforced through the project's conditions of approval. Impacts will be less than significant after mitigation is incorporated.

Construction activities would temporarily alter the existing drainage pattern of the project site as project grading exposes soils creating a potential impact on local drainage. Pursuant to the requirements of the State Water Resources Control Board (SWRCB), the proposed project is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the SWRCB. The developer for the proposed project must comply with all applicable requirements of the Statewide General Construction Activity Stormwater Permit, including the preparation of a SWPPP, applicable

EA No.42021

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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NDPES Regulations, and BMPs. The SWPPP must describe the site, the project, construction period erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion, maintenance responsibilities, and non-stormwater management controls. Inspection of construction site before and after storms is required to identify stormwater discharge from the construction activity and to identify and implement controls where necessary. Conformance with the above requirements and standards, along with other federal, state, and county regulations will reduce potential impacts to drainage, erosion, and siltation from construction of the project to less than significant levels.

b) The Colorado River Regional Water Quality Control Board (CRRWQCB) sets water quality standards for all ground and surface waters within its region. Water quality standards are defined under the Clean Water Act to include both the beneficial uses of specific water bodies and the levels of water quality that must be met and maintained to protect those uses (water quality objectives). Water quality standards for all ground and surface waters overseen by the CRRWQCB are documented in the Basin Plan (2006). Beneficial uses consist of all the various ways that water can be used for the benefit of people and/or wildlife. Nineteen beneficial uses are recognized within the Colorado River Region.

c) The specific plan is located within the service area of the Coachella Valley Water District (CVWD), which will provide water service to the project site. The proposed project would increase the amount of impervious surface located at the project site, thus reducing the amount of water infiltrating the soil into the groundwater. The Coachella Valley Water District's (CVWD) Water Management Plan (WMP) and Urban Water Management Plan (UWMP) assure the reliability of water supply from the aquifer and other sources. Therefore, impacts due to interference with groundwater recharge would be less than significant.

d) Run-off water will be collected and conveyed via a storm drain system that will flow to a proposed flood control channel on the northern project boundary along existing Avenue 38. The proposed channel follows the alignment of the U.S. Army Corps of Engineers (ACOE) Channel to its intersection with Washington Street. The channel crosses Washington Street via culverts, and then traverses southwards, exiting into the existing golf course east of Washington Street. The channel is designed to convey the 100-year storm of 23,200 cfs.

e) The project site is subjected to shallow flooding and is designated Zone OA, depth three feet on Federal Insurance Rate Maps. Thus, the project will place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. However, structures will be protected through project design and the use of drainage facilities.

f) See response to item 23 (e), above.

g) Following construction, project development with structures, concrete, asphalt, and landscaping would reduce the potential for sediment discharges or erosion on the site. However, use and operation of the project would generate pollutants that could impact water quality. These pollutants could be washed from the project site into downstream receiving waters. The Coachella Valley Storm Drain (Whitewater River) is impaired for toxaphene and pathogens and the Salton Sea is impaired for nutrients, salinity, and selenium. The addition of pollutants for which the downstream receiving waters are impaired, would have a greater likelihood of resulting in impacts. Since the receiving water bodies

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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are impaired for pathogens, nutrients, salinity and selenium, a Treatment Control BMP with a Medium or High effectiveness for treating these pollutants will be incorporated into the project design. Through compliance with NPDES permit requirements and implementation of BMPs outlined in the WQMP, impacts to water quality will be less than significant.

h) Pursuant to requirements of the State Water Resources Control Board, a State-wide general National Pollutant Discharge Elimination System (NPDES) construction permit shall apply to construction activities (clearing, grading, excavation, etc.) that results in the disturbance of five acres of land or activity that is part of a larger common plan of development of five acres or greater. Such permits shall be obtained prior to the start of grading activities. The project shall incorporate the current Best Management Practices and Best Available Technologies (BMPs and BATs) available at the time of application for pollution and erosion/siltation control permits.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

24. Floodplains

Degree of Suitability in 100-Year Floodplains. As indicated below, the appropriate Degree of Suitability has been checked.

NA - Not Applicable ☒

U - Generally Unsuitable ☐

R - Restricted ☐

a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☒	☐	☐
b) Changes in absorption rates or the rate and amount of surface runoff?	☐	☒	☐	☐
c) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?	☐	☐	☒	☐
d) Changes in the amount of surface water in any water body?	☐	☒	☐	☐

Source: RCIP Fig. S-9 "100- and 500- Year Flood Hazard Zone," RCIP Fig. S-10 "Dam Failure Inundation Zone", USGS

Findings of Fact:

a) The Mirasera project lies within a 100-year flood plain. Accordingly, the property must be flood protected. For this proposal, two different methods of flood protection were contemplated; one that will protect only the subject property and the buildings on the property, the other is to construct a portion of a regional flood control system that will tie the project into other flood systems up and down stream. The latter alternative was chosen because it protects the subject property and surrounding areas including Avenue 38, Varner Road, I-10, and some homes within the Sun City project located to the east.

The flood protection channel for the Mirasera project will run along the site's northern property line extending west to Varner Road and east to the Sun City project. Water will be intercepted as it flows

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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downhill (northwest to southwest) and directed to existing flood control structures east of the property. The channel will cross Washington Street via culverts and then traverses southward, exiting into the existing golf course east of Washington Street. The channel is designed to carry a 100-year peak flow of 23,200 cfs.

b) Development of the proposed project will result in the alteration of the existing drainage patterns of the project site by increasing the amount of impervious surfaces within the site. Construction activities would temporarily alter the existing drainage pattern of the project site as there would be areas of exposed soil during grading and excavation. Through compliance with the General Permit requirements and implementation of WQMP BMPs potential impacts from increased runoff are less than significant.

c) EIR 486 states that the proposed channel/levee project is designed to protect the Mirasera property from a 100-year storm event. Once specifically designed, a letter of map revision will be submitted to the Federal Emergency Management Agency (FEMA) to remove the property from the 100-year flood plain.

d) As discussed in Response No. 23 d) above, the project includes a drainage system to accommodate stormwater. Therefore, the proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of water that would change the amount of surface water in any water body. Impacts would be less than significant.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

LAND USE/PLANNING Would the project:

25. Land Use	☐	☒	☐	☐
a) Result in a substantial alteration of the present or planned land use of an area?	☐	☒	☐	☐
b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?	☐	☒	☐	☐

Source: SP338, SP338S1 and EIR 486

Findings of Fact:

a) The proposed Mirasera Specific Plan (SP338) comprises approximately 190 acres, has approximately two-thirds of a mile of frontage along the I-10/Varner Road roadway corridor, and includes various land use types designed to both take advantage of its prominence and to respond to projected market conditions. Within the SP boundary are six Planning Areas containing Community Retail, Office, Business Park/Office, Mixed Use (including a hotel), and a variety of dwelling unit types including apartments, condominiums, town homes, and clustered detached single-family homes. The project also integrates numerous ancillary improvements into its overall design including parks, improved open space, flood control facilities, street improvements, transportation facilities, underground utilities, landscaping, signage, recreational facilities, and other amenities.

The existing land use designation for the site is Light Industrial (LI), Commercial Retail (CR), Medium Density Residential (MDR), High Density Residential (HDR), and Very High Density Residential

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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(VHDR) in the Western Coachella Valley Area Plan (WCVAP). Specific Plan No. 338 is approved for the project site to allow development of the site into six planning areas which will allow for a mix use of residential and commercial development, including Commercial Office (CO), High Density Residential (HDR), Highest Density Residential (HHDR), Mixed Use, and Open Space – Recreation (OS-R).

The Mirasera community will consist of up to 1,756 homes developed with an array of product types including single-family detached court homes, walk-up townhouses, condominiums, and flats. The mixed-use planning area allows up to 141 live/work residential units, 122,700 square feet of retail or office space and a 200-room hotel. The community also includes up to 228,700 square feet of business park/office development and up to 187,300 square feet of community retail space. In order to present the project in a comprehensive manner, the site was divided into six (6) planning areas of development. This process allowed for a precise discussion of the planning and design approach, taking into consideration constraints on and surrounding each planning area. The Planning Area designations for the proposed project are shown on Figure 4 on page 8 (Conceptual Land Use Plan). To provide for flexibility, a density transfer of up to 10% shall be allowed between residential Planning Areas. Density transfers between Planning Areas with commercial and or office uses within the Specific Plan shall not be permitted, except through the Specific Plan Amendment process.

On August 10, 2009 an application for substantial conformance was submitted to the County of Riverside Planning department for compliance with the development layout of Tentative Tract Map No. 35058. The substantial conformance request altered the planning area boundaries and acreages within PA1 through PA 6. A 2.1 acre open space lot (Lot 16) has been added within Planning Area 6. In addition, within the 'Other' category, Miscellaneous Roads and Open Space and Drainage Channel overall acreages have been reduced. The overall acreage and dwelling unit count shall remain the same as the originally approved Specific Plan No. 338.

b) The proposed project is located within the Sphere of Influence (SOI) of the City of Palm Desert whose boundary is located approximately 400 yards to the south and across Highway 10. To date, the City has not responded to request for comments.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR-486 for applicable monitoring measures.

26. Planning	☐	☐	☐	☒
a) Be consistent with the site's existing or proposed zoning?	☐	☐	☐	☒
b) Be compatible with existing surrounding zoning?	☐	☐	☐	☒
c) Be compatible with existing and planned surrounding land uses?	☐	☐	☐	☒
d) Be consistent with the land use designations and policies of the Comprehensive General Plan (including those of any applicable Specific Plan)?	☐	☐	☒	☐
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	☐	☐	☒	☐

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: GIS, Ord. No. 348, RCIP Fig. LU-1 "General Plan Land Use", WCVAP, SP338 and EIR486

Findings of Fact:

a, b, c, d, and e) The project is currently zoned Specific Plan (SP338). This zoning designation is consistent with the land use designation within SP338. The proposed project will be consistent because it proposes a mix use development of residential, commercial and business related uses. Surrounding zoning includes Controlled Development Areas (W-2) to the east and west; Manufacturing-Service Commercial (MS-C) and Industrial Park (I-P) to the east, Natural Assets (N-A) to the north and the City of Palm Desert is located across Interstate 10 to the south; with a general plan designation of Low Density (RL) and a zoning designation of Planned Residential (PL-3). The potential impacts of the Mirasera Specific Plan No. 338 upon surrounding zoning were evaluated in EIR No. 486. TR35058 presents no impacts beyond those addressed in EIR No. 486, and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

MINERAL RESOURCES Would the project:

27. Mineral Resources

a) Result in the loss of availability of a known mineral resource in an area classified or designated by the State that would be of value to the region or the residents of the State?

☐ ☐ ☐ ☒

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

☐ ☐ ☐ ☒

c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?

☐ ☐ ☐ ☒

d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?

☐ ☐ ☐ ☒

Source: RCIP Fig. OS-5 "Mineral Resources Area"

Findings of Fact:

a & b) As indicated on Figure OS-5 of the General Plan, no mineral resources are known to exist on the project site. Therefore, the proposed project would not result in the loss or availability of a known mineral resource that would be of value to the region or residents of the state. No impacts are expected.

c & d) As indicated on Figure OS-5 of the General Plan, no state classified or designated areas, or mineral resources are known to exist adjacent to the project site. Additionally, no existing, proposed, or abandoned quarries or surface mines are adjacent to the project site. No impacts are expected.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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NOISE Would the project result in:			
Definitions for Noise Acceptability Ratings			
Where indicated below, the appropriate Noise Acceptability Rating(s) has been checked.			
NA - Not Applicable	A - Generally Acceptable	B - Conditionally Acceptable	
C - Generally Unacceptable	D - Land Use Discouraged		
28. Airport Noise	☐	☒	☐
a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the Project area to excessive noise levels?			
NA ☒ A ☐ B ☐ C ☐ D ☐			
b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒
NA ☒ A ☐ B ☐ C ☐ D ☐			

Source: Table N-1, "Land Use Compatibility for Community Noise Exposure"

Findings of Fact:

a) The proposed project is located approximately 2 miles to the northwest of the Bermuda Dunes Airport. The entire site is outside of the Bermuda Dunes 60-dB contour now and in the future as depicted in the Riverside County Airport Land Use Compatibility Plan (RCALUCP). Therefore, aircraft noise is not an issue for Mirasera. Due to the project's close proximity to the I-10 freeway and the Southern Pacific Railroad, a noise study was prepared for the project. The potential impacts of the TR35058 upon surrounding zoning were evaluated in EIR No. 486. TR35058 presents no impacts beyond those addressed in EIR No. 486, and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

b) The Mirasera site is not located within the vicinity of a private airstrip, and therefore implementation would not expose people residing or working in the project area to excessive noise levels. No impact is expected in this regard.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

29. Railroad Noise	☐	☒	☐	☐
NA ☒ A ☐ B ☐ C ☐ D ☐				

Source: RCIP Fig. S-21 "Rail Facilities" and EIR No. 486

Findings of Fact:

The railroad is located on the south side of I-10, which is approximately 400 feet south of the project. TR35058 presents no impacts beyond those addressed in EIR No. 486 and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

Mitigation: See EIR 486 for applicable mitigation measures.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: See EIR 486 for applicable monitoring measures.

30. Highway Noise					☐	☒	☐	☐
NA ☒	A ☐	B ☐	C ☐	D ☐				

Source: EIR No. 486

Findings of Fact:

The nearest freeway to the proposed project site is I-10, approximately 200 feet to the south. EIR No. 486 included an in-depth noise analysis for the proposed on-site roadways and roadways close to the project. It was determined that all of the proposed roadways would be in compliance with the 65 CNEL County standard. Implementation of TR35058 would not result in additional highway noise beyond that evaluated in the EIR. Impacts would be less than significant, and no additional mitigation is required.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

31. Other Noise					☐	☐	☒	☐
NA ☒	A ☐	B ☐	C ☐	D ☐				

Source: EIR486

Findings of Fact:

There are no other known sources of noise in the project area that present the potential for significant impacts upon the proposed project.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

32. Noise Effects on or by the project	☐	☒	☐	☐
a) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the project?	☐	☒	☐	☐
b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐

Source: RCIP Ch. 7, Table N-1, "Land Use Compatibility for Community Noise Exposure", County of Riverside Ordinance No. 457, Noise Study

Findings of Fact:

a & b) The project site is currently vacant. The project site is largely surrounded with vacant land and limited to commercial development to the south, adjacent to I-10, and residential to the north. The General Plan classifies noise levels as "Normally Acceptable" for residential, commercial, and

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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industrial land uses as less than or equal to 60dBA, 70dBA and 75dBA, respectively. The construction truck traffic associated with the project may increase noise levels on streets to a level greater than the County's 65 dBA standard. Due to construction activities, the proposed project site may have temporary or periodic increases in ambient noise levels. It is estimated that there could be significant short-term noise impacts during construction and incremental long-term impacts from project occupancy, primarily due to vehicular noise. With implementation of mitigation measures identified below, potential impacts from increased noise levels will be reduced to less than significant levels.

c) Mixed use developments can create various synergies that can provide employment, commercial, recreational and residential opportunities in very close proximity. Such uses can also create noise conflicts, however, at the interface between noise-sensitive residences and less sensitive non-residential uses. Without specific development proposals, the magnitude of such conflicts can not be anticipated. However, site planning needs to consider the provision of adequate distance buffers or physical barriers to optimize mixed land use benefits with creating noise conflict situations. With implementation of mitigation measures identified below, potential impacts from increased noise levels will be reduced to less than significant levels.

d) Given the nature of the construction activities that will be required for the project, some vibration may be perceived by off-site receptors within approximately 100 feet of the site during the construction phase. However, this impact will be short term and will not be of a magnitude to become severely unpleasant or potentially damaging to property. Therefore, project construction and operation would not generate significant levels of ground-borne vibration or ground-borne noise.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

POPULATION AND HOUSING Would the project

33. Housing

a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

☐ ☐ ☐ ☒

b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?

☐ ☐ ☒ ☐

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

☐ ☐ ☐ ☒

d) Affect a County Redevelopment Project Area?

☐ ☐ ☐ ☒

e) Cumulatively exceed official regional or local population projections?

☐ ☐ ☒ ☐

f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

☐ ☐ ☒ ☐

Source: Project description, GIS, GP

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a & c) The project site is a vacant parcel. Therefore, the proposed project would not displace any existing housing or people.

b) The proposed project will result in the development of mix uses within a region that currently supports this type of development. The project will provide new employment opportunities and potential impacts are less than significant.

d) The project site is located outside of a County Redevelopment Project Area, therefore, the proposed project would not affect a Redevelopment Project Area.

e) The project does not indirectly induce population growth because, as analyzed in the General Plan, the proposed project will provide employment opportunities for the existing population growth in Riverside County, impacts are expected to be less than significant.

f) See Item 33e, above.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

34. Fire Services

☐	☐	☒	☐
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Source: RCIP Fig. S-13 "Inventory of Emergency Response Facilities"

Findings of Fact: The project area is serviced by the Riverside County Fire Department. Any significant effects will be mitigated by the payment of standard fees to the County of Riverside. The project will not directly physically alter existing facilities or result in the construction of new physically altered facilities. Any construction of new facilities required by the cumulative effects of this project and surrounding projects would have to meet all applicable standards. This project has been conditioned to comply with County Ordinance No. 659 in order to mitigate the potential effects to fire services. This is a standard condition of approval and pursuant to CEQA is not considered mitigation.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

35. Sheriff Services

☐	☐	☒	☐
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Source:

RCIP General Plan Safety Element, Riverside County Ordinance No. 659

Findings of Fact:

The proposed area is serviced by the Riverside County Sheriff's Department. The proposed project would not have an incremental effect on the level of sheriff services provided in the vicinity of the project area. Any construction of new facilities required by the cumulative effects of this project and surrounding projects would have to meet all applicable environmental standards. This project has

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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been conditioned to comply with County Ordinance No. 659 in order to mitigate the potential effects to sheriff services.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

36. Schools

☐	☐	☒	☐
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Source: RCIP Fig. S-14, "Inventory of School Locations"

Findings of Fact:

The project site is located within the boundaries of the Desert Sands Unified School District. The requirements of state law provide for the mechanism for mitigation of school service impacts. The payment of school fees at issuance of building permits, as noted in the conditions of approval on file in the LMS, including 80. PLANNING. 5 – School Mitigation, has been provided for with this approval action.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

37. Libraries

☐	☐	☒	☐
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Source: GP

Findings of Fact:

Library services are provided by the Riverside County Public Library System. The project will not physically alter existing facilities or result in the construction of new or physically altered facilities. Development fees required by the Riverside County Ordinance No. 659 may be used at the County's discretion to provide additional library facilities. Any construction of new facilities required by the cumulative effects of this project and surrounding projects would have to meet all applicable environmental standards. This project has been conditioned to comply with County Ordinance No. 659 in order to mitigate the potential effects to library services.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

38. Health Services

☐	☐	☒	☐
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Source: RCIP Fig. S-12 "Inventory of Hospital Locations"

Findings of Fact:

The use of the approximately 7.0-acre site would not cause an impact on health services. The site is located within the service parameters of County health centers. The project will not physically alter existing facilities or result in the construction of new or physically altered facilities. The presence of medical communities generally corresponds with the increase in population associated with the new

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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development. Any construction of new facilities required by the cumulative effects of this project and surrounding projects would have to meet all applicable environmental standards.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

RECREATION

39. Parks and Recreation

a) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐ ☐ ☒ ☐

b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

☐ ☒ ☐ ☐

c) Is the project located within a C.S.A. or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?

☐ ☐ ☐ ☒

Sources: RCIP Fig. OS-3 "Parks, Forest, and Recreation Areas"; Ord. No. 460

Findings of Fact: TR35058 presents no impacts beyond those addressed in EIR No. 486 and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

40. Recreational Trails

☐ ☒ ☐ ☐

Sources: RCIP Fig. C-7, "Riverside County Trails and Bikeway System"; RCIP Fig. C-8, "Multipurpose Recreational Trails Details"; WCVAP Fig. 8, "Trails and Bikeway System"

Findings of Fact:

The proposed project is required to provide a 10-foot multipurpose Regional Trail within a 26-foot parkway per Standard No. 405 along the north side of Avenue 38. TR35058 presents no impacts beyond those addressed in EIR No. 486 and no additional mitigation would be necessary. Impacts would be less than significant in this regard. In approved Specific Plan No. 338, a 10' multipurpose trail was proposed along the right-of-way on Varner Road. Due to the close proximity of the proposed 10' trail location to Interstate 10 and Varner Road, staff has concerns regarding noise and safety of pedestrians/bicyclists utilizing this trail. Therefore, the proposed 10' trail along Varner Road has been removed and is reflected in Figure 4-3 in Specific Plan, Substantial Conformance (SP338S1). The 10' multipurpose trail adjacent to the drainage channel along Avenue 38 will remain and offers connection to the County of Riverside overall regional trail system.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION/TRAFFIC Would the project:				
41. Circulation	☐	☒	☐	☐
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☒	☐	☐
b) Result in inadequate parking capacity?	☐	☐	☐	☒
c) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated road or highways?	☐	☒	☐	☐
d) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
e) Alter waterborne, rail or air traffic?	☐	☐	☐	☒
f) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
g) Cause an effect upon, or a need for new or altered maintenance of roads?	☐	☒	☐	☐
h) Cause an effect upon circulation during the Project's construction?	☐	☒	☐	☐
i) Result in inadequate emergency access or access to nearby uses?	☐	☐	☐	☒
j) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☒	☐

Sources: Project proposal, Webb TIA 2008 with updates available for inspection at Transportation Department offices located at 4080 Lemon Street, 8th Floor, or 3525 14th Street, Riverside, CA 92501, Kunzman Associates Traffic Impact Analysis (Revised) December 4, 2008, Kunzman Associates Response To Comments February 23, 2009.

Findings of Fact:

a) The project area is currently vacant land and the proposed development will cause an increase in traffic load, but the traffic impact analysis (December 4, 2008) prepared for the Mirasera Specific Plan and TR35058 indicate it is possible to achieve adequate levels of service for the study area intersections for the proposed project. The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

A revised traffic impact analysis (February 23, 2009) has been provided to respond to staff's concern regarding Varner Road as a six (6) lane roadway versus a four (4) lane roadway; a four (4) lane roadway was approved in the original Specific Plan No. 338. As part of the substantial conformance request, Varner Road has been modified to accommodate a six (6) lane roadway with a 111' ultimate right-of-way consisting of three (3) travel lanes on the eastbound and westbound lanes. The traffic impact analysis concludes assuming "worse case" trip generation, a four (4) lane roadway is sufficient to meet the County of Riverside standards from the Mirasera westerly project boundary east to

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Washington Street. Therefore, the proposed 6 lane roadway for Varner Road is sufficient enough to meet the project's anticipated traffic load for Mirasera.

b) The proposed project will incorporate sufficient on-site parking and will adhere to the parking requirements in the approved Mirasera Specific Plan No. 338.

c) The proposed project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for the development's roadway system. The traffic impact analysis indicates for existing plus ambient growth plus project traffic conditions and with improvements, the study area intersections are projected to operate within the acceptable Levels of Service during the peak hours.

d) The proposed project will not result in a change in air traffic patterns.

e) The proposed project will not alter waterborne, rail, or air traffic.

f) The proposed project will not substantially increase hazards to the project's design feature.

g) The proposed project will not cause an effect upon or a need for new altered or maintenance roads.

h) The proposed project will not cause an effect upon the project's circulation during the project's construction. Construction circulation will be in compliance with the monitoring measures for EIR 486.

i) The proposed project will not result in inadequate emergency access or access to nearby uses. The proposed project will incorporate two (2) primary access points from Varner Road and one (1) primary access point from Avenue 38. Subsequently, there will be one (1) secondary access point from Varner Road and two (2) secondary access points from Avenue 38. With more than one access point proposed for the project, good emergency access is assured because there are two or more ways of connection within the overall project site.

j) The proposed project will not conflict with adopted policies supporting alternative transportation.

Mitigation: See EIR 486 for applicable mitigation measures, together with the conditions of approval for Tentative Tract Map No. 35058

Monitoring: See EIR 486 for applicable monitoring measures, together with the conditions of approval for Tentative Tract Map No. 35058, and the Transportation and Planning Departments, County of Riverside

42. Bike Trails

☐	☒	☐	☐
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Sources: GP Fig. C-7, "Riverside County Trails and Bikeway System"; RCIP Fig. C-8, "Multipurpose Recreational Trails Details"; WCVAP Fig 8, "Trails and Bikeway System"

Findings of Fact:

The proposed project is required to provide a 10-foot multipurpose Regional Trail within a 26-foot parkway per Standard No. 405 along the north side of Avenue 38. TR35058 presents no impacts beyond those addressed in EIR No. 486 and no additional mitigation would be necessary. Impacts

EA No.42021

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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would be less than significant in this regard. In approved Specific Plan No. 338, a 10' multipurpose trail was proposed along the right-of-way on Varner Road. Due to the close proximity of the proposed 10' trail location to Interstate 10 and Varner Road, staff has concerns regarding noise and safety of pedestrians/bicyclists utilizing this trail. Therefore, the proposed 10' trail along Varner Road has been removed and is reflected in Figure 4-3 in Specific Plan, Substantial Conformance (SP338S1). The 10' multipurpose trail adjacent to the drainage channel along Avenue 38 will remain and offers connection to the County of Riverside overall regional trail system.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures, and the Planning and Building and Safety Departments, County of Riverside

UTILITY AND SERVICE SYSTEMS Would the project

43. Water

a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

☐ ☒ ☐ ☐

b) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?

☐ ☒ ☐ ☐

Source: CVWD Letter dated November 20, 2008, EIR-486

Findings of Fact: The project will be affected by the domestic water programs and land use standards of the RCIP. The Coachella Valley Water District shall provide water services to the proposed project site. The project may result in the construction of new water treatment facilities or expansion of existing facilities. TR35058 presents no impacts beyond those addressed in EIR No. 486 and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

44. Sewer

a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?

☐ ☒ ☐ ☐

b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

☐ ☐ ☒ ☐

Source: MSWD, Water Report

Findings of Fact: The project may result in the construction of new water treatment facilities or expansion of existing facilities. TR35058 presents no impacts beyond those addressed in EIR No. 486

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

45. Solid Waste	☐	☐	☒	☐
a) Is the Project served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?				
b) Comply with federal, state, and local statutes and regulations related to solid wastes (including the CIWMP (County Integrated Waste Management Plan))?	☐	☐	☒	☐

Source: GP

Findings of Fact: The Riverside County Waste Management Department (RCWMD) permits Waste Management of the Desert Inc. (WM), the franchise-owned water management/hauler, to provide waste management services for the communities of Cathedral City, Coachella, Indian Wells, Indio, La Quinta, Palm Desert, Rancho Mirage, Salton Sea, Twenty-nine Palms, Yucca Valley, and areas of unincorporated Riverside and San Bernardino Counties. WM provides collection, recycling, and disposal services.

TR35058 presents no impacts beyond those addressed in EIR No. 486 and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

Mitigation: See EIR 486 for applicable mitigation measures.

Monitoring: See EIR 486 for applicable monitoring measures.

46. Utilities				
a) Would the Project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?				
a) Electricity?	☐	☐	☒	☐
b) Natural gas?	☐	☐	☒	☐
c) Communications systems?	☐	☐	☒	☐
d) Storm water drainage?	☐	☐	☒	☐
e) Street lighting?	☐	☐	☒	☐
f) Maintenance of public facilities, including roads?	☐	☐	☒	☐
g) Other governmental services?	☐	☐	☐	☒
h) Conflict with adopted energy conservation plans?	☐	☐	☒	☐

Source: GP, Project design

Findings of Fact: TR35058 presents no impacts beyond those addressed in EIR No. 486 and no additional mitigation would be necessary. Impacts would be less than significant in this regard.

Mitigation: No mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required.

MANDATORY FINDINGS OF SIGNIFICANCE

47. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare, or endangered plant or animal to eliminate important examples of the major periods of California history or prehistory?

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Source: Phase 1, Staff review, Application materials, above checklist

Findings of Fact:

The preceding analyses do not reveal any significant un-mitigable impacts to the environment. Based on these findings, the proposed project is not expected to substantially degrade the quality of the environment. As discussed previously in Section 6, Biological Resources, the proposed project would not substantially reduce the habitat of fish, cause a fish to drop below self-sustaining levels, or restrict the range of a rare or endangered plant or animal. As discussed in Sections 7 through 8, no known cultural or historical resources exist onsite. As discussed in Section 9, there are no known paleontological resources on the project site. However, project-related geologic sediments with a high paleontological sensitivity may occur at a depth of ten (10) feet or greater below the surface. Any impacts to paleontological resources would be mitigated to less than significance with the mitigation specified in Section 9.

48. Does the project have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

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Source: Staff review, Project application

Findings of Fact:

The project as proposed would have cumulative, but non-significant, impacts on Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hazards /Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Recreation, Transportation/Traffic, and Utilities/Service Systems. These items are discussed elsewhere in the initial study.

The proposed project does not have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals. All identified impacts have been mitigated to levels considered less than significant.

49. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual Project are considerable when viewed in

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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects as defined in California Code of Regulations, Section 15130.)

Source: Above checklist, Staff review, project application

Findings of Fact: The potential for cumulative impacts occurs when the independent impacts of the proposed project are combined with the impacts of related projects in proximity to the project site such that impacts occur that are greater than the impacts of the project alone. As discussed in the preceding analysis, for the majority of the environmental topics covered in this EA, it has been determined that the proposed project would have less than significant cumulative impacts. All cumulative impacts would be reduced to a less than significant level with implementation of the proposed mitigation measures. Because many of the mitigation measures for these topics are project-specific, no cumulative impacts would occur. Furthermore, any similar impacts from development of related projects would also implement similar mitigation measures so impacts would not be cumulatively considerable.

50. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

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Source: Above checklist Staff review, Project application

Findings of Fact:

The proposed project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. As discussed in the preceding analysis, all potentially significant impacts can be reduced to less than significant levels with the incorporation of appropriate SCA, BMPs, and mitigation measures.

VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any:

Riverside County Integrated Project (RCIP)
EIR486 (Specific Plan No. 338 – Mirasera)

Updated Reports and Studies:

Preliminary Hydrology Analysis for Mirasera Tentative Tract No. 35058, prepared by Hunsaker & Associates Irvine, Inc, dated January 13, 2009

Traffic Impact Analysis (Revised) prepared by Kunzman Associates, dated December 4, 2008;

Kunzman Associates Response To Comments February 23, 2009

Fugitive Dust (PM10) Mitigation Plan for Mirasera Tentative Tract No. 35058, prepared by Hunsaker and Associates Irvine, Inc., dated August 6, 2008

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Location Where Earlier Analyses, if used, are available for review:

County of Riverside Planning Department
38-686 El Cerrito Road, Palm Desert, CA 92211

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D).

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1

SPSC - DEFINITIONS

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of SPECIFIC PLAN NO. 00338, SUBSTANTIAL CONFORMANCE NO. 1, shall be henceforth defined as follows:

SPECIFIC PLAN SUBSTANTIAL CONFORMANCE = Substantial Conformance No.1 to Specific Plan No. 00338.

Exhibit A-1 Modifications (Sheets 1-12), Dated 7/30/09, and consisting of:

- 1) Plan View Aerial of the Project Site, Figure 2-3
- 2) Conceptual Land Use Summary, Table 4-1
- 3) Conceptual Land Use Plan, Figure 4-1
- 4) Planning Area Exhibit - Figure 4-2
- 5) Project Site Entries - Table 4-2
- 6) Conceptual Circulation Plan - Figure 4-3
- 7) Proposed Varner Road Cross Section - Figure 4-4
- 8) Residential Collector Streetscape and Cross Section - Figure 4-9
- 9) Commercial Collector Streetscape and Cross Section - Figure 4-10
- 10) Main Promenade Streetscape and Cross Section (Option A) Figure 4-11
- 11) North Promenade Streetscape and Cross Section - Figure 4-13
- 12) Conceptual Land Use Plan - Figure 5-3

Exhibit A-2 Originals (Sheets 1-12), Dated 07/30/09. and consisting of:

- 1) Plan View Aerial of the Project Site - Figure 2-3
- 2) Conceptual Land Use Summary - Table 4-1
- 3) Conceptual Land Use Plan - Figure 4-1
- 4) Planning Area Exhibit - Figure 4-2
- 5) Project Site Entries - Table 4-2
- 6) Conceptual Circulation Plan - Figure 4-3
- 7) Proposed Varner Road Cross Section - Figure 4-4
- 8) Residential Collector Streetscape and Cross Section - Figure 4-9
- 9) Commercial Collector Streetscape and Cross-Section - Figure 4-10
- 10) Main Promenade Streetscape and Cross Section (Option A) Figure 4-11

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 2

3ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

10. GENERAL CONDITIONS

10. EVERY. 1 SPSC - DEFINITIONS (cont.) RECOMMND

11) North Promenade Streetscape and Cross Section - Figure 4-13

12) Conceptual Land Use Plan - Figure 5-3

10. EVERY. 2 SPSC - SPSC DESCRIPTION RECOMMND

This SPECIFIC PLAN SUBSTANTIAL CONFORMANCE proposes to make the following minor alterations to the SPECIFIC PLAN:

The specific plan substantial conformance proposes to amend Specific Plan No. 338 in order to re-align a portion of Avenue 38 to accommodate an approximate 7,330 foot drainage channel and adjust the circulation (roadway) system, including elimination of five (5) secondary community entry points, the addition of a two (2) acre park, and adjustment of planning area boundaries.

10. EVERY. 3 SPSC - HOLD HARMLESS RECOMMND

The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SPECIFIC PLAN SUBSTANTIAL CONFORMANCE. The COUNTY will promptly notify the subdivider of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the subdivider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

BS GRADE DEPARTMENT

10.BS GRADE. 2 SP*GSP-1 ORD. NOT SUPERSEDED RECOMMND

Anything to the contrary, proposed by this Specific Plan, shall not supersede the following: All grading shall conform to the California Building code, County General Plan, Ordinance 457 and all other relevant laws, rules and regulations governing grading in Riverside County.

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 3

3ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.BS GRADE. 3 SP*GSP-2 GEO/SOIL TO BE OBEYED RECOMMND

All grading shall be performed in accordance with the recommendations of the included -County approved- geotechnical/soils reports for this Specific Plan.

10.BS GRADE. 4 SP-ALL CLEARNC'S REQ'D B-4 PMT RECOMMND

Prior to issuance of a grading permit, all certifications affecting grading shall have written clearances. This includes, but is not limited to, additional environmental assessments, erosion control plans, geotechnical/soils reports, and departmental clearances.

10.BS GRADE. 5 SP*-NO GRADING & SUBDIVIDING RECOMMND

If grading of the entire - or any portion there of - Specific Plan site is proposed, UNDER A SUBDIVISION OR ~~LAND USE CASE ALREADY APPROVED FOR THIS SPECIFIC PLAN~~, at the same time that application for further subdivision of any of its parcels is being applied for, an exception to Ordinance 460, Section 4.5.B, shall be obtained from the Planning Director, prior to issuance of the grading permit (Ord. 460 Section 3.1). ~~THIS EXCEPTION WILL NOT APPLY TO ANY CASE HAVING ONLY AN APPROVED SPECIFIC PLAN.~~

FIRE DEPARTMENT

10.FIRE. 1 SP-#86-WATER MAINS INEFFECT

All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance 460 and/or No.787, subject to the approval by the Riverside County Fire Department.

10.FIRE. 2 SP-#85-FINAL FIRE REQUIRE INEFFECT

Final fire protection requirements and impact mitigation measures will be determined when specific project plans are submitted.

10.FIRE. 3 SP-#47 SECONDARY ACCESS INEFFECT

In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s) as stated in the Transportation Department Conditions. Said Alternate or Secondary Access(s) shall have concurrence and approval of

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 4

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

~~10. GENERAL CONDITIONS~~

10.FIRE. 3 SP-#47 SECONDARY ACCESS (cont.)

INEFFECT

both the Transportation and Fire Departments and shall be maintained through out any phasing.

10.FIRE. 4 SUP-ROADS

INEFFECT

All roads shall be a minimum of 24 feet in width and shall have a minimum vertical clearance of 13 feet 6 inches. Roads iwth a width of 24-32 feet shall be marked as no parking, as indicated by red curbing and signage on both sides. Roads with a width of 32-36 feet shall be marked as no parking and red-curbed on one side. Roads with a width of 36 feet or greater may have parking on both sides.

PLANNING DEPARTMENT

10.PLANNING. 1 GEN - IF HUMAN REMAINS FOUND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Planning/Director.

10.PLANNING. 2 GEN - INADVERTANT ARCHAEO FIND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 5

IST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 2

GEN - INADVERTANT ARCHAEO FIND (cont.)

RECOMMND

project:

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1.All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3.Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

20. PRIOR TO A CERTAIN DATE

FIRE DEPARTMENT

20.FIRE. 1

SP - PERMITS

INEFFECT

Prior to any building permits, Fire Department approval is required.

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 6

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 SP - SC DOCUMENT TO BE PREPAR

RECOMMND

Within ninety (90) days of the approval of the SPECIFIC PLAN SUBSTANTIAL CONFORMANCE, the applicant shall provide to the Planning Department fifteen (15) copies of the final SPECIFIC PLAN SUBSTANTIAL CONFORMANCE document. The document shall illustrate the differences between the current proposal and the SPECIFIC PLAN. The final documents shall provide substitution pages for SPECIFIC PLAN00338.

30. PRIOR TO ANY PROJECT APPROVAL

TRANS DEPARTMENT

30.TRANS. 1 SP - SP338S1/TS CONDITIONS

RECOMMND

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Cook Street (NS) at Varner Road (EW)
Cook Street (NS) at I-10 WB Ramps (EW)
Cook Street (NS) at I-10 EB Ramps (EW)
Cook Street (NS) at Gerald Ford Drive (EW)
Avenue 38 (EW) at Varner Road (NS)
Project Street "A" (NS) at Avenue 38 (EW)
Project Street "B" (NS) at Varner Road (EW)
Project Street "C" (NS) at Avenue 38 (EW)
Project Street "D" (NS) at Varner Road (EW)
Project Street "E" (NS) at Varner Road (EW)
Project Street "F" (NS) at Avenue 38 (EW)
Project East Access Driveway (NS) at Varner Road (EW)

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 7

3ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 1

SP - SP338S1/TS CONDITIONS (cont.)

RECOMMND

Berkey Drive (NS) at Varner Road (EW)
Washington Street (NS) at Avenue 38 (EW)
Washington Street (NS) at Varner Road (EW)
Washington Street (NS) at I-10 EB Ramps (EW)
I-10 WB Ramps (NS) at Varner Road (EW)

As such, the proposed project is consistent with this
General Plan policy.

The associated conditions of approval incorporate
mitigation measures identified in the traffic study, which
are necessary to achieve or maintain the required level of
service.

30.TRANS. 2

SP - SP338S1/IMPROVEMENTS

RECOMMND

All road improvements within the boundaries of SP00338
shall be constructed to ultimate County standards in
accordance with Ordinances No. 460 and 461 as a requirement
of the implementing subdivisions of the Specific Plan,
subject to approval of the Director of Transportation.

30.TRANS. 3

SP - SP338S1/LANDSCAPING

RECOMMND

Any landscaping within public road rights-of-way will
require approval by the Director of Transportation and
assurance of continuing maintenance through the
establishment of a landscape maintenance district or
similar mechanism as approved by the Director of
Transportation.

30.TRANS. 4

SP - SP338S1/ROADS PER GEN PLA

RECOMMND

All roads shall be improved per the recommended General
Plan designation, as approved by the County Board of
Supervisors.

30.TRANS. 5

SP - SP338S1/TS REQUIRED

RECOMMND

Site specific traffic studies will be required for all
subsequent development proposals within the boundaries of
SP00338. In addition to the requirements of the Riverside
County Transportation Department as outlined in the Traffic
Impact Analysis Preparation Guide, the traffic study for
each development project will document the number of trips
it will generate, calculated in the same manner as the

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 5

SP - SP338S1/TS REQUIRED (cont.)

RECOMMND

approved traffic impact study for SP00338. The traffic study shall also document previously approved, or previously initiated, projects within the SP, as well as the number of trips for each of the previously approved or initiated projects and the cumulative total trips for all previously approved or initiated projects. Per the Traffic Impact Analysis for SP00338, the total number of trips for the SP is 26,718 vehicles per day (vpd).

30.TRANS. 6

SP - SP338S1/VARNER RD IMPRVMT

RECOMMND

The proponent of SP00338 shall have responsibility for the design, acquisition of right-of-way, and construction of Varner Road to an ultimate six-lane (three through lanes in each direction) configuration between westerly boundary of Mirasera and Washington Street. Since Varner Road is a regional facility and the improvements will have benefits for SP00338 and other existing and planned developments in the area, the Riverside County Transportation Department shall make its best efforts to secure TUMF, DIF, and other developer funds, as may be appropriate, to help defray the cost of improvements to Varner Road.

The improvements to Varner Road may be made in phases, as outlined subsequently in these conditions of approval.

In addition to the proponent of SP00338, each implementing project within SP00338 shall bear financial responsibility for on-site and off-site improvements of Varner Road. Each implementing project's share of the financial responsibility shall be in proportion to the number of trips for the project. The developer of SP00338 shall notify the proponents of the implementing projects within the SP of the requirement to make on-site and off-site improvements on Varner Road, ultimately to six lanes between the westerly boundary and Washington Street and the financial implications of this improvement.

Developer Impact Fee credit or other financial assistance by the County of Riverside may be available as approved by the Transportation Department to implement the improvements along Varner Road.

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 9

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 7

SP - SP338S1/4-LN VARNER ONSIT

RECOMMND

Prior to the issuance of a building permit for any implementing project that would have direct access on Varner Road, Varner Road shall be improved to four lanes between the western boundary of SP00338 and the eastern boundary of SP00338.

30.TRANS. 8

SP - SP338S1/6-LN VARNER ONSIT

RECOMMND

Prior to the issuance of a building permit for any implementing project that would increase the trip generation within the SP to more than 24,000 vpd, Varner Road shall be improved to six lanes between the western boundary of SP00338 and the eastern boundary of SP00338.

30.TRANS. 9

SP - SP338S1/4-LN VARNER OFFSI

RECOMMND

Prior to the issuance of a building permit for any implementing project within SP00338, Varner Road shall be improved to four lanes between the eastern boundary of SP00338 and Washington Street.

30.TRANS. 10

SP - SP338S1/6-LN VARNER OFF 1

RECOMMND

Prior to the issuance of a building permit for any implementing project within SP00338 that would increase the trip generation within the SP to more than 14,700 vpd, Varner Road shall be improved to six lanes between Berkey Drive and Washington Street. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

30.TRANS. 11

SP - SP338S1/6-LN VARNER OFF 2

RECOMMND

Prior to the issuance of a building permit for any implementing project within SP00338 that would increase the trip generation within the SP to more than 22,700 vpd, Varner Road shall be improved to six lanes between Berkey Drive and Leopard Street. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

30.TRANS. 12

SP - SP338S1/6-LN VARNER OFF 3

RECOMMND

Prior to the issuance of a building permit for any implementing project within SP00338 that would increase the trip generation within the SP to more than 24,000 vpd,

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 12 SP - SP338S1/6-LN VARNER OFF 3 (cont.) RECOMMND

Varner Road shall be improved to six lanes between Leopard Street and the eastern boundary of SP00338. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

30.TRANS. 13 SP - SP338S1/VARNER IMPRVMNT 1 RECOMMND

Prior to the approval of any implementing projects, the following improvements shall be completed, subject to such phasing of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Varner Road shall be improved between the western and the eastern boundaries of SP00338 to provide, ultimately, three eastbound and three westbound through lanes within a Major Highway right-of-way (111'). The cross-section of the corridor shall provide (south-to-north) 5-foot wide landscaping, 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 22 feet of landscaping which includes a 5-foot meandering sidewalk. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department.

or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects.

30.TRANS. 14 SP - SP338S1/VARNER IMPRVMNT 2 RECOMMND

The following improvements shall be completed, subject to such phasing of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Varner Road shall be designed and constructed between the eastern boundary of SP00338 and Washington Street to provide, ultimately, three eastbound and three westbound through lanes on 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), and turning lanes as approved by the Transportation Department, within total 95

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 14

SP - SP338S1/VARNER IMPRVMT 2 (cont.)

RECOMMND

feet of right-of-way. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department.

or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects.

30.TRANS. 15

SP - SP338S1/AVE 38 IMPRVMT

RECOMMND

Prior to the approval of any implementing projects, the following improvements shall be completed, subject to such phasing of improvements as may be determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Avenue 38 shall be improved from the westerly project boundary to the easterly project boundary to the ultimate full cross-section. Within the parkway, a 10' wide concrete bike trail shall be provided on the north side of the new Avenue 38. The improvements shall reflect a Major Highway classification as approved by the Transportation Department. The offsite portions of Avenue 38 (between the western project boundary and Varner Road and the eastern project boundary and Washington Street) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of Avenue 38 between the western property boundary and Varner Road shall be coordinated with SP00360.

30.TRANS. 16

SP - SP338S1/TS INSTALLATION

RECOMMND

The Specific Plan proponent and all subsequent implementing projects within the Specific Plan shall be responsible for design and construction of traffic signals at the following intersections or as approved by the Transportation Department.

Berkey Drive (NS) at Varner Road (EW) - installation required prior to the issuance of any building permits within SP00338

Washington Street (NS) at Varner Road (EW), signal modification to accommodate added lanes, if and as necessary when lanes are added at the intersection

with fee credit eligibility.

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 12

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30. TRANS. 16

SP - SP338S1/TS INSTALLATION (cont.)

RECOMMND

Project Street "B" (NS) at Varner Road (EW)-in conjunction
with development
Project Street "C" (NS) at Avenue 38 (EW)-in conjunction
with development
Project Street "D" (NS) at Varner Road (EW)-in conjunction
with development
Project Street "E" (NS) at Varner Road (EW)-in conjunction
with development
Project Street "E" (NS) at Avenue 38 (EW)-in conjunction
with development

with no fee credit given for Traffic Signal Mitigation
Fees.

or as approved by the Transportation Department.

30. TRANS. 17

SP - SP338S1/TS GEOMETRICS

RECOMMND

Prior to approval of any implementing projects, the
following improvements shall be completed, subject to such
phasing of improvements as may be determined by the County
Transportation Department:

The intersection of Washington Street (NS) at Avenue 38
(EW) (Relocated) shall be improved to provide the following
geometrics:

Northbound: one left-turn lane, two through lanes
Southbound: two through lanes
Eastbound: one left-turn lane, one right-turn lane
Westbound: N/A

The intersection of Avenue 38 (NS) at Varner Road (EW)
shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, one through lane
Westbound: one shared through/right-turn lane

Note: The above geometry is for interim conditions until
the future widening of Varner Road to six lanes is
completed. However, the intersection shall be designed and
constructed such that it is consistent with the full-width
cross-section to accommodate the future three eastbound and

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 13

3ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 17 SP - SP338S1/TS GEOMETRICS (cont.)

RECOMMND

three westbound through lanes.

The intersection of Project Street "A" (NS) at Avenue 38 (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes
Westbound: one left-turn lane, two through lanes

The intersection of Project Street "C" (NS) at Avenue 38 (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes
Westbound: one left-turn lane, two through lanes

The intersection of Project Street "E" (NS) at Avenue 38 (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes
Westbound: one left-turn lane, two through lanes

The intersection of Project Street "B" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project Street "D" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 14

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 17 SP - SP338S1/TS GEOMETRICS (cont.) (cont.) RECOMMND

Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project Street "E" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: two left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes, one right-turn lane

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project East Access Driveway (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one right-turn lane
Eastbound: two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Berkey Drive (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

3ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 17 SP - SP338S1/TS GEOMETRICS (cont.) (cont.) (CRECOMMND

Southbound: one left-turn lane, one through lane, one right-turn lane

Eastbound: one left-turn lane, two through lanes

Westbound: one left-turn lane, two through lanes

The intersection of Washington Street (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: two left-turn lanes, two through lanes, one shared through/right-turn lane, one right-turn lane

Southbound: two left-turn lanes, three through lanes, one right-turn lane

Eastbound: one left-turn lane, two through lanes, two right-turn lanes

Westbound: two left-turn lanes, one through lane, one shared through/right-turn lane, one right-turn lane

or as approved by the Transportation Department.

30.TRANS. 18 SP - "A" STREET ALIGNMENT

RECOMMND

Both project proponents of SP00338S1 and SP00360A1 shall submit an agreement to Transportation Department stating that they have agreed to alignment and elevations of proposed "A" Street located on the westerly boundary of SP00338S1 and easterly boundary of SP00360A1. In the event the agreement has not been reached the SP00338S1 shall go back to Planning Department for redesign and resubmittal.

60. PRIOR TO GRADING PRMT ISSUANCE

EPD DEPARTMENT

60.EPD. 1 EPD - CV MILKVETCH MITIGATION

RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR SP00338S1 THE COACHELLA VALLEY MILKVETCH MITIGATION PLAN OUTLINED IN THE MITIGATION MEASURES (PAGE 28 OF BIO DOC PDB05502) FOR THIS PROJECT MUST BE COMPLETED TO THE SATISFACTION OF RIVERSIDE COUNTY EPD. DURING THE BLOOMING PERIOD A QUALIFIED BIOLOGIST SHALL FLAG ALL CV MILKVETCH ONSITE AND MONITOR THE SITE TO DETERMINE APPROPRIATE TIME FOR SEED COLLECTION. SEEDS SHALL BE PLANTED IN THE PALM SPRINGS ROUND-TAILED GROUND SQUIRREL MITIGATION AREA. A LETTER REPORT SHALL BE SUBMITTED TO EPD PRIOR TO PLANTING SEEDS TO SUMMARIZE FOCUSED SURVEY RESULTS AND THE AMOUNT OF SEED COLLECTED.

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 16

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 2

EPD - CVFTL MITIGATION FEE

RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR SP00338S1 THE PROJECT MUST PROVIDE RECIEPT OF PAYMENT OF CV FRINGE TOED LIZARD MITIGATION FEE OF \$600/ACRE TO CENTER FOR LANDS MANAGEMENT.

60.EPD. 3

EPD - NESTING BIRD PRECON SURV

RECOMMND

IF GRADING FOR SP00338S1 IS TO COMMENCE DURING BREEDING SEASON FOR ANY NESTING BIRDS (3/1-8/30) A PRECONSTURCTION SURVEY MUST BE CONDUCTED BY A QUALIFIED BIOLOGIST HOLDING AN MOU WITH RIVERSIDE COUNTY WITHIN 30 DAYS PRIOR TO SITE DISTURBANCE. FINDINGS SHALL BE SUBMITTED TO EPD FOR REVIEW. IF ANY ACTIVE NESTS ARE PRESENT A MINIMUM 300' GRADING EXCLUSION ZONE SHALL BE ESTABLISHED UNTIL BREEDING SEASON IS CONCLUDED.

60.EPD. 4

EPD - LANDSCAPING REVIEW

RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR SP00338S1 THE PROJECT SHALL PROVIDE EPD PROOF THAT LANDSCAPING FOR THE PROJECT HAS BEEN REVIEWED BY THE DIRECTOR OF THE CVFTL PRESERVE AND AN ECS SHALL BE PROVIDED WHICH LISTS ALL PROHIBITED PLANTS.

60.EPD. 5

EPD - BURROWING OWL PRECON SUR

RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR SP00338S1 A PRECONSTRUCTION SURVEY FOR BURROWING OWL MUST BE CONDUCTED WITHIN 30 DAYS PRIOR TO SITE DISTURBEANCE. THIS SURVEY MUST BE COMPLETED BY A BIOLOGIST HOLDING AN MOU WITH RIVERSIDE COUNTY AND SUBMITTED TO EPD FOR REVIEW. IF THE GRADING PERMIT IS NOT OBTAINED WITHIN 30 DAYS FROM THE SURVEY DATE A NEW SURVEY SHALL BE REQUIRED.

60.EPD. 6

EPD - PSRTGS SURVEY/MITIGATION

RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR SP00338S1 THE PROJECT SHALL HAVE A QUALIFIED BIOLOGIST HOLDING AN MOU WITH RIVERSIDE COUNTY CONDUCT A FOCUSED SURVEY FOR PALM SPRINGS ROUND-TAILED GROUND SQUIRREL AND FINDINGS SHALL BE SUBMITTED TO EPD FOR REVIEW. ALL OCCUPIED PSRTGS HABITAT SHALL BE MAPPED & PROJECT MUST PROVIDE PROOF TO EPD THAT AN EQUAL QUANTITY OF OCCUPIED PSRTGS HABITAT HAS BEEN PLACED INTO A DEDICATION OF PERPETUAL CONSERVATION UNDER THE CONTROL OF CENTER FOR LANDS MANAGEMENT OR OTHER COUNTY APPROVED AGENCY AT MINIMUM THE 1 ACRE OF OCCUPIED PSRTGS

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 17

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 6 EPD - PSRTGS SURVEY/MITIGATION (cont.) RECOMMND

HABITAT WHICH HAS BEEN PREVIOUSLY IDENTIFIED SHALL BE PUT FORTH FOR CONSERVATION UNDER THE COACHELLA VALLEY FRINGE TOED LIZARD CONSERVATION PLAN.

PLANNING DEPARTMENT

60.PLANNING. 1 GEN- CULTURAL RESOURCES PROFE RECOMMND

As a result of previous environmental review, archaeological monitoring shall be required for this project.

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. This professional shall be known as the "Project Monitor." The Project Monitor shall be included in the pre-grade meetings to provide cultural/historical sensitivity training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and special interest monitors. The Project Monitor shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTE:

1)The Project Monitor is responsible for implementing mitigation using standard professional practices for cultural resources. The Professional shall consult with the County, developer/permit holder and special interest group monitor throughout the process.

2)This agreement shall not modify any condition of approval

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 18

3ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1 GEN- CULTURAL RESOURCES PROFE (cont.) RECOMMND
or mitigation measure.

60.PLANNING. 2 GEN- SPECIAL INTEREST MONITOR RECOMMND

As a result of previous environmental review, Tribal Monitoring shall be required for this project.

Prior to the issuance of grading permits, the developer/permit holder shall enter into contract and retain a monitor(s) designated by the Agua Caliente Band of Cahuilla Indians. This group shall be known as the Special Interest Monitor (SI Monitor) for this project. The contract shall address the treatment and ultimate disposition of cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The SI Monitors shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The SI Monitors shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the appropriate Cultural Resources Professional such as an Archaeologist, Historic Archaeologist, Architectural Historian and/or Historian.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTE:

1)The Cultural Resources Professional is responsible for implementing mitigation and standard professional practices for cultural resources. The Professional shall consult with the County, developer/permit holder and special interest group monitor throughout the process.

2)Special interest monitoring does not replace any required Cultural Resources monitoring, but rather serves as a supplement for consultation and advisory purposes for all

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 19

3ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 2 GEN- SPECIAL INTEREST MONITOR (cont.)

RECOMMND

groups interests only.

3)This agreement shall not modify any condition of approval or mitigation measure.

4)The developer/permit holder shall contact the Planning Director for consideration of this condition after forty-five (45) days, if an agreement with the special interest groups has not been met.

5)Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Planning Department. Should curation be preferred, the developer/permit holder is responsible for all costs.

80. PRIOR TO BLDG PRMT ISSUANCE

EPD DEPARTMENT

80.EPD. 1 EPD-NO LIGHT INO CV PRESERVE

RECOMMND

AS THE COACHELLA VALLEY PRESERVE IS LOCATED DIRECTLY NORTH OF THIS PROPERTY NO AMBIENT LIGHTING FROM THE NORTHERN PORTION OF THIS SITE SHALL BE DIRECTED INTO THE PRESERVE AND SHIELDIGN SHALL BE INCORPORATED AS APPROPRIATE. PRIOT TO FINAL BUILDING INSPECTION EPD SHALL VISIT THE SITE TO INSPECT PROJECT LIGHTING.

90. PRIOR TO BLDG FINAL INSPECTION

PLANNING DEPARTMENT

90.PLANNING. 1 GEN - CULTURAL RESOURCES RPT

RECOMMND

Prior to final inspection of the first building permit, the developer/permit holder shall prompt the Cultural Resources Professional to submit two (2) copies of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports. The report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Planning Department shall review the report to determine adequate mitigation compliance. Provided the report is adequate, the Planning Department shall clear this

04/19/10
15:03

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 20

ST CONFORMANCE - SP Case #: SP00338S1

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 1

GEN - CULTURAL RESOURCES RPT (cont.)

RECOMMND

condition.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 1

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SP - Hold Harmless

INEFFECT

The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning this SPECIFIC PLAN. The COUNTY will promptly notify the applicant of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

10. EVERY. 2 SP* - Definitions

INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Specific Plan No. 338 shall be henceforth defined as follows:-

SPECIFIC PLAN = Specific Plan No. 338.

CHANGE OF ZONE = Change of Zone No. 7263.

GPA = Comprehensive General Plan Amendment No. 776.

EIR = Environmental Impact Report No. 486.

10. EVERY. 3 SP* - SP Document

INEFFECT

Specific Plan No. 338 shall consist of the following:

a. Specific Plan Document, which must include, but not be limited to, the following items:

1. Board of Supervisors Specific Plan Resolution.
2. Conditions of Approval.
3. Specific Plan Zoning Ordinance Text.
4. Land Use Plan in both 8 1/2" x 11" black-and-white and 11" x 17" color formats.
5. Specific Plan text.
6. Descriptions of each Planning Area in both

CT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10. EVERY. 3 SP* - SP Document (cont.) INEFFECT

graphical and narrative formats.

b. Environmental Impact Report No. 486 Document, which must include, but not be limited to, the following items:

1. Mitigation Reporting/Monitoring Program (M/M).
2. Agency Notice of Preparation (NOP).
3. Draft EIR
4. Agency Notice of Completion (NOC).
5. Comments on the NOC.
6. Final EIR, including the responses to comments on the NOC.
7. Technical Appendices

If any specific plan conditions of approval differ from the specific plan text or exhibits, the specific plan conditions of approval shall take precedence.

10. EVERY. 4 SP - Ordinance Requirements INEFFECT

The development of the property shall be in accordance with the mandatory requirements of all Riverside County ordinances including Ordinance Nos. 348 and 460 and state laws; and shall conform substantially with the adopted SPECIFIC PLAN as filed in the office of the Riverside County Planning Department, unless otherwise amended.

10. EVERY. 5 SP - Limits of SP DOCUMENT INEFFECT

No portion of the SPECIFIC PLAN which purports or proposes to change, waive or modify any ordinance or other legal requirement for the development shall be considered to be part of the adopted specific plan. Notwithstanding to above, the design guidelines and development standards of the SPECIFIC PLAN for hillside development and grading shall apply in place of more general County guidelines and standards.

10. EVERY. 6 MAP - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Tentative Tract] Map No. 35058 shall be henceforth defined as follows:

TENTATIVE MAP =

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 3

CT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10. EVERY. 6

MAP - DEFINITIONS (cont.)

RECOMMND

Tentative Tract Map No. 35058, Amended No. 3, (Sheets 1-5)
dated 08/20/2009.

Exhibit "I" dated 01/11/2010, (Mirasera Off-Site
Improvements)

Exhibit "P" dated 01/20/2010, (Mirasera Planning Overlay
Map)

FINAL MAP = Final Map or Parcel Map for the TENTATIVE MAP
whether recorded in whole or in phases.

10. EVERY. 7

MAP - PROJECT DESCRIPTION

RECOMMND

The Schedule C tentative tract map proposes to divide approximately 190 acres into 16 lots ranging in size from two (2) acres to twenty (20) acres and grading of the site to move approximately two-million cubic yards of earth, with off-site road improvements approximately 3,575 feet east and 1,000 feet west of the project site on Varner Road; off-site improvements approximately 1,960 feet west and 2,627 feet east of the project site on Avenue 38 for a sixty (60) foot right-of-way access road section; and off-site portions of the drainage channel extending approximately 1,639 feet west and 2,686 feet east of the project boundary, as well as the culvert crossing beneath Washington Street and flood control improvements within a portion of the Sun City Palm Desert golf course just east of Washington Street from approximately the Washington Street culvert outlet to Del Webb Boulevard.

10. EVERY. 8

MAP - HOLD HARMLESS

RECOMMND

The land divider or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside

COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the TENTATIVE MAP, which action is brought within the time period provided for in California Government Code, Section 66499.37. The COUNTY will promptly notify the land divider of any such claim, action, or proceeding against the COUNTY and will

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 4

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10. EVERY. 8 MAP - HOLD HARMLESS (cont.) RECOMMND

cooperate fully in the defense. If the COUNTY fails to promptly notify the land divider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the land divider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

10. EVERY. 9 MAP - 90 DAYS TO PROTEST RECOMMND

The land divider has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of the approval or conditional approval of this project.

BS GRADE DEPARTMENT

10.BS GRADE. 1 MAP-GIN INTRODUCTION RECOMMND

Improvement such as grading, filling, over excavation and recompaction, and base or paving which require a grading permit are subject to the included Building and Safety Grading Division conditions of approval.

10.BS GRADE. 2 MAP-G1.2 OBEY ALL GDG REGS RECOMMND

All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building & Safety Department.

10.BS GRADE. 3 MAP-G1.3 DISTURBS NEED G/PMT RECOMMND

Ordinance 457 requires a grading permit prior to clearing, grubbing or any top soil disturbances related to construction grading.

10.BS GRADE. 4 MAP-G1.5 EROS CNTRL PROTECT RECOMMND

Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facility deemed necessary to control or prevent erosion. Additional erosion protection may be required during the rainy season from October 15 to April 15.

CT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.BS GRADE. 5 MAP-G1.6 DUST CONTROL RECOMMND

All necessary measures to control dust shall be implemented by the developer during grading.

10.BS GRADE. 6 MAP-G2.1 GRADING BONDS RECOMMND

Grading in excess of 199 cubic yards will require performance security to be posted with the Building & Safety Department. Single family dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

10.BS GRADE. 7 MAP-G2.5 2:1 MAX SLOPE RATIO RECOMMND

Grade slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved.

10.BS GRADE. 8 MAP-G2.6SLOPE STABL'TY ANLY RECOMMND

A slope stability report shall be submitted and approved by the County Geologist for all proposed cut or fill slopes steeper than 2:1 (horizontal to vertical) or over 30 feet in vertical height - unless addressed in a previous report.

10.BS GRADE. 9 MAP-G2.8MINIMUM DRNAGE GRAD RECOMMND

Minimum drainage grade shall be 1% except on portland cement concrete where 0.35% shall be the minimum.

10.BS GRADE. 10 MAP-G2.11DR WAY XING NWC RECOMMND

Lots whose access is or will be affected by natural or constructed drainage facilities, shall provide drive way drainage facilities which are adequate to allow access from the street to the house during 100 year storms.

10.BS GRADE. 11 MAP-G2.12SLOPES IN FLOODWAY RECOMMND

Graded slopes which infringe into the 100 year storm flow flood way boundaries, shall be protected from erosion, or other flood hazards, by a method acceptable to the Building & Safety Departments District Grading Engineer - which may include Riverside County flood Control & Water Conservation District's review and approval. However, no graded slope will be allowed which in the professional judgment of the District Grading Engineer blocks, concentrates or diverts drainage flows.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 6

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.BS GRADE. 14 MAP-G2.24LU PMT TO GRD SUB

RECOMMND

A PRECISE GRADING PERMIT WILL NOT BE ISSUED, BY THE BUILDING AND SAFETY DEPARTMENT, FOR ANY PARCEL(S) OF THIS SUBDIVISION UNLESS AN APPROPRIATE LAND USE PERMIT HAS ALSO BEEN ISSUED AND APPROVED, BY THE PLANNING DEPARTMENT, FOR THAT SAME PARCEL(S).

10.BS GRADE. 15 MAP-G1.4 NPDES/SWPPP

RECOMMND

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

10.BS GRADE. 16 MAP* -PM10 PLAN REQUIRED

RECOMMND

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval prior to the issuance of a grading permit.

1.NOTE: The PM 10 plan shall require the posting of signs in accordance with Building and Safety form "Signage Recommendations".

2.NOTE: All PM 10 measures must be in place prior to commencing any grading activity on site.

10.BS GRADE. 17 MAP*TRANS & CVWD REVIEW REQ'D

RECOMMND

The applicant or developer shall submit copies of the grading plan and hydrologic calculations to the

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 7

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.BS GRADE. 17 MAP*TRANS & CVWD REVIEW REQ'D (cont.) RECOMMND

Riverside County Transportation Department (RCTD) and the Coachella Valley Water District (CVWD) for their review and approval. Additional flood plain management fees may be required by CVWD. Prior to the issuance of a grading permit, the applicant or developer shall provide, to the Department of Building and Safety Grading Division, a letter from RCTD and CVWD indicating their approval of the plans or waiver of the review.

E HEALTH DEPARTMENT

10.E HEALTH. 1 MAP* - CVWD SEWER & WATER RECOMMND

CVWD sewer and water is required for this project. The developer may be required to install additional facilities for domestic water and sanitation. CVWD water and sewer must be available before issuance of any building permits.

FIRE DEPARTMENT

10.FIRE. 1 USE-#50-BLUE DOT REFLECTOR RECOMMND

Blue retroreflective pavement markers shall be mounted on private street, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.

10.FIRE. 1 SP-#71-ADVERSE IMPACTS INEFFECT

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures and population. The project proponents/developers shall participate in the development Impact fee program as adopted by the Riverside County Board of Supervisors to mitigate a portion of these impacts. This will provide funding for capital improvements such as land/equipment purchases and fire station construction. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 8

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.FIRE. 2 USE-#23-MIN REQ FIRE FLOW RECOMMND

Minimum required fire flow shall be 4000 GPM for a 4 hour duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site. Fire flow is based on type V-B construction per the 2007 CBC and Building(s) having a fire sprinkler system.

10.FIRE. 2 SP-#86-WATER MAINS INEFFECT

All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance 460 and/or No.787, subject to the approval by the Riverside County Fire Department.

10.FIRE. 3 USE-#20-SUPER FIRE HYDRANT RECOMMND

Super fire hydrants) (6"x4"x 2-2 1/2") shall be located at less than 25 feet or more than 165 feet from any portion of the building as measured along approved vehicular travel ways.

10.FIRE. 4 USE-#19-ON/OFF LOOPED HYD RECOMMND

A combination of on-site and off-site super fire hydrants, on a looped system (6"x4"x 2-2 1/2"), will be located not less than 25 feet or more than 165 feet from any portion of the building as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrants(s) in the system.

10.FIRE. 5 USE-#89-RAPID HAZMAT BOX RECOMMND

Rapid entry Hazardous Material data and key storage cabinet shall be installed on the outside of the building. Plans shall be submitted to the Riverside County Fire Department for approval prior to installation.

10.FIRE. 5 SP-#85-FINAL FIRE REQUIRE INEFFECT

Final fire protection requirements and impact mitigation measures will be determined when specific project plans are submitted.

CT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.FIRE. 6 USE-#25-GATE ENTRANCES RECOMMND

Any gate providing access from a road to a driveway shall be located at least 35 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 38 foot turning radius shall be used.

10.FIRE. 6 SP-#100-FIRE STATION INEFFECT

Based on national fire standards, one new fire station and/or engine company could be required for every 2,000 new dwelling units or 3.5 million square feet and/or combination of commercial/industrial occupancy. Given the project's proposed development plan, up to 1 fire station may be needed to meet anticipated service demands, given project densities.

10.FIRE. 7 USE-#88A-AUTO/MAN GATES RECOMMND

Gate(s) shall be automatic operated, minimum 20 feet in width, with a setback of 35 feet from face of curb/flow line. Gate access shall be equipped with a rapid entry system. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 foot pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.

10.FIRE. 8 SP-#47 SECONDARY ACCESS INEFFECT

In the interest of Public Safety, the project shall maintain an Alternate or Secondary Access(s) as stated in the Transportation Department Conditions. Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation and Fire Departments and shall be maintained through out any phasing.

10.FIRE. 9 SP-ROADS INEFFECT

All roads shall be a minimu of 24 feet in width and shall have a minimum of 13 feet 6 inches of vertical clearance. Roads with a width of 24-32 feet shall be marked as no parking and red-curbed and signed on both sides. Roads with a width of 32-36 feet shall be marked as no parking and red-curbed on one side. Roads with a width of 36 feet

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 10

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.FIRE. 9 SP-ROADS (cont.) INEFFECT

or wider may have parking on both sides.

PARKS DEPARTMENT

10.PARKS. 1 SP - TRAILS PLAN INEFFECT

Prior to any project approval, the applicant shall prepare a trails plan identifying a Regional Trail (20') along the north side of Avenue 38 as agreed to by the Department of Transportation, the Parks Department and the Planning Department. The relocation of the trails from the approved alignment along Varner Road is to remove the trail from along a six-lane road that may pose safety hazards for people using the trail. The trail will follow Varner Road along the frontage of Northstar (SP00343), immediately west of the proposed project site. The trail will be located within the right-of-way due to the right-of-way constraints caused by I-10, Varner Road and the site configuration. The trail will continue along Varner Road until it reached Avenue 38 where it turn north along the configured Avenue 38 to Washington Street. A trail plan shall be approved by the Park District that shall show the trail design and alignment.

PLANNING DEPARTMENT

10.PLANNING. 1 SP - MAINTAIN AREAS & PHASES INEFFECT

All planning area and phase numbers shall be maintained throughout the life of the SPECIFIC PLAN, unless changed through the approval of a specific plan amendment or specific plan substantial conformance accompanied by a revision to the complete specific plan document.

10.PLANNING. 2 SP - P.A. DENSITY TRANSFER INEFFECT

Density transfers between commercial Planning Areas within the SPECIFIC PLAN shall not be permitted, except through the Specific Plan Amendment process.

Density transfers between residential planning areas may be allowed, with the approval of the Planning Director, without a Specific Plan Amendment under the following circumstances:

1. No more than ten percent (10%) of the number of

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 11

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 2 SP - P.A. DENSITY TRANSFER (cont.) INEFFECT

residential units contained within a residential planning area may be transfered to an adjacent residential planning area.

2. The number of residential units to be transferred into a residential planning area from an adjacent residential planning area shall be no greater than ten percent (10%) of the number of residential units contained within the planning area before the transfer.

10.PLANNING. 3 MAP- MAP ACT COMPLIANCE RECOMMND

his land division shall comply with the State of California Subdivision Map Act and to all requirements of County Ordinance No. 460, Schedule C, unless modified by the conditions listed herein.

10.PLANNING. 6 MAP - CVWD LETTER RECOMMND

The land divider, and the land divider's successor in interest, shall remain in compliance with the water district requirements of the Coachella Valley Water District's letter dated November 20, 2008, a copy of which is on file with the Riverside County Planning Department.

10.PLANNING. 7 MAP - WASTE MANAGEMENT LETTER RECOMMND

The land divider, and the land divider's successor in interest, shall remain in compliance with the solid waste management requirements of the Riverside County Waste Management District's letter dated October 17, 2008, a copy of which is on file with the Riverside County Planning Department.

10.PLANNING. 8 MAP - CVRPD LETTER RECOMMND

The land divider, and the land divider's successor in interest, shall remain in compliance with the park and recreation requirements of the Desert Recreation District's letter dated August 21, 2008, a copy of which is on file with the Riverside County Planning Department. (previously known as Coachella Valley Recreation and Park District)

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 12

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 9

MAP - ALUC LETTER

RECOMMND

The land divider, and the land divider's successor in interest, shall remain in compliance with the air navigation and safety requirements of the Rierside County Airport Land Use Commission's letter dated July 3, 2006, a copy of which is on file with the Riverside County Planning Department.

10.PLANNING. 11

SP - PROJ M/M PROGRAM (GENERA

RECOMMND

The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures.

10.PLANNING. 12

MAP - GEO02105

RECOMMND

County Geologic Report (GEO) No. 2105, submitted for this project (TR35058), was prepared by Earth Systems Southwest and is entitled: "Geotechnical Engineering Report, 183 - Acre Multi-use Development, North of Varner Road, West of Washington Street, Thousand Palms, California, File No.: 07722-04, 02-11-702", dated November 5, 2002. In addition, Earth Systems Southwest submitted the following report:

"Response to Review of Geotechnical Report, Riverside County Memorandums dated October 20 and 21, 2008, County Reference No.: GEO02105, File No.: 07722-06, Doc. No.: 08-11-760" dated November 14, 2008.

This additional report is now included as part of GEO No. 2105.

GEO No. 2105 concluded:

1. Based on review of published literature, site mapping and aerial photo review, there is no evidence of active faulting crossing or trending toward this site. Therefore there is a low potential for this site to be affected by surface fault rupture.

2. Due to the depth to groundwater beneath this site, there is a low potential for this site to be affected by seismically induced liquefaction.

3. Except for the potential for this site to be affected by

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 12 MAP - GEO02105 (cont.)

RECOMMND

strong seismic shaking, there is a low potential for this site to be affected by other secondary seismic hazards such as seiche/tsunami, seismically induced flooding or seismically induced landsliding or rockfall.

4. There is a potential for this site to be affected by seismically induced dynamic settlement due to the relatively low density surficial soils underlying this site.

GEO No. 2105 recommended:

1. To reduce the potential for dynamic settlement, the surficial soils should be removed and recompact. The removals should expose soils with an in place density of at least 100 pounds per cubic foot. Based on future information regarding proposed structures and their applied loads, these recommendations should be reviewed and updated once building plans for this site are finalized.

2. Any proposed construction should be designed in accordance with all applicable seismic design provisions of the recently adopted California Building Code (CBC 2007).

3. Any proposed future construction on this site will require an Engineering Soils and/or and Engineering Geologic study based on the proposed construction.

GEO No. 2105 satisfies the requirement for a Geologic Study for Planning / CEQA purposes. GEO No. 2105 is hereby accepted for Planning purposes. This approval is not intended, and should not be misconstrued as approval for grading permit. Engineering and other building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits.

10.PLANNING. 13 MAP - FEES FOR REVIEW

RECOMMND

Any subsequent review/approvals required by the conditions of approval, including but not limited to grading or building plan review or review of any mitigation monitoring requirement, shall be reviewed on an hourly basis, or other appropriate fee, as listed in county Ordinance No. 671. Each submittal shall be accompanied with a letter clearly

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 14

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 13 MAP - FEES FOR REVIEW (cont.)

RECOMMND

indicating which condition or conditions the submittal is intended to comply with.

10.PLANNING. 15 MAP - LANDSCAPE MAINTENANCE

RECOMMND

The land divider, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of all slopes, landscaped areas, and irrigation systems within the land division until such time as those operations are the responsibility of the individual home owner(s), a homeowner association, or any other successor-in-interest. Such maintenance activity shall conform with Ordinance No. 859 and the County of Riverside Guide to California Friendly Landscaping.

10.PLANNING. 16 MAP - TRAIL MAINTENANCE

RECOMMND

The land divider, or the land divider's successor-in-interest, shall be responsible for the maintenance of any trail easement required under these conditions until such time as the maintenance is taken over by an appropriate maintenance district.

10.PLANNING. 18 MAP - NO OFFSITE SIGNAGE

RECOMMND

There shall be no offsite signage associated with this land division, except as otherwise provided by Ordinance No. 679.3 (Kiosk Program).

10.PLANNING. 19 MAP - OFFSITE SIGNS ORD 679.4

RECOMMND

No offsite subdivision signs advertising this land

division/development are permitted, other than those allowed under Ordinance No. 679.4. Violation of this condition of approval may result in no further permits of any type being issued for this subdivision until the unpermitted signage is removed.

10.PLANNING. 21 MAP - NPDES COMPLIANCE

RECOMMND

Since the project will disturb one (1) acre or more, the land divider/permit holder shall comply with all of the applicable requirements of the National Pollution Discharge Elimination System (NPDES) and shall conform to NPDES Best Management Practices for Stormwater Pollution Prevention

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 15

CT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 21 MAP - NPDES COMPLIANCE (cont.)

RECOMMND

Plans during the life of this permit.

10.PLANNING. 24 MAP - ORD NO. 659 (DIF)

RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The fee shall be paid for each residential unit to be constructed within this land division. In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

10.PLANNING. 27 MAP - ORD 875 CVMSHCP FEE (1)

RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection approval, the holder of the construction permit(s) shall comply with the provisions of Riverside County Ordinance No. 875, which requires payment of the appropriate fee set forth in that ordinance. Riverside County Ordinance No. 875 has been established to set forth policies, regulations and fees related to the funding and acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in the ordinance within the Coachella Valley and surrounding mountains.

The fee shall be paid for each residential unit to be constructed within a residential land division. The amount of the fee for commercial and industrial projects shall be calculated on the bases of "Project Area".

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 27

MAP - ORD 875 CVMShCP FEE (1) (cont.)

RECOMMND

In the event Riverside County Ordinance No. 875 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 875 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

10.PLANNING. 28

MAP - LOW PALEO

RECOMMND

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

1.All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.

2.The applicant shall retain a qualified paleontologist approved by the County of Riverside.

3.The paleontologist shall determine the significance of the encountered fossil remains.

4.Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.

5.If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 17

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 28

MAP - LOW PALEO (cont.)

RECOMMND

6.Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. * The County of Riverside must be consulted on the repository/museum to receive the fossil material prior to being curated.

10.PLANNING. 29

GEN - IF HUMAN REMAINS FOUND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 29 GEN - IF HUMAN REMAINS FOUND (cont.) RECOMMND

group and the County Planning /Director.

10.PLANNING. 30 GEN - INADVERTANT ARCHAEO FIND RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1.All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3.Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

10.PLANNING. 31 SP - AIRPORT INFO SIGNS RECOMMND

"During initial sales of properties within the project, large airport related informational signs shall be installed and maintained by the developer. These signs shall be installed in conspicuous locations and shall clearly depict the proximity of the property to the Bermuda

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 19

CT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.PLANNING. 31 SP - AIRPORT INFO SIGNS (cont.) RECOMMND

Dunes Airport and aircraft traffic patterns."

10.PLANNING. 32 SP - INFORMATIONAL BROCHURE RECOMMND

"An informational brochure shall be provided to prospective buyers or renters showing the locations of aircraft flight patterns. [Exhibit BD-8 of RCALUCP shall suffice] The frequency of over flights, the typical altitudes of aircraft, and the range of noise levels that can be expected from individual aircraft over flights shall be described."

10.PLANNING. 33 SP - M/M PROGRAM (GENERAL) RECOMMND

"The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

10.PLANNING. 36 SP - AVIGATION EASEMENT RECOMMND

"Prior to the sale of any property within the project boundary or prior to the recordation of a final map, whichever occurs first, an Avigation Easement containing the provisions indicated in Countywide Policy 4.3.5 shall be dedicated to the Bermuda Dunes Airport. Said easement shall remain in effect for as long as the airport remains in operation."

10.PLANNING. 37 SP - SHIELD OUTDOOR LIGHTING RECOMMND

"Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky. All lighting plans shall be reviewed and approved by the airport manager prior to approval."

10.PLANNING. 38 SP - M/M PROGRAM RECOMMND

"The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

TRANS DEPARTMENT

10.TRANS. 1 SP - SP338/IMPROVEMENTS

INEFFECT

All road improvements within the project boundaries shall be constructed to ultimate County standards in accordance with Ordinance No. 460 and 461 as a requirement of the implementing subdivisions for the Specific Plan, subject to approval of the Director of Transportation.

10.TRANS. 2 MAP - DRAINAGE 1

RECOMMND

The land divider shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. All drainage easements shall be shown on the final map and noted as follows: "Drainage Easement - no building, obstructions, or encroachments by landfills are allowed". The protection shall be as approved by the Transportation Department.

10.TRANS. 2 SP - SP338/LANDSCAPING

INEFFECT

Any landscaping within public road rights-of-way will require approval by the Director of Transportation and assurance of continuing maintenance through the establishment of a landscape maintenance district or similar mechanism as approved by the Director of Transportation.

10.TRANS. 3 MAP - DRAINAGE 2

RECOMMND

The land divider shall accept and properly dispose of all off-site drainage flowing onto or through the site. In the event the Transportation Department permits the use of streets for drainage purposes, the provisions of Article XI of Ordinance No. 460 will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the subdivider shall provide adequate drainage facilities and/or appropriate easements as approved by the Transportation Department.

10.TRANS. 5 SP - SP338/ROADS PER GEN PLAN

INEFFECT

All roads shall be improved per the recommended General Plan designation, as approved by the County Board of

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 21

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.TRANS. 5 SP - SP338/ROADS PER GEN PLAN (cont.) INEFFECT

Supervisors.

10.TRANS. 7 MAP - STD INTRO 3 (ORD 460/461) RECOMMND

With respect to the conditions of approval for the referenced tentative exhibit, the land divider shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the tentative map correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the map to be resubmitted for further consideration. These Ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 7 SP - SP338/TS CONDITIONS INEFFECT

The Transportation Department has reviewed the traffic study submitted for the subject project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The Comprehensive General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Cook Street (NS) at Varner Road (EW)
Cook Street (NS) at I-10 WB Ramps (EW)
Cook Street (NS) at I-10 EB Ramps (EW)
Cook Street (NS) at Gerald Ford Drive (EW)
Avenue 38 (NS) at Varner Road (EW)
Project Street "A" (NS) at Avenue 38 (EW)

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 22

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.TRANS. 7

SP - SP338/TS CONDITIONS (cont.)

INEFFECT

Project Street "B" (NS) at Avenue 38 (EW)
Project Street "C" (NS) at Varner Road (EW)
Project Street "D" (NS) at Varner Road (EW)
Project Street "D" (NS) at Avenue 38 (EW)
Project Street "E" (NS) at Varner Road (EW)
Project Street "F" (NS) at Varner Road (EW)
Project Street "F" (NS) at Avenue 38 (EW)
Berkey Drive (NS) at Varner Road (EW)
Washington Street (NS) at Avenue 38 (EW)
Washington Street (NS) at Varner Road (EW)
Washington Street (NS) at I-10 EB Ramps (EW)
I-10 WB Ramps (NS) at Varner Road (EW)

10.TRANS. 9

MAP - ENCROACHMENT PERMIT

RECOMMND

An encroachment permit must be obtained from the Transportation Department prior to the commencement of any work within the County road right-of-way.

10.TRANS. 10

MAP - FLOOD HAZARD REPORT

RECOMMND

This is a proposal to subdivide 189.3 acres into 16 lots to build multi family dwelling units as well as commercial retail buildings (APN 626-150-025). This project lies within the Thousand Palms area on the north east side of Varner and south of 38 TH Ave. The subdivider shall provide mitigation measures to contain 100 percent retention of the incremental increase of the post-development runoff from the 100 year storm shall be required as part of the drainage improvements for this project.

10.TRANS. 11

MAP - FLOOD HAZARD REPORT 3

RECOMMND

The subdivider shall comply with Riverside County Ordinance No. 458.12 as amended in the preparation of on-site flood protection facilities for this project

10.TRANS. 12

MAP - DRAINAGE PROTECTION

RECOMMND

The subdivider shall protect downstream properties from damages caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 23

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.TRANS. 13

MAP - DRAINAGE 3

RECOMMND

A hydrology study shall be submitted to the Transportation Department for review and approval for each lot in this land division as proposed development is submitted for County review.

10.TRANS. 14

MAP - DRAINAGE 4

RECOMMND

The developer of each lot within this land division shall delineate and record by separate instrument the locations of the retention basins and drainage channels to the benefit of Riverside County over said area for flood control purposes unless otherwise agreed to by the Director of Transportation. The land divider and the developer of each lot within this land division shall comply with the Coachella Valley Water District (CVWD) recommendations as outlined in their letter dated November 3, 2008. A note shall be placed on the final map as follows: "Prior to the development of each lot within this land division Drainage Easements shall be defined and recorded by separate instrument to the benefit of Riverside County over said areas for flood control purposes. Maintenance of said Drainage Easements will be performed by Property Owners Association or as agreed to by the Director of Transportation"

10.TRANS. 15

MAP - RETENTION BASIN

RECOMMND

For retention basin sizing and calculations refer to General Conditions 10.TRANS MAP - RETENTION BASIN in letter dated February 10, 2009 from Alan French to Majeed Farshad.

10.TRANS. 16

MAP - RETENTION BASIN MAINTEN

RECOMMND

Maintenance of retention basins and drainage facilities shall be the responsibility of Property Owners Association or individual property landowners as approved by the Transportation Department. Proper documentation will be provided in the form of an 'operational and maintenance responsibilities requirements' to the satisfaction of the County of Riverside defining the maintenance responsibilities of the individual landowners. Adequate areas shall be incorporated into the final improvements to accommodate maintenance access to and along the proposed drainage retention basins and drainage facilities.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 24

CT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10. TRANS. 17

MAP - TS/CONDITIONS

RECOMMEND

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Cook Street (NS) at Varner Road (EW)
Cook Street (NS) at I-10 WB Ramps (EW)
Cook Street (NS) at I-10 EB Ramps (EW)
Cook Street (NS) at Gerald Ford Drive (EW)
Avenue 38 (EW) at Varner Road (NS)
Project Street "A" (NS) at Avenue 38 (EW)
Project Street "B" (NS) at Varner Road (EW)
Project Street "C" (NS) at Avenue 38 (EW)
Project Street "D" (NS) at Varner Road (EW)
Project Street "E" (NS) at Varner Road (EW)
Project Street "F" (NS) at Avenue 38 (EW)
Project East Access Driveway (NS) at Varner Road (EW)
Berkey Drive (NS) at Varner Road (EW)
Washington Street (NS) at Avenue 38 (EW)
Washington Street (NS) at Varner Road (EW)
Washington Street (NS) at I-10 EB Ramps (EW)
I-10 WB Ramps (NS) at Varner Road (EW)

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 25

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.TRANS. 18

MAP - TS/IMPROVEMENTS

RECOMMND

All road improvements within the boundaries of TR35058 shall be constructed to ultimate County standards in accordance with Ordinances No. 460 and 461 as a requirement of the implementing subdivisions of the project, subject to approval of the Director of Transportation.

10.TRANS. 19

MAP -TR35058/4-LN VARNER ONSIT

RECOMMND

Prior to the issuance of a building permit for any implementing project that would have direct access on Varner Road, Varner Road shall be improved to four lanes between the western boundary of TR35058 and the eastern boundary of TR35058.

10.TRANS. 20

MAP -TR35058/6-LN VARNER ONSIT

RECOMMND

Prior to the issuance of a building permit for any implementing project that would increase the trip generation within the TR to more than 24,000 vpd, Varner Road shall be improved to six lanes between the western boundary of TR35058 and the eastern boundary of TR35058.

10.TRANS. 21

MAP -TR35058/4-LN VARNER OFFSI

RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058, Varner Road shall be improved to four lanes between the eastern boundary of TR35058 and Washington Street.

10.TRANS. 22

MAP -TR35058/6-LN VARNER OFF 1

RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058 that would increase the trip generation within the TR to more than 14,700 vpd, Varner Road shall be improved to six lanes between Berkey Drive and Washington Street. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

10.TRANS. 23

MAP -TR35058/6-LN VARNER OFF 2

RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058 that would increase the trip generation within the TR to more than 22,700 vpd, Varner Road shall be improved to six lanes between Berkey Drive and Leopard Street. If condemnation is required to

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 26

ACT MAP Tract #: TR35058

Parcel: 626-150-007

10. GENERAL CONDITIONS

10.TRANS. 23 MAP -TR35058/6-LN VARNER OFF 2 (cont.) RECOMMND

obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

10.TRANS. 24 MAP -TR35058/6-LN VARNER OFF 3 RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058 that would increase the trip generation within the TR to more than 24,000 vpd, Varner Road shall be improved to six lanes between Leopard Street and the eastern boundary of TR35058. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

10.TRANS. 25 MAP - "A" STREET ALIGNMENT RECOMMND

Both project proponents of TR35058 and TR34651 shall submit an agreement to Transportation Department stating that they have agreed to alignment and elevations of proposed "A" Street located on the westerly boundary of TR35058 and easterly boundary of TR34651. In the event the agreement has not been reached TR35058 shall go back to Planning for redesign and resubmittal.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 SP - 90 DAYS TO PROTEST INEFFECT

The applicant has ninety (90) days from the date of the approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations, and/or exactions imposed on this project as a result of the approval or conditional approval of this project.

20.PLANNING. 2 MAP - EXPIRATION DATE RECOMMND

The conditionally approved TENTATIVE MAP shall expire three (3) years after the county of Riverside Board of Supervisors original approval date, unless extended as provided by County Ordinance No. 460. Action on a minor change and/or revised map request shall not extend the time limits of the originally approved TENTATIVE MAP. A Land Management System (LMS) hold shall be placed on the TENTATIVE MAP, and

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 27

ACT MAP Tract #: TR35058

Parcel: 626-150-007

20. PRIOR TO A CERTAIN DATE

20. PLANNING. 2 MAP - EXPIRATION DATE (cont.)

RECOMMND

a LMS hold shall be placed on any subsequent minor change or revised map, which shall be set to take effect on the expiration date. The LMS hold effective date shall be extended in accordance with any permitted extensions of time. The LMS hold shall be downgraded to a LMS notice upon recordation of the first phase of the TENTATIVE MAP. The LMS hold or notice shall remain in effect until the recordation of the final phase of the TENTATIVE MAP. If the TENTATIVE MAP expires before the recordation of the final phase the LMS hold or notice shall remain in effect and no further FINAL MAP recordation shall be permitted.

30. PRIOR TO ANY PROJECT APPROVAL

PLANNING DEPARTMENT

30. PLANNING. 1 SP - AIRPORT INFORMATION SIGNS

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"During initial sales of properties within the project, large airport related informational signs shall be installed and maintained by the developer. These signs shall be installed in conspicuous locations and shall clearly depict the proximity of the property to the Bermuda Dunes Airport and aircraft traffic patterns."

30. PLANNING. 2 SP - INFORMATIONAL BROCHURE

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"An informational brochure shall be provided to prospective buyers or renters showing the locations of aircraft flight patterns. [Exhibit BD-8 of RCALUCP shall suffice] The frequency of over flights, the typical altitudes of aircraft, and the range of noise levels that can be expected from individual aircraft over flights shall be described."

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 28

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 3 SP - M/M PROGRAM (GENERAL)

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

30.PLANNING. 5 SP* - DURATION OF SP VALIDITY

NOTAPPLY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The SPECIFIC PLAN that this project is a part of has a life span of twenty (20) years from the date of the adoption of the resolution adopting the SPECIFIC PLAN. Should the SPECIFIC PLAN not be substantially built out in that period of time, the project proponent shall file a specific plan amendment to be processed concurrently with this implementing proposal. (For the purposes of this condition, substantial buildout shall be defined as eighty percent (80%) of the maximum amount of dwelling units allowed by the SPECIFIC PLAN as most recently amended.) The specific plan amendment will update the entire specific plan document to reflect current development requirements.

This condition shall be considered as NOT APPLICABLE if the implementing project has been filed within the above listed parameters, and shall be considered as MET if the specific plan amendment has been filed."

30.PLANNING. 6 SP *- SUBMIT FINAL DOCUMENTS

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Fifteen (15) copies of the final SPECIFIC PLAN and EIR documents (SP/EIR) documents shall be submitted to the Planning Department for distribution. The documents shall

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 29

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 6

SP *- SUBMIT FINAL DOCUMENTS (cont.)

MET

include all the items listed in the condition titled "SP - Documents". The final SP/EIR documents shall be distributed in the following fashion:

Building and Safety Department	1 copy
Department of Environmental Health	1 copy
Fire Department	1 copy
Coachella Valley Water District	1 copy
Transportation Department	1 copy
County Planning Department in Riverside	1 copy
City of Palm Desert	1 copy
Riverside County Planning Department in Indio	2 copies
in Murrieta	2 copies
Executive Office - CSA Administrator	2 copies
Clerk of the Board of Supervisors	1 copy

Any and all remaining documents shall be kept with the Planning Department in Riverside, or as otherwise determined by the Planning Director.

This condition cannot be DEFERRED or considered as NOT APPLICABLE."

30. PLANNING. 7

SP *- PROJECT LOCATION EXHIBIT

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The applicant shall provide to the Planning Department an 8 1/2" x 11" exhibit showing where in the SPECIFIC PLAN this project is located. The exhibit shall also show all prior implementing projects within the SPECIFIC PLAN that have already been approved.

This condition shall be considered MET once the applicant provides the Planning Department with the required information. This condition may not be DEFERRED."

30. PLANNING. 8

SP *- ACOUSTICAL STUDY REQD.

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 30

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 8 SP *- ACOUSTICAL STUDY REQD (cont.) MET

"PRIOR TO PROJECT APPROVAL, an acoustical study shall be submitted to the Planning Department and the Department of Environmental Health - Industrial Hygiene Division for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department and the Department of Environmental Health-Industrial Hygiene Division. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

30.PLANNING. 9 SP *- AIR QUALITY STUDY REQD MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.) the following condition shall be placed on the implementing project:

"PRIOR TO PROJECT APPROVAL, an air quality study shall be submitted to the Planning Department for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

30.PLANNING. 12 SP *- GEO STUDY REQUIRED MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

PRIOR TO SCHEDULING OF THIS APPLICATION FOR A PUBLIC

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 31

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 12

SP *- GEO STUDY REQUIRED (cont.)

MET

HEARING/ACTION, THE FOLLOWING SPECIAL GEOLOGIC STUDIES SHALL BE SUBMITTED TO AND APPROVED BY THE COUNTY GEOLOGIST:

A geologic investigation report. The investigation shall address geologic hazards including, but not necessarily limited to, slope stability, rock fall hazards, landslide hazards, surface fault rupture, fissures, liquefaction potential, collapsible and/or expansive soils, subsidence, wind and water erosion, debris flows, and groundshaking potential. The report shall be reviewed and approved by the County Engineering Geologist prior to scheduling this case for a public hearing.

Note: acquisition of a County geologic report (GEO) number and submittal of review fees is required. All reports (2 wet-signed original copies), Planning Geologic Report application (case sub-type GEO3) and deposit base fee payment should be submitted, in person by the applicant or his/her representative, at one of the County's three main offices (Riverside, Indio, Murrieta). These items should be submitted at the Land Use counter. Reports and payment should not be given to the Planner or County Geologist directly.

In support of the County developing a database of all GEO reports, submittal of an electronic copy (.pdf preferred) of report and figures along with paper copies is REQUIRED.

This condition shall be considered MET if the relevant study has been approved by the Planning Department. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

30.PLANNING. 14

SP - EA REQUIRED

NOTAPPLY

Prior to the approval of any implementation project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 14 SP - EA REQUIRED (cont.)

NOTAPPLY

"If this implementing project is subject to the California Environmental Quality Act (CEQA), an environmental assessment shall be filed and processed concurrently with this implementing project. At a minimum, the environmental assessment shall utilize the evaluation of impacts addressed in the EIR prepared for the SPECIFIC PLAN.

This condition shall be considered as MET if an environmental assessment was conducted for this implementing project. This condition may be considered as NOT APPLICABLE if this implementing project is not subject to CEQA. This condition may not be DEFERRED."

30.PLANNING. 15 SP *- ADDENDUM EIR

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that no new environmental impacts have arisen since the certification of the EIR. Although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN as a whole, more detailed technical information (i.e. traffic studies, updated biological studies, etc.) have been required by the Planning Department and/or other COUNTY land development review departments in order to complete its environmental review. Therefore, an ADDENDUM to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if an ADDENDUM to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if an ADDENDUM to the EIR is not required."

30.PLANNING. 16 SP *- SUPPLEMENT TO EIR

NOTAPPLY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 33

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 16 SP *- SUPPLEMENT TO EIR (cont.)

NOTAPPLY

on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that the new environmental impacts can be mitigated to below a level of significance. Therefore, a SUPPLEMENT to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUPPLEMENT to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUPPLEMENT to the EIR is not required."

30.PLANNING. 17 SP *- SUBSEQUENT EIR

NOTAPPLY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that this implementing project may have a significant impact to the new environmental impacts that have arisen. Therefore, a SUBSEQUENT EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUBSEQUENT EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUBSEQUENT to the EIR is not required."

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 34

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 18 SP - COMPLETE CASE APPROVALS

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Prior to the approval of any implementing project (tract map, parcel map, use permit, plot plan, etc.) the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR must have been approved, adopted, and certified by the Board of Supervisors, respectively.

This condition shall be considered as MET once the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR have been approved, adopted, and certified by the Board of Supervisors, respectively. This condition may not be DEFERRED."

30.PLANNING. 19 SP - AMENDMENT REQUIRED

NOTAPPLY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"If this implementing project meets any of the following criteria, an amendment to the SPECIFIC PLAN shall be required and processed concurrently with this implementing project:

1. The implementing project adds any area to, or deletes area from, the SPECIFIC PLAN;
2. The implementing project proposes a substantially different use than currently allowed in the SPECIFIC PLAN (i.e. proposing a residential use within a commercially designated area); or
3. as determined by the Planning Director.

Any amendment to the SPECIFIC PLAN, even though it may affect only one portion of the SPECIFIC PLAN, shall be accompanied by a complete specific plan document which includes the entire specific plan, including both changed and unchanged parts.

This condition shall be considered MET if the specific

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 19 SP - AMENDMENT REQUIRED (cont.) NOTAPPLY

plan amendment has been filed, and NOT APPLICABLE if a specific plan amendment is determined to be unnecessary."

30.PLANNING. 20 SP *- PARK AGENCY REQUIRED MET

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map, or parcel map), the following condition shall be placed on the implementing project:

"PRIOR TO MAP RECORDATION of any subdivision, or other residential development application, all portions of this implementing project not currently within the boundaries of the Coachella Valley Recreation and Park District, shall be annexed into the Coachella Valley Recreation and Park District or a similar entity such as a County Service Area/District that has been designated by the Board of Supervisors, pursuant to Section 10.35(G) of Ordinance No. 460, to receive park dedications and fees. Documentation of said annexation shall be provided to the Planning Department.

This condition shall be considered as NOT APPLICABLE if the Coachella Valley Recreation and Parks District is unwilling or unable to annex the property in question."

30.PLANNING. 22 SP *- PA PROCEDURES MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION in the case of land division applications (tentative parcel maps or tentative tract maps) or PRIOR TO BUILDING PERMITS in the case of use permit applications (plot plans, conditional use permits, or public use permits):

"The planning areas for which this land division application is located must be legally defined. Any of the following procedures may be used in order to legally define these planning areas:

1. The project proponent has processed a FINAL CHANGE OF ZONE MAP concurrent with the SPECIFIC PLAN which legally defined these planning areas.
2. The project proponent shall file a change of zone

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP *- PA PROCEDURES (cont.)

MET

application along with a legal description defining the boundaries of the planning area affected by this land division application. The applicant will not be changing the allowed uses or standards within the existing zone but will merely be providing an accurate legal description of the affected planning area. The change of zone shall be approved and adopted by the Board of Supervisors."

30.PLANNING. 23 SP *- COMMON AREA MAINTENANCE

NOTAPPLY

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map), the following condition shall be placed on the implementing application:

"PRIOR TO MAP RECORDATION, the following procedures for common area maintenance procedures shall be complied with:

a. A permanent master maintenance organization shall be established for the specific plan area, to assume ownership and maintenance responsibility for all common recreation, open space, circulation systems and landscaped areas. The organization may be public or private. Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for ownership and maintenance. If the organization is a private association then neighborhood associations shall be established for each residential development, where required, and such associations may assume ownership and maintenance responsibility for neighborhood common areas.

b. Unless otherwise provided for in these conditions of approval, common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision as recorded.

c. The maintenance organization shall be established prior to or concurrent with the recordation of the first land division.

d. The common areas to be maintained by the master maintenance organization shall include, but not be limited to, the following: Planning Areas 1, 2 AND 6."

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 37

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 24

SP *- CC&R RES PUB COMMON AREA

NOTAPPLY

prior to the approval of any implementing land division project (i.e. tract map or parcel map), the following condition shall be applied to the land division PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP - Common Area Maintenance" is a public organization:

"The applicant shall convey to the County fee simple title, to all common open space areas, free and clear of all liens, taxes, assessments, leases (recorded or unrecorded) and easement, except those easements which in the sole discretion of the County are acceptable. As a condition precedent to the County accepting title to such areas, the applicant shall notify the Planning Department that the following documents shall be submitted to the Office of the County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

1. A cover letter identifying the project for which approval is sought;

~~2. A signed and notarized declaration of covenants, conditions and restrictions;~~

3. A sample document, conveying title to the purchaser, of an individual lot or unit which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and,

4. A deposit equaling three (3) hours of the current hourly fee for Review of Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, and c) contain the following provisions verbatim:

"Notwithstanding any provision in this Declaration to the contrary, the following provisions shall apply:

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 24

SP *- CC&R RES PUB COMMON AREA (cont.)

NOTAPPLY

The property owners' association established herein shall, if dormant, be activated, by incorporation or otherwise, at the request of the County of Riverside, and the property owners' association shall unconditionally accept from the County of Riverside, upon the County's demand, title to all or any part of the 'common area', more particularly described on Exhibit '___' attached hereto. Such acceptance shall be through the president of the property owner's association, who shall be authorized to execute any documents required to facilitate transfer of the 'common area'. The decision to require activation of the property owners' association and the decision to require that the association unconditionally accept title to the 'common area' shall be at the sole discretion of the County of Riverside.

In the event that the 'common area', or any part thereof, is conveyed to the property owners' association, the association, thereafter, shall own such 'common area', shall manage and continuously maintain such 'common area', and shall not sell or transfer such 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. The property owners' association shall have the right to assess the owner of each individual lot or unit for the reasonable cost of maintaining such 'common area', and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control."

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 24 SP *- CC&R RES PUB COMMON AREA (cont.) (cont.NOTAPPLY

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded by the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

30.PLANNING. 25 SP *- CC&R RES PRI COMMON AREA MET

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP - Common Area Maintenance" is a private organization:

"The applicant shall notify the Planning Department that the following documents shall be submitted to the Office of County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

1. A cover letter identifying the project for which approval is sought;

2. A signed and notarized declaration of covenants, conditions and restrictions;

3. A sample document, conveying title to the purchaser of an individual lot or unit, which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and,

4. A deposit equaling three (3) hours of the current hourly fee for Review if Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, c) provide for ownership of the common area by either the property owners'

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 40

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 25

SP *- CC&R RES PRI COMMON AREA (cont.)

MET

association or the owners of each individual lot or unit as tenants in common, and (d) contain the following provisions verbatim:

"Notwithstanding, any provision in this Declaration to the contrary, the following provisions shall apply:

The property owners' association established herein shall manage and continuously maintain the 'common area', more particularly described on Exhibit '___', attached hereto, and shall not sell or transfer the 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest.

The property owners' association shall have the right to assess the owners of each individual lot or unit for the reasonable cost of maintaining such 'common area' and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This Declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control."

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 41

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 26 SP - ARCHAEO M/M PROGRAM

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall enter into an agreement with a qualified archaeologist and the appropriate Native American Tribe. This agreement shall include, but not be limited to, the preliminary mitigation and monitoring procedures to be implemented during the process of grading, as found in the EIR. A copy of said agreement shall be submitted to the Planning Department. No grading permits will be issued unless the preliminary mitigation and monitoring procedures required prior to grading permits as described in the EIR are substantially complied with."

30.PLANNING. 29 SP - F&G CLEARANCE

NOTAPPLY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construction within or along the banks of any blue-lined stream, the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall obtain written notification to the County Planning Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place, or obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Sections 1601/1603 Permit) should any grading or construction be proposed within or along the banks of any natural watercourse or wetland, located either on-site or any required off-site improvement areas. Copies of any agreement shall be submitted with the notification."

30.PLANNING. 30 SP - ACOE CLEARANCE

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construction within or along the banks of any blue-lined stream which is determined to be within the jurisdiction of the United States Army Corps of Engineers, the following condition

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 30 SP - ACOE CLEARANCE (cont.)

MET

shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall obtain written notification to the County Planning Department that the alteration of any watercourse or wetland, located either on-site or on any required off-site improvement areas, complies with the U.S. Army Corps of Engineers Nationwide Permit Conditions, or obtain a permit under Section 404 of the Clean Water Act should any grading or construction be proposed within or along the banks of any natural watercourse or wetland. Copies of any agreement shall be submitted with the notification."

30.PLANNING. 32 SP *- ENTRY MONUMENTATION

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the following language shall be added to the landscaping requirements of the implementing project:

1. An entry monument shall be shown on the Exhibit A.
2. The entry monument shall be in substantial conformance to the design guidelines of Planning Area 4 of the SPECIFIC PLAN, as shown on page 4.37."

30.PLANNING. 33 SP *- POST GRADING REPORT

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the project applicant shall provide to the Planning Department a post grading report. The report shall describe how the mitigation and monitoring program as described in the EIR and pre-grading agreements with the qualified archaeologist/Native American Tribe were complied with."

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 43

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 34 SP *- SCHOOL MITIGATION MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO BUILDING PERMITS, impacts to the Desert Sands Unified School District shall be mitigated in accordance with state law."

30.PLANNING. 35 SP - ARCHAEOLOGIST RETAINED MET

Prior to the approval of any land division or development permit (use permit, plot plan, etc.), a condition of approval shall be applied to the land division or development permit to ensure that the unique archaeological resources identified in the Cultural Resources Report prepared as part of this Specific Plan's environmental documentation have been adequately addressed. The condition shall read as follows:

Prior to the issuance of grading permits, a qualified archaeologist shall be retained by the land divider for consultation and comment on the proposed grading with respect to potential impacts to unique cultural resources. Should the archaeologist, after consultation with the appropriate Native American tribe(s), find the potential is high for impact to unique archaeological resources (cultural resources and sacred sites), a pre-grading meeting between the archaeologist, a Native American monitor(s), and the excavation and grading contractor shall take place. During grading operations, when deemed necessary in the professional opinion of the retained archaeologist or the Native American monitor(s) (and/or as determined by the Planning Director), the archaeologist, the archaeologist's on-site representative(s) and the Native American monitor(s) shall actively monitor all project related grading and construction and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of unique cultural resources.

Prior to the issuance of grading permits, the NAME, ADDRESS and TELEPHONE NUMBER of the retained archaeologist shall be submitted to the Planning Department and the B&S Grading Division. If the retained archaeologist, after consultation with the appropriate Native American tribe(s), finds no potential for impacts to unique cultural resources, a letter shall be submitted to the Planning

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 35 SP - ARCHAEOLOGIST RETAINED (cont.)

MET

Department certifying this finding by the retained qualified archaeologist.

30.PLANNING. 36 SP - IF HUMAN REMAINS FOUND

MET

Prior to the approval of any land division or development permit (use permit, plot plan, etc.), a condition of approval shall be applied to the land division or development permit, in the GENERAL INFORMATION series, and shall read as follows:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which will determine and notify the appropriate NATIVE AMERICAN TRIBE who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, the land divider, a Native American Tribe representative, and a County representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.

30.PLANNING. 37 SP - NATIVE AMERICAN MONITOR

MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Tribal monitor(s) from the appropriate Native American Tribe(s) shall be required on-site during all ground disturbance activities. The land divider/permit holder shall retain a qualified tribal monitor from the Agua Caliente Band of Cahuilla Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the appropriate Native American tribe and the land divider/permit holder for the monitoring of the project to the planning Department and to the Department of Building and Safety. The Native American monitor(s) shall have the authority to monitor all ground

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 37 SP - NATIVE AMERICAN MONITOR (cont.) MET

disturbance activities and shall have the authority to temporarily divert, redirect or halt grading activities to all recovery of cultural resources.

30.PLANNING. 38 SP - CULTURAL ARTIFACT AGREEMENT MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to grading permit issuance, the applicant shall provide the Planning Director evidence of an Agreement with the appropriate Native American tribe(s) that addresses the treatment and disposition of all cultural resources discovered or impacted as a result of the development. The Developer shall relinquish ownership of all cultural resources, including all archaeological artifacts that are of Native American origin, found in the project area to the [state the name of the tribe(s) that will receive the artifacts] for proper treatment and disposition.

30.PLANNING. 39 SP - INADVERTANT CULTURAL FIND MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed in the GENERAL INFORMATION series of the implementing project:

If during ground disturbance activities, significant cultural resources are discovered by either the archaeologist, archaeological monitor, or the Native American monitor(s), that were not anticipated by the archaeological reports conducted prior to project approval, the following procedures shall be followed:

1. All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the archaeologist, the Native American monitor(s) and the Planning Director, to discuss appropriate actions.

2. At the meeting, the significance of the discoveries shall be discussed and, after consultation with the Native American monitor(s) and the archaeologist, a decision shall

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 46

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 39 SP - INADVERTANT CULTURAL FIND (cont.) MET

be made (with the concurrence of the Planning Director) as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.

3. Grading shall not resume until an agreement has been reached by all parties as to the appropriate mitigation.

30.PLANNING. 40 SP - Avigation Easement MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed in the "Prior to Recordation" section of the Conditions of Approval and in the "General Conditions" section of the Conditions of Approval for any implementing project:

"Prior to the sale of any property within the project boundary or prior to the recordation of a final map, whichever occurs first, an Avigation Easement containing the provisions indicated in Countywide Policy 4.3.5 shall be dedicated to the Bermuda Dunes Airport. Said easement shall remain in effect for as long as the airport remains in operation."

30.PLANNING. 41 SP - Shield outdoor lighting MET

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflectin into the shy. All lighting plans shall be reviewed and approved by the airport manager prior to approval."

30.PLANNING. 42 SP - NON-IMPLEMENTING MAPS NOTAPPLY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"A land division filed for the purposes of phasing or financing shall not be considered an implementing development application for the purposes of the Planning

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 47

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 42

SP - NON-IMPLEMENTING MAPS (cont.)

NOTAPPLY

Department's conditions of approval.

Should this project be an application for phasing or financing, all of the other conditions in this implementing project with a prefix of "SP" will be considered as NOT APPLICABLE, and this condition shall be considered as MET. Should this project not be an application for phasing or financing, this condition shall be considered as NOT APPLICABLE.

Grading or building permits shall not be issued on any non-implementing project that is filed for the purposes of phasing or financing."

TRANS DEPARTMENT

30.TRANS. 4

~~SP -- SP338/TS REQUIRED~~

DEFERRED

Site specific traffic studies will be required for all subsequent development proposals within the boundaries of Specific Plan No. 338.

30.TRANS. 6

SP - SP338/TS INSTALLATION

DEFERRED

The Specific Plan proponent and all subsequent implementing projects within the Specific Plan shall be responsible for design and construction of traffic signals at the following intersections or as approved by the Transportation Department.

Avenue 38 (NS) at Varner Road (EW)
Berkey Drive (NS) at Varner Road (EW)

with fee credit eligibility

Project Street "B" (NS) at Varner Road (EW)
Project Street "D" (NS) at Varner Road (EW)
Project Street "D" (NS) at Avenue 38 (EW)
Project Street "F" (NS) at Varner Road (EW)
Project Street "F" (NS) at Avenue 38 (EW)

with no fee credit given for Traffic Signal Mitigation Fees.

or as approved by the Transportation Department.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 48

ACT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 7 SP - SP338/TUMF

DEFERRED

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

30.TRANS. 8 SP - SP338/REGIONAL DRAINAGE

DEFERRED

The Regional Drainage Study shall be reviewed and approved prior to the project approval.

30.TRANS. 13 SP - SP338/TS GEOMETRICS

DEFERRED

Prior to the approval of any implementing projects, the following improvements shall be completed:

The intersection of 38th Avenue (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: One left-turn lane and one right-turn lane

Eastbound: Two left-turn lanes and three through lanes

Westbound: Three through lanes

The intersection of Project Street "A" (NS) at 38th Avenue (EW) shall be improved to provide the following geometrics:

Northbound: One left-turn lane and one right-turn lane

Southbound: N/A

Eastbound: Two through lanes

Westbound: One left-turn lane and two through lanes

The intersection of Project Street "B" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: One left-turn lane and one right-turn lane

Eastbound: One left-turn lane and three through lanes

Westbound: Three through lanes

Access at the intersection of Project Street "C" (NS) at Varner Road (EW) has been eliminated by Transportation Department on 02/07/07. Varner Road shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: N/A

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 49

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30. TRANS. 13

SP - SP338/TS GEOMETRICS (cont.)

DEFERRED

Eastbound: Three through lanes
Westbound: Three through lanes

The intersection of Project Street "D" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: One left-turn lane and one right-turn lane
Eastbound: One left-turn lane and three through lanes
Westbound: Three through lanes

The intersection of Project Street "D" (NS) at 38th Avenue (EW) shall be improved to provide the following geometrics:

Northbound: One left-turn lane and one right-turn lane
Southbound: N/A
Eastbound: Two through lanes
Westbound: One left-turn lane and two through lanes

The intersection of Project Street "E" (NS) at Varner Road (EW) has been eliminated by Transportation Department on 02/07/07. Varner Road shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: N/A
Eastbound: Three through lanes
Westbound: Three through lanes

The intersection of Project Street "F" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: Two left-turn lanes and one right-turn lane
Eastbound: One left-turn lane and three through lanes
Westbound: Three through lanes and one right-turn lane

The intersection of Project Street "F" (NS) at 38th Avenue (EW) shall be improved to provide the following geometrics:

Northbound: One left-turn lane and one right-turn lane
Southbound: N/A
Eastbound: Two through lanes
Westbound: One left-turn and two through lanes

The intersection of Berkey Drive (NS) at Varner Road (EW)

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 13 SP - SP338/TS GEOMETRICS (cont.) (cont.) DEFERRED

shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: One left-turn lane, one through lane and one right-turn lane

Eastbound: One left-turn lane, two through lanes and one right-turn lane

Westbound: One left-turn lane, two through lanes and one right-turn lane

or as approved by the Transportation Department.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

30.TRANS. 14 SP - SP338/VARNER IMPROVEMENT DEFERRED

Prior to the approval of any implementing projects, the following improvements shall be completed:

Varner Road from the westerly project boundary east to the projects easterly boundary, matching the existing improvements along Varner Road shall be improved to provide the following:

Varner Road shall be constructed to provide three eastbound and three westbound through lanes within a Major Highway right-of-way (118'). The cross-section of the corridor shall provide (south to north) 10-foot wide landscaping, 84-feet of pavement (14', 11', 11' eastbound through lane, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 5-foot wide landscaping, 5-foot wide sidewalk, 4-foot wide landscaping and 10-foot wide bike path. Varner Road frontage improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Cal Trans and County Transportation Department.

or as approved by the Transportation Department.

30.TRANS. 15 SP - SP338/38TH AVE IMPROVEMEN DEFERRED

Prior to the approval of any implementing projects, the following improvements shall be completed:

38th Avenue shall be improved to the Ultimate full section

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 51

CT MAP Tract #: TR35058

Parcel: 626-150-007

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 15 SP - SP338/38TH AVE IMPROVEMEN (cont..) DEFERRED

within the project boundaries. The improvements shall reflect a Major Highway roadway classification as approved by the Transportation Department. The off-site portion of 38th Avenue (between the projects westerly boundary and Varner Road) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of this portion of 38th Avenue shall be coordinated with SP00360.

30.TRANS. 16 SP - VARNER RD OFF-SITE R/W DEFERRED

Prior to the issuance of the 500th building permit the project proponent shall obtain sufficient off-site right-of-way along Varner Road from the project boundary to Washington Street to facilitate the construction of 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes) and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department.

30.TRANS. 17 SP - VARNER RD OFF-SITE CONSTR DEFERRED

Prior to the issuance of the 1,000th building permit, Varner Road from the project boundary to Washington Street shall be designed and constructed to include 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the County of Riverside may be available as approved by the Transportation Department. The above mentioned improvements shall include barrier rail and glare shield fencing between Interstate 10 and Varner Road as approved by the Transportation Department.

40. PRIOR TO PHASING (UNITIZATION)

PLANNING DEPARTMENT

40.PLANNING. 1 MAP - LOT ACCESS/UNIT PLANS RECOMMND

Any roposed division into units or phasing of the TENTATIVE MAP shall provide for adequate vehicular access to all lots

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 52

CT MAP Tract #: TR35058

Parcel: 626-150-007

40. PRIOR TO PHASING (UNITIZATION)

40.PLANNING. 1 MAP - LOT ACCESS/UNIT PLANS (cont.)

RECOMMND

in each unit or phase, and shall substantially conform to the intent and purpose of the land division approval. No approval for any number of units or phases is given by this TENTATIVE MAP and its conditions of approval, except as provided by Section 8.3 (Division into Units) of Ordinance No. 460.

50. PRIOR TO MAP RECORDATION

PLANNING DEPARTMENT

50.PLANNING. 7 MAP - PREPARE A FINAL MAP

RECOMMND

After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current County Transportation Department - Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with Article IX of County Ordinance No. 460.

50.PLANNING. 8 MAP - FINAL MAP PREPARER

RECOMMND

The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.

50.PLANNING. 10 MAP- REQUIRED APPLICATIONS

RECOMMND

No FINAL MAP shall record until Specific Plan No. 338, Substantial Conformance No. 1, has been approved and adopted by the Board of Supervisors and has been made effective. This land division shall conform with the development standards of the designation[s] and/or zone[s] ultimately applied to the property.

50.PLANNING. 14 MAP- OFFER OF TRAILS

RECOMMND

An offer of dedication to the County of Riverside for a ten foot wide regional trail along the north side of Avenue 38 shall be noted on both the FINAL MAP and the Environmental Constraints Sheet.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 53

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.PLANNING. 15

MAP- TRAIL MAINTENANCE

RECOMMND

he land divider shall form or annex to a trails maintenance district or other maintenance district approved by the County Planning Department, for the maintenance of a ten (10) foot wide regional trail located along the northerly boundary of Avenue 38, adjacent to Tentative Tract No. 35058. The land divider, or the land divider's successors-in-interest or assignees, shall be responsible for the maintenance of the community trail easement until such time as the maintenance is taken over by the appropriate maintenance district.

50.PLANNING. 17

MAP - ECS SHALL BE PREPARED

RECOMMND

The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with Section 2.2. E. & F. of County Ordinance No. 460, which shall be submitted as part of the plan check review of the FINAL MAP.

50.PLANNING. 18

MAP*- ECS AFFECTED LOTS

RECOMMND

The following note shall be placed on the FINAL MAP:
"Environmental Constraint Sheet affecting this map is on file in the County of Riverside Transportation Department - Survey Division, in E.C.S. Book ___, Page ___.

50.PLANNING. 20

MAP*- ECS NOTE ARCHAEOLOGICAL

RECOMMND

he following Environmental Constraints note shall be placed on the ECS:

"County Archaeological Report no. PD-A-04535 was prepared for this property on October 2005 by Stantec, and PD-A-4596 prepared on April 2004 by TKC, are on file at the County of Riverside Planning Department. The property is subject to surface alteration restrictions based on the results of the report."

50.PLANNING. 23

MAP - ECS NOTE MAP CONSTRAINT

RECOMMND

The following Environmental Constraints Note shall be placed on the ECS:

"No permits allowing any grading, construction, or surface alterations shall be issued which effect the delineated constraint areas without further investigation and/or mitigation as directed by the County of Riverside Planning

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 54

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.PLANNING. 23 MAP - ECS NOTE MAP CONSTRAINT (cont.) RECOMMND

Department. This constraint affects lots as shown on the Environmental Constraints Sheet."

50.PLANNING. 25 MAP - ECS NOTE MT PALOMAR LIGH RECOMMND

The following Environmental Constraint Note shall be placed on the ECS:

"This property is subject to lighting restrictions as required by County Ordinance No. 655, which are intended to reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall be in conformance with County Ordinance No. 655."

50.PLANNING. 30 MAP- ECS NOTE AIRPORT RECOMMND

The following environmental constraints note shall be placed on the ECS:

"This land division is within 2 miles of the Bermuda Dunes Airport. At the time of the approval of the TENTATIVE MAP by the County of Riverside, the Bermuda Dunes Airport maintained operations to the southeast of this property. Property within this land division may be subject to overflight and noise as necessary to operate aircraft to or from the Airport."

50.PLANNING. 32 MAP - COMPLY WITH ORD 457 RECOMMND

The land divider shall provide proof to The Land Management Agency - Land Use Section that all structures for human occupancy presently existing and proposed for retention

comply with Ordinance Nos. 457 and 348.

50.PLANNING. 34 MAP - FEE BALANCE RECOMMND

Prior to recordation, the Planning Department shall determine if the deposit based fees for the TENTATIVE MAP are in a negative balance. If so, any unpaid fees shall be paid by the land divider and/or the land divider's successor-in-interest.

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.PLANNING. 36

PRJ* - SP FINAL DOCS

RECOMMND

ince this project is being processed concurrently with a [SPECIFIC PLAN/AMENDMENT] [SPECIFIC PLAN SUBSTANTIAL CONFORMANCE], condition of approval [30.PLANNING.[4]] [20.PLANNING.[3]] is being deferred until PRIOR TO MAP RECORDATION.

50.PLANNING. 37

SP - PARK AGENCY REQUIRED

RECOMMND

"PRIOR TO MAP RECORDATION of any subdivision, or other residential development application, all portions of this implementing project not currently within the boundaries of the Desert Recreation District (previously known as the Coachella Valley Recreation and Park District), shall be annexed into the Desert Recreation District or a similar entity such as a County Service Area/District that has been designated by the Board of Supervisors, pursuant to Section 10.35(G) of Ordinance No. 460, to receive park dedications and fees. Documentation of said annexation shall be provided to the Planning Department. This condition shall be considered as NOT APPLICABLE if the Desert Recreation District is unwilling or unable to annex the property in question."

50.PLANNING. 38

SP - COMMON AREA MAINTENANCE

RECOMMND

"PRIOR TO MAP RECORDATION, the following procedures for common area maintenance procedures shall be complied with:

a. A permanent master maintenance organization shall be established for the specific plan area, to assume ownership and maintenance responsibility for all common recreation, open space, circulation systems and landscaped areas. The organization may be public or private. Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for ownership and maintenance. If the organization is a private association then neighborhood associations shall be established for each residential development, where required, and such associations may assume ownership and maintenance responsibility for neighborhood common areas.

b. Unless otherwise provided for in these conditions of approval, common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision as recorded.

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.PLANNING. 38

SP - COMMON AREA MAINTENANCE (cont.)

RECOMMND

c. The maintenance organization shall be established prior to or concurrent with the recordation of the first land division.

d. The common areas to be maintained by the master maintenance organization shall include, but not be limited to, the following: Planning Areas 1, 2 AND 6."

50.PLANNING. 39

SP - CC&R RES PRI COMMON AREA

RECOMMND

"The applicant shall notify the Planning Department that the following documents shall be submitted to the Office of County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval: 1. A cover letter identifying the project for which approval is sought; 2. A signed and notarized declaration of covenants, conditions and restrictions; 3. A sample document, conveying title to the purchaser of an individual lot or unit, which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and, 4. A deposit equaling three (3) hours of the current hourly fee for Review if Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review. The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, c) provide for ownership of the common area by either the property owners' association or the owners of each individual lot or unit as tenants in common, and (d) contain the following provisions verbatim: "Notwithstanding, any provision in this Declaration to the contrary, the following provisions shall apply: The property owners' association established herein shall manage and continuously maintain the 'common area', more particularly described on Exhibit '___', attached hereto, and shall not sell or transfer the 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. The property owners' association shall have the right to assess the owners of each individual lot or unit for the reasonable cost of maintaining such 'common area' and shall have the right to

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 57

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.PLANNING. 39

SP - CC&R RES PRI COMMON AREA (cont.)

RECOMMND

lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien. This Declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration. In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control." Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

50.PLANNING. 40

SP - AVIGATION EASEMENT

RECOMMND

"Prior to the sale of any property within the project boundary or prior to the recordation of a final map, whichever occurs first, an Avigation Easement containing the provisions indicated in Countywide Policy 4.3.5 shall be dedicated to the Bermuda Dunes Airport. Said easement shall remain in effect for as long as the airport remains in operation."

TRANS DEPARTMENT

50.TRANS. 1

MAP - IMP PLANS

RECOMMND

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the project boundaries at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

50.TRANS. 2

MAP - EASEMENT

RECOMMND

Any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 58

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 2 MAP - EASEMENT (cont.) RECOMMND

map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.

50.TRANS. 3 MAP - ACCESS RESTRICTION RECOMMND

Lot access shall be restricted on Varner Road and 38th Avenue and so noted on the final map, with the exception of one righth turn in, righth turn out only driveway on Lot 1 on Varner Road.

50.TRANS. 5 MAP - CALTRANS 2 RECOMMND

A copy of the final map shall be submitted to Caltrans, District 08, Post Office Box 231, San Bernardino, California 92403; Attention: Project Development, for review and approval prior to recordation.

50.TRANS. 6 MAP - STRIPING PLAN RECOMMND

A signing and striping plan is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan. Traffic signing and striping shall be performed by County forces with all incurred costs borne by the applicant, unless otherwise approved by the County Traffic Engineer.

50.TRANS. 7 MAP - STREET NAME SIGN RECOMMND

The land divider shall install street name sign(s) in accordance with County Standard No. 816 as directed by the Transportation Department.

50.TRANS. 8 MAP - ST DESIGN/IMPRV CONCEPT RECOMMND

The street design and improvement concept of Varner Road on this project shall be coordinated with the street improvement plans for Tentative Tract Map No. 34651.

50.TRANS. 9 MAP - LANDSCAPING RECOMMND

The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, in accordance with Ordinance 461. Landscaping shall be improved within Varner Road, 38th Avenue, Internal Streets A, B, C, D, E, F, G, H, I, J, K, L, and M. Landscaping plans shall be

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 9 MAP - LANDSCAPING (cont.)

RECOMMND

submitted on standard County Plan sheet format (24" X 36"). Landscaping plans shall be submitted with the street improvement plans. If landscaping maintenance to be annexed to County Service Area, or Landscaping and Lighting Maintenance District, landscaping plans shall depict ONLY such landscaping, irrigation and related facilities as are to be placed within the public road rights-of-way.

50.TRANS. 10 MAP - ANNEX L&LMD/OTHER DIST

RECOMMND

Prior to map recordation, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance 461. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and/or any other maintenance district approved by the Transportation Department. Said annexation should include the following:

- (1) Landscaping along Varner Road, 38th Avenue and all internal streets
- (2) Trails along 38th Avenue
- (3) Street lights on Varner Road and 38th Avenue
- (4) Traffic signals located on intersections which traffic signal is required
- (5) Graffiti abatement of walls and other permanent structures
- (6) Street sweeping

For street lighting, the project proponent shall contact the County Service Area (CSA) Project Manager who determines whether the development is within an existing CSA or will require annexation into the CSA.

If the project is outside boundaries of a CSA, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- (1) Completed Transportation Department application.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 60

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 10 MAP - ANNEX L&LMD/OTHER DIST (cont.) RECOMMND

- (2) Appropriate fees for annexation.
- (3) Two (2) sets of street lighting plans approved by Transportation Department.
- (4) "Streetlight Authorization" form from SCE, IID or other electric provider.

50.TRANS. 11 MAP - SOILS 2 RECOMMND

The developer/owner shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

50.TRANS. 12 MAP - INTERSECTION/50' TANGENT RECOMMND

All enterline intersections shall be at 90 degrees, plus or minus 5 degrees, with a minimum 50' tangent, measured from flowline/curbface or as approved by the Transportation Planning and Development Review Division Engineer.

50.TRANS. 13 MAP - STREETLIGHT PLAN RECOMMND

A separate street light plan is required for this project. The design and installation of street lights shall meet the Dark Sky criteria. The application of Dark Sky criteria is in support of the Coachella Valley Dark Sky Ordinances. Street Lights shall be installed at intersections and at the ends of cul-de-sacs, as approved by the Transportation Department. There shall be no change in the design and location of street lights relative to the general circulation elements adjacent to the project in question. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No's 1000 or 1001. For projects within Imperial Irrigation District (IID) use IID's pole standard.

50.TRANS. 14 MAP - STREET LIGHTS-CSA/L&LMD RECOMMND

The project proponent shall contact the County Service Area (CSA) Project Manager who determines whether the development is within an existing CSA or will require annexation into the CSA.

If the project is outside boundaries of a CSA, the project

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 14 MAP - STREET LIGHTS-CSA/L&LMD (cont.) RECOMMND

proponent shall contact the Transportation Department L&LMD
89-1-C Administrator and submit the following:

1. Completed Transportation Department application
2. Appropriate fees for annexation.
3. (2) Sets of street lighting plans approved by
Transportation Department.
4. "Streetlight Authorization" form from SCE, IID or other
electric provider.

50.TRANS. 15 MAP - ASSESSMENT DIST 1 RECOMMND

Should this project lie within any assessment/benefit
district, the applicant shall, prior to recordation, make
application for and pay for their reapportionment of the
assessments or pay the unit fees in the benefit district.

50.TRANS. 16 MAP- CORNER CUT-BACK I RECOMMND

All corner cutbacks shall be applied per Standard 805,
Ordinance 461, except for corners at Entry streets
intersecting with General Plan roads, they shall be applied
per Exhibit 'C' of the Countywide Design Guidelines.

50.TRANS. 17 MAP - UTILITY PLAN RECOMMND

Electrical power, telephone, communication, street
lighting, and cable television lines shall be designed to
be placed underground in accordance with ordinance 460 and
461, or as approved by the Transportation Department. The
applicant is responsible for coordinating the work with
the serving utility company. This also applies to existing
overhead lines which are 33.6 kilovolts or below along the
project frontage and between the nearest poles offsite in
each direction of the project site. A disposition note
describing the above shall be reflected on design
improvement plans whenever those plans are required. A
written proof for initiating the design and/or application
of the relocation issued by the utility company shall be
submitted to the Transportation Department for verification
purposes.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 62

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 18

MAP - GRAFFITI ABATEMENT

RECOMMND

The project proponent shall file an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated for graffiti abatement of walls and other permanent structures along County maintained road rights-of-way.

50.TRANS. 20

MAP - DEDICATION/IMPROVEMENTS

RECOMMND

38th Avenue:

38th Avenue shall be improved from Varner Road east to Washington Street.

38th Avenue shall be designed and improved to the ultimate full section within the projects boundaries with 76-foot full-width AC pavement and 8-inch concrete curb and gutter within the 118-foot full-width dedicated right-of-way in accordance with County Standard No. 93, pages 1 and 2 (76' / 118'). Additional right-of-way shall be dedicated at intersections to accommodate turning movements, as approved by the Transportation Department.

Note: A 10-foot wide meandering sidewalk shall be constructed on the north side and 5-foot wide meandering sidewalk on the south side of 38th Avenue to accommodate for a bike path/walkway surface area as approved by the Transportation Department.

The off-site portion of 38th Avenue (between the project westerly boundary up to Varner Road and easterly boundary to Washington Street) shall be constructed per County Standard No. 106, (32'/60'). The alignment of this portion of 38th Avenue shall be coordinated with SP00360.

Internal Streets:

Internal streets shall be designed and improved in accordance with the Street Layout Plan in Specific Plan No. 338 or as approved by the Transportation Department.

Street 'A':

Street 'A' from Street 'F' westerly to Street 'C' is designated as a Commercial Collector and shall be improved within the 78-foot full-width dedicated right-of-way or as approved by the Transportation Department.

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 20

MAP - DEDICATION/IMPROVEMENTS (cont.)

RECOMMND

Street 'A' from Street 'C' westerly to the project west boundary line is designated as a Residential Local and shall be improved within the 66-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'A' along the project west boundary line from 38th Avenue southerly to approximately 1000-feet is designated as a Residential Local and shall be improved (part-width as shown on Exhibit Amended No. 3) within the 66-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'B':

Street 'B' from Varner Road northerly to Street 'A' is designated as an Office Park Entry and shall be improved within the 66-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'C':

Street 'C' from Street 'A' to Street 'G' is designated as a Residential Local and shall be improved within the 62-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'D':

Street 'D' from Varner Road to Street 'A' is designated as a Commercial Entry and shall be improved within the 93-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'E':

Street 'E' from Street 'A' to Street 'G' is designated as a Residential Local and shall be improved within the 62-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'F':

Street 'F' from Varner Road to Street 'A' is designated as a Commercial Entry and shall be improved within the 104-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'F' from Street 'A' to Street 'G' is designated as a Commercial Collector and shall be improved within the 74-foot full-width dedicated right-of-way or as approved by

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 20 MAP - DEDICATION/IMPROVEMENTS (cont.) (cont.) RECOMMND

the Transportation Department.

Street 'F' from Street 'G' to 38th Avenue is designated as a Residential Local and shall be improved within the 62-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'G':

Street 'G' from Street 'C' to Street 'F' is designated as Residential Local and shall be improved within the 62-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'H':

Street 'H' from Street 'G' to Street 'I' is designated as Residential Collector and shall be improved within the 74-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'I', 'J', 'K', and 'L':

Street 'I', Street 'J', Street 'K', and Street 'L' are designated as Residential Local and shall be improved within the 62-foot full-width dedicated right-of-way or as approved by the Transportation Department.

Street 'M':

Street 'M' from Street 'L' to 38th Avenue is designated as Residential Entry and shall be improved within the 84-foot full-width dedicated right-of-way or as approved by the Transportation Department.

50.TRANS. 21 MAP - OFF-SITE IMPROVEMENTS

RECOMMND

The landowner/developer shall provide/acquire sufficient public off-site rights-of-way for the improvements required that do not lie within the Tract boundaries as approved by the Transportation Department. Should the applicant fail to provide/acquire said off-site right-of-way, the map shall be returned for redesign. The applicant shall provide the appropriate environmental clearances for said off-site improvements prior to recordation or the signature of any street improvement plans.

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 22 MAP - ROUND ABOUT DESIGN RECOMMND

Roundabouts shall be designed and constructed as approved by the Transportation Department.

50.TRANS. 23 MAP - KNUCKLES RECOMMND

Standard knuckles throughout the land division shall be constructed in accordance with County Standard No. 801.

50.TRANS. 24 MAP - TRAFFIC SIGNALS 2 RECOMMND

The project proponent shall comply in accordance with traffic signal requirements within public road rights-of-way, as directed by the Transportation Department. Assurance of traffic signal maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated for the required traffic signal(s).

50.TRANS. 25 MAP - STREET SWEEPING 2 RECOMMND

The project proponent shall file an application for annexation into County Service Area 152 (CSA 152) for street sweeping through the CSA Administrator; or enter into a similar mechanism as approved by the Transportation Department.

50.TRANS. 26 MAP-PARKWAY TREES/INTER.STREET RECOMMND

The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, in accordance with Ordinance 461. Parkway trees shall be installed in the interior streets within the subdivision. Landscape plans shall be submitted on standard County Plan sheet format (24" X 36"). Landscaping plans shall be submitted with the street improvement plans. Parkway tree maintenance shall be annexed to Lighting and Landscaping Maintenance District, landscaping plans shall depict ONLY such parkway trees as are to be placed within the public road rights-of-way.

50.TRANS. 27 MAP-STORM DRAIN CHANNEL/BRIDGE RECOMMND

The proposed storm drain channel alignment, and bridge at Washington Street, design, and construction shall be coordinated with the Coachella Valley Water District, the U.S. Army Corps of Engineers, and the Transportation

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 66

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 27 MAP-STORM DRAIN CHANNEL/BRIDGE (cont.) RECOMMND

Department.

The above mentioned condition shall be constructed prior to map recordation.

50.TRANS. 28 MAP - FINAL MAP DRAIN EASEMENT RECOMMND

The developer shall delineate and record all drainage easements to the benefit of the public and agencies, for areas where drainage facilities and other drainage appurtenances are required and/or where drainage flow patterns must be maintained to convey flood plain water, unless otherwise agreed to by the Director of Transportation. A note shall be placed on the final map identifying and describing the easements as follows, "Drainage Easement - no building, obstructions, or encroachments are allowed."

50.TRANS. 29 MAP - FLOODWAYS ECS RECOMMND

A note shall be placed on the Environmental Constraint Sheet (ECS) stating: "Prior to the development of each lot within this land division Drainage Easements shall be defined and recorded by separate instrument to the benefit of Riverside County over said areas for flood control purposes. Maintenance of said Drainage Easements will be performed by Property Owners Association or as agreed to by the Director of Transportation".

50.TRANS. 30 MAP - RETENTION BASIN RECOMMND

For retention basin sizing and calculations refer to General Conditions 10.TRANS MAP - RETENTION BASIN in letter dated February 10, 2009 from Alan French to Majeed Farshad.

50.TRANS. 31 MAP - TS REQUIRED RECOMMND

Site specific traffic studies will be required for all subsequent development proposals within the boundaries of TR35058. In addition to the requirements of the Riverside County Transportation Department as outlined in the Traffic Impact Analysis Preparation Guide, the traffic study for each development project will document the number of trips it will generate, calculated in the same manner as the approved traffic impact study for TR35058. The traffic study shall also document previously approved, or

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 31 MAP - TS REQUIRED (cont.)

RECOMMND

previously initiated, projects within the tract, as well as the number of trips for each of the previously approved or initiated projects and the cumulative total trips for all previously approved or initiated projects. Per the Traffic Impact Analysis for TR35058, the total number of trips is 26,718 vehicles per day (vpd).

50.TRANS. 32 MAP - TS/VARNER IMPRVMENTS

RECOMMND

The proponent of TR35058 shall have responsibility for the design, acquisition of right-of-way, and construction of Varner Road to an ultimate six-lane (three through lanes in each direction) configuration between westerly boundary of Mirasera and Washington Street. Since Varner Road is a regional facility and the improvements will have benefits for TR35058 and other existing and planned developments in the area, the Riverside County Transportation Department shall make its best efforts to secure TUMF, DIF, and other developer funds, as may be appropriate, to help defray the cost of improvements to Varner Road.

The improvements to Varner Road may be made in phases, as outlined subsequently in these conditions of approval.

In addition to the proponent of TR35058, each implementing project within TR35058 shall bear financial responsibility for on-site and off-site improvements of Varner Road. Each implementing project's share of the financial responsibility shall be in proportion to the number of trips for the project. The developer of TR35058 shall notify the proponents of the implementing projects within the tract of the requirement to make on-site and off-site improvements on Varner Road, ultimately to six lanes between the westerly boundary and Washington Street and the financial implications of this improvement.

Developer Impact Fee credit or other financial assistance by the County of Riverside may be available as approved by the Transportation Department to implement the improvements along Varner Road.

50.TRANS. 33 MAP - TS/4-LN VARNER ON-SITE

RECOMMND

Prior to the issuance of a building permit for any implementing project that would have direct access on Varner Road, Varner Road shall be improved to four lanes

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 68

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 33 MAP - TS/4-LN VARNER ON-SITE (cont.) RECOMMND
between the western boundary of TR35058 and the eastern
boundary of TR35058.

50.TRANS. 34 MAP - TS/6-LN VARNER ON-SITE RECOMMND
Prior to the issuance of a building permit for any
implementing project that would increase the trip
generation within the tract to more than 24,000 vpd, Varner
Road shall be improved to six lanes between the western
boundary of TR35058 and the eastern boundary of TR35058.

50.TRANS. 35 MAP - TS/4-LN VARNER OFF-SITE RECOMMND
Prior to the issuance of a building permit for any
implementing project within TR35058, Varner Road shall be
improved to four lanes between the eastern boundary of
TR35058 and Washington Street.

50.TRANS. 36 MAP - TS/6-LN VARNER OFFSITE 1 RECOMMND
Prior to the issuance of a building permit for any
implementing project within TR35058 that would increase the
trip generation within the tract to more than 14,700 vpd,
Varner Road shall be improved to six lanes between Berkey
Drive and Washington Street. If condemnation is required to
obtain offsite right-of-way, provisions contained in
Ordinance 460, section 3.2.J, shall apply.

50.TRANS. 37 MAP - TS/6-LN VARNER OFFSITE 2 RECOMMND
Prior to the issuance of a building permit for any
implementing project within TR35058 that would increase the
trip generation within the tract to more than 22,700 vpd,
Varner Road shall be improved to six lanes between Berkey
Drive and Leopard Street. If condemnation is required to
obtain offsite right-of-way, provisions contained in
Ordinance 460, section 3.2.J, shall apply.

50.TRANS. 38 MAP - TS/6-LN VARNER OFFSITE 3 RECOMMND
Prior to the issuance of a building permit for any
implementing project within TR35058 that would increase the
trip generation within the tract to more than 24,000 vpd,
Varner Road shall be improved to six lanes between Leopard
Street and the eastern boundary of TR35058. If condemnation
is required to obtain offsite right-of-way, provisions

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 38 MAP - TS/6-LN VARNER OFFSITE 3 (cont.) RECOMMND

contained in Ordinance 460, section 3.2.J, shall apply.

50.TRANS. 39 MAP - TS/VARNER IMPRVMNT 1 RECOMMND

The following improvements shall be completed, subject to such phasing of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Varner Road shall be improved between the western and the eastern boundaries of TR35058 to provide, ultimately, three eastbound and three westbound through lanes within a Major Highway right-of-way (111'). The cross-section of the corridor shall provide (south-to-north) 5-foot wide landscaping, 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 22 feet of landscaping which includes a 5-foot meandering sidewalk. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department.

or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects.

50.TRANS. 40 MAP - TS/VARNER IMPRVMNT 2 RECOMMND

The following improvements shall be completed, subject to such phasing of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Varner Road shall be designed and constructed between the eastern boundary of TR35058 and Washington Street to provide, ultimately, three eastbound and three westbound through lanes on 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), and turning lanes as approved by the Transportation Department, within total 95 feet of right-of-way. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 70

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 40

MAP - TS/VARNER IMPRVMNT 2 (cont.)

RECOMMND

or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects.

50.TRANS. 41

MAP - TS/AVE 38 IMPRVMNT

RECOMMND

Prior to the approval of any implementing projects, the following improvements shall be completed, subject to such phasing of improvements as may be determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Avenue 38 shall be improved from the westerly project boundary to the easterly project boundary to the ultimate full cross-section. The improvements shall reflect a Major Highway classification as approved by the Transportation Department. The offsite portions of Avenue 38 (between the western project boundary and Varner Road and the eastern project boundary and Washington Street) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of Avenue 38 between the western property boundary and Varner Road shall be coordinated with SP00360/TR34651.

50.TRANS. 42

MAP - TS/DESIGN

RECOMMND

The project proponent and all subsequent implementing projects within the tract shall be responsible for design of traffic signals at the following intersections or as approved by the Transportation Department.

Berkey Drive (NS) at Varner Road (EW)-installation required prior to the issuance of any building permits within TR35058

Washington Street (NS) at Varner Road (EW), signal modification to accommodate added lanes, if and as necessary when lanes are added at the intersection

with fee credit eligibility.

Project Street "B" (NS) at Varner Road (EW)-in conjunction with development

Project Street "C" (NS) at Avenue 38 (EW)-in conjunction with development

Project Street "D" (NS) at Varner Road (EW)-in conjunction

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 71

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 42

MAP - TS/DESIGN (cont.)

RECOMMND

with development
Project Street "E" (NS) at Varner Road (EW)-in conjunction
with development
Project Street "E" (NS) at Avenue 38 (EW)-in conjunction
with development

with no fee credit given for Traffic Signal Mitigation
Fees.

or as approved by the Transportation Department.

50.TRANS. 43

MAP - TS/GEOMETRICS

RECOMMND

Prior to approval of any implementing projects, the
following improvements shall be completed, subject to such
phasing of improvements as may be determined by the County
Transportation Department:

The intersection of Washington Street (NS) at Avenue 38
(EW) (Relocated) shall be improved to provide the following
geometrics:

Northbound: one left-turn lane, two through lanes
Southbound: two through lanes
Eastbound: one left-turn lane, one right-turn lane
Westbound: N/A

The intersection of Avenue 38 (NS) at Varner Road (EW)
shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, one through lane
Westbound: one shared through/right-turn lane

Note: The above geometry is for interim conditions until
the future widening of Varner Road to six lanes is
completed. However, the intersection shall be designed and
constructed such that it is consistent with the full-width
cross-section to accommodate the future three eastbound and
three westbound through lanes.

The intersection of Project Street "A" (NS) at Avenue 38
(EW) shall be improved to provide the following geometrics:

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 72

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 43

MAP - TS/GEOMETRICS (cont.)

RECOMMND

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes
Westbound: one left-turn lane, two through lanes

The intersection of Project Street "C" (NS) at Avenue 38
(EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes
Westbound: one left-turn lane, two through lanes

The intersection of Project Street "E" (NS) at Avenue 38
(EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes
Westbound: one left-turn lane, two through lanes

The intersection of Project Street "B" (NS) at Varner Road
(EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project Street "D" (NS) at Varner Road
(EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 43

MAP - TS/GEOMETRICS (cont.) (cont.)

RECOMMEND

completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project Street "E" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: two left-turn lane, one right-turn lane

Eastbound: one left-turn lane, two through lanes

Westbound: two through lanes, one right-turn lane

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project East Access Driveway (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: one right-turn lane

Eastbound: two through lanes

Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Berkey Drive (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: one left-turn lane, one through lane, one right-turn lane

Eastbound: one left-turn lane, two through lanes

Westbound: one left-turn lane, two through lanes

The intersection of Washington Street (NS) at Varner Road

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 43 MAP - TS/GEOMETRICS (cont.) (cont.) (cont.) RECOMMND

(EW) shall be improved to provide the following geometrics:

Northbound: two left-turn lanes, two through lanes, one shared through/right-turn lane, one right-turn lane

Southbound: two left-turn lanes, three through lanes, one right-turn lane

Eastbound: one left-turn lane, two through lanes, two right-turn lanes

Westbound: two left-turn lanes, one through lane, one shared through/right-turn lane, one right-turn lane

or as approved by the Transportation Department.

50.TRANS. 44 MAP -TR35058/VARNER IMPRVMT 1 RECOMMND

Prior to map recordation, the following improvements shall be completed, subject to such phasing of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Varner Road shall be improved between the western and the eastern boundaries of TR35058 to provide, ultimately, three eastbound and three westbound through lanes within a Major Highway right-of-way (111'). The cross-section of the corridor shall provide (south-to-north) 5-foot wide landscaping, 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 22 feet of landscaping which includes a 5-foot meandering sidewalk. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department.

or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects.

Note: The easterly driveway on Varner Road (Lot No. 1) shall be restricted to right turning movements only. Additional right-of-way along Varner Road shall be dedicated to accomodate a right turn lane as approved by the Transportation Department.

A Hardscape raised center median shall be constructed on Varner Road from 'F' Street to easterly of the aforementioned driveway as approved by the Transportation

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 75

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 44 MAP -TR35058/VARNER IMPRVMNT 1 (cont.) RECOMMND

Department.

50.TRANS. 45 MAP -TR35058/VARNER IMPRVMNT 2 RECOMMND

Prior to map recordation, the following improvements shall be completed, subject to such phasing of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Varner Road shall be designed and constructed between the eastern boundary of TR35058 and Washington Street to provide, ultimately, three eastbound and three westbound through lanes on 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), and turning lanes as approved by the Transportation Department, within total 95 feet of right-of-way. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department.

~~or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects.~~

50.TRANS. 46 MAP - TR35058/AVE 38 IMPRVMNT RECOMMND

Prior to map recordation, the following improvements shall be completed, subject to such phasing of improvements as may be determined by the County Transportation Department or as approved by the Director of the Transportation Department.

Avenue 38 shall be improved from the westerly project boundary to the easterly project boundary to the ultimate full cross-section. Within the parkway, a 10' wide concrete bike trail shall be provided on the north side of the new Avenue 38. The improvements shall reflect a Major Highway classification as approved by the Transportation Department. The offsite portions of Avenue 38 (between the western project boundary and Varner Road and the eastern project boundary and Washington Street) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of Avenue 38 shall be coordinated with TR34651 and PP22977.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 76

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 47

MAP - TR35058/TS INSTALLATION

RECOMMND

Prior to map recordation, all subsequent implementing projects within the Tract Map shall be responsible for design and construction of traffic signals at the following intersections or as approved by the Transportation Department.

Berkey Drive (NS) at Varner Road (EW) -installation required prior to the issuance of any building permits within TR35058

Washington Street (NS) at Varner Road (EW), signal modification to accommodate added lanes, if and as necessary when lanes are added at the intersection

with fee credit eligibility.

Project Street "B" (NS) at Varner Road (EW) -in conjunction with development

Project Street "C" (NS) at Avenue 38 (EW) -in conjunction with development

Project Street "D" (NS) at Varner Road (EW) -in conjunction with development

Project Street "E" (NS) at Varner Road (EW) -in conjunction with development

Project Street "E" (NS) at Avenue 38 (EW) -in conjunction with development

with no fee credit given for Traffic Signal Mitigation Fees.

or as approved by the Transportation Department.

50.TRANS. 48

MAP - TR35058/TS GEOMETRICS

RECOMMND

Prior to map recordation of any implementing projects, the following improvements shall be completed, subject to such phasing of improvements as may be determined by the County Transportation Department:

The intersection of Washington Street (NS) at Avenue 38 (EW) (Relocated) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, two through lanes

Southbound: two through lanes

Eastbound: one left-turn lane, one right-turn lane

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 77

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50. TRANS. 48

MAP - TR35058/TS GEOMETRICS (cont.)

RECOMMND

Westbound: N/A

The intersection of Avenue 38 (NS) at Varner Road (EW)
shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: one left-turn lane, one right-turn lane

Eastbound: one left-turn lane, one through lane

Westbound: one shared through/right-turn lane

Note: The above geometry is for interim conditions until
the future widening of Varner Road to six lanes is
completed. However, the intersection shall be designed and
constructed such that it is consistent with the full-width
cross-section to accommodate the future three eastbound and
three westbound through lanes.

The intersection of Project Street "A" (NS) at Avenue 38
(EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane

Southbound: N/A

Eastbound: two through lanes

Westbound: one left-turn lane, two through lanes

The intersection of Project Street "C" (NS) at Avenue 38
(EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane

Southbound: N/A

Eastbound: two through lanes

Westbound: one left-turn lane, two through lanes

The intersection of Project Street "E" (NS) at Avenue 38
(EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane

Southbound: N/A

Eastbound: two through lanes

Westbound: one left-turn lane, two through lanes

The intersection of Project Street "B" (NS) at Varner Road
(EW) shall be improved to provide the following geometrics:

Northbound: N/A

Southbound: one left-turn lane, one right-turn lane

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 78

ACT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50. TRANS. 48 MAP - TR35058/TS GEOMETRICS (cont.) (cont.) RECOMMND

Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project Street "D" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project Street "E" (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: two left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes, one right-turn lane

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Project East Access Driveway (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one right-turn lane

CT MAP Tract #: TR35058

Parcel: 626-150-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 48 MAP - TR35058/TS GEOMETRICS (cont.) (cont.) (RECOMMND

Eastbound: two through lanes
Westbound: two through lanes

Note: The above geometry is for interim conditions until the future widening of Varner Road to six lanes is completed. However, the intersection shall be designed and constructed such that it is consistent with the full-width cross-section to accommodate the future three eastbound and three westbound through lanes.

The intersection of Berkey Drive (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one through lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: one left-turn lane, two through lanes

The intersection of Washington Street (NS) at Varner Road (EW) shall be improved to provide the following geometrics:

Northbound: two left-turn lanes, two through lanes, one shared through/right-turn lane, one right-turn lane
Southbound: two left-turn lanes, three through lanes, one right-turn lane
Eastbound: one left-turn lane, two through lanes, two right-turn lanes
Westbound: two left-turn lanes, one through lane, one shared through/right-turn lane, one right-turn lane

or as approved by the Transportation Department.

50.TRANS. 49 MAP - "A" STREET ALIGNMENT

RECOMMND

Both project proponents of TR35058 and TR34651 shall submit and agreement to Transportation Department stating that they have agreed to alignment and elevations of proposed "A" Street located on the westerly boundary of TR35058 and the easterly boundary of TR34651. In the event the agreement has not been reached TR35058 shall go back to Planning Department for redesign and resubmittal.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 80

CT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1. MAP-G2.4GEOTECH/SOILS RPTS

RECOMMND

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department's Grading Division for review and approval prior to issuance of a grading permit.

All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by Riverside County.*

*The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

60.BS GRADE. 2. MAP-G2.7DRNAGE DESIGN Q100

RECOMMND

All grading and drainage shall be designed in accordance with Riverside County Flood Control & Water Conservation District's conditions of approval regarding this application. If not specifically addressed in their conditions, drainage shall be designed to accommodate 100 year storm flows.

Additionally, the Building and Safety Department's conditional approval of this application includes an expectation that the conceptual grading plan reviewed and approved for it complies or can comply with any WQMP (Water Quality Management Plan) required by Riverside County Flood Control and Water Conservation District.

60.BS GRADE. 3. MAP-G2.14OFFSITE GDG ONUS

RECOMMND

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

60.BS GRADE. 4. MAP-G1.4 NPDES/SWPPP

RECOMMND

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 81

CT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 4 MAP-G1.4 NPDES/SWPPP (cont.)

RECOMMND

of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

60.BS GRADE. 5 MAP IMPORT/EXPORT

RECOMMND

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety department. If an Environmental Assessment, prior to issuing a grading permit, did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director and the Environmental Programs Director for review and comment and to the Building and Safety Department Director for approval. Additionally, if the movement of import/export occurs using county roads, review and approval of the haul routes by the Transportation Department will be required.

60.BS GRADE. 6 MAP- NO PRECISE GRADE

RECOMMND

A PRECISE GRDAING PERMIT WILL NOT BE ISSUED, BY THE BUILDING AND SAFETY DEPARTMENT, FOR ANY PARCEL(S) OF THIS SUBDIVISION UNLESS AN APPROPRIATE LAND USE PERMIT HAS ALSO BEEN ISSUED AND APPROVED, BY THE PLANNING DEPARTMENT, FOR THE AT SAME PARCEL(S).

60.BS GRADE. 7 MAP* PM10 PLAN REQUIRED

RECOMMND

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 82

ACT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 7

MAP* PM10 PLAN REQUIRED (cont.)

RECOMMND

prior to the issuance of a grading permit.

1.NOTE: The PM 10 plan shall require the posting of signs in accordance with Building and Safety form "Signage Recommendations".

2.NOTE: All PM 10 measures must be in place prior to commencing any grading activity on site.

60.BS GRADE. 8

MAP*TRANS& CVWD REVIEW REQ'D

RECOMMND

The applicant or developer shall submit copies of the grading plan and hydrologic calculations to the Riverside County Transportation Department (RCTD) and the Coachella Valley Water District (CVWSD) for their review and approval. Additional flood plain management fees may be required by CVWD. Prior to the issuance of a grading permit, the applicant or developer shall provide, to the Department of Building and Safety Grading Division, a letter from RCTD and CVWD indicating their approval of the plans or waiver of the review.

60.BS GRADE. 9

MAP* PM 10 CLASS REQUIRED

RECOMMND

Prior to the issuance of a grading permit, as a requirement of the CIP, the owner, developer, contractor, and their assignees must attend the PM10 class conducted by SCAQMD. Currently, classes are scheduled monthly by SCAQMD.

E HEALTH DEPARTMENT

60.E HEALTH. 1

USE-ABANDON EXISTING WELLS

RECOMMND

Existing wells on property to be abandoned by State licensed C-57 contractor under permits from Environmental Health Department.

EPD DEPARTMENT

60.EPD. 1

EPD - CV MILK VETCH MITIGATION

RECOMMND

PRIOR TO ISSUSANCE OF ANY GRADING PERMIT FOR TR35058 THE COACHELLA VALLEY MILK VETCH SEED COLLECTION & RELOCATION PLAN DISCUSSED IN THE MITIGATION MEASURES (PAGE 28 OF THE BIOLOGICAL DOCUMENT PDB05502) FOR THIS PROJECT MUST BE COMPLETED TO THE SATISFACTION OF RIVERSIDE COUNTY EPD. DURING THE BLOOMING PERIOD A QUALIFIED BIOLOGIST SHALL

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 83

ACT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 1 EPD - CV MILK VETCH MITIGATION (cont.) RECOMMND

FLAG COACHELLA MILK VETCH PLANTS ONSITE AND MONITOR THE PLANTS TO DETERMINE THE APPROPRIATE TIME TO COLLECT SEEDS. THESE SEEDS SHALL BE PLANTED IN THE PS ROUND-TAILED GROUND SQUIRREL MITIGATION AREA. A LETTER REPORT SHALL BE SUBMITTED TO EPD PRIOR TO PLANTING SUMMARIZING THE FOCUSED SURVEY RESULTS AND QUANTITY OF SEED COLLECTED.

60.EPD. 2 EPD - CVFTL MITGATION FEE RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR TR35058 THE PROJECT MUST PROVIDE RECIEPT OF PAYMENT OF THE COACHELLA VALLEY FRINGE TOED LIZARD CONSERVATION PLAN MITIGATION FEE OF \$600/ACRE TO THE CENTER FOR LANDS MANAGEMENT.

60.EPD. 3 EPD - 30 DAY BURROWING OWL SUR RECOMMND

Within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist and the results of this presence/absence survey shall be provided in writing to the Environmental Programs Department. If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the CVMSHCP and the Migratory Bird Treaty Act. However, when the Burrowing Owl is present, relocation outside of the nesting season (March 1 through August 31) by a qualified biologist shall be required. The County Biologist shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites. Occupation of this species on the project site may result in the need to revise grading plans so that take of "active" nests is avoided or alternatively, a grading permit may be issued once the species has been actively relocated.

If the grading permit is not obtained within 30 days of the survey a new survey shall be required.

60.EPD. 4 EPD - NESTING BIRD SURVEY RECOMMND

IF GRADING IS TO COMMENCE DURING THE BREEDING SEASON (MARCH 1-AUGUST 30) FOR ANY NESTING BIRDS A NESTING BIRD SURVEY MUST BE CONDUCTED BY A QUALIFIED BIOLOGIST HOLDING AN MOU WITH RIVERSIDE COUNTY AND A LETTER REPORT OF FINDINGS MUST BE SUBMITTED TO EPD. IF ACTIVE NESTS ARE PRESENT A MINIMUM BUFFER OF 300 FEET GRADING EXCLUSION

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 84

CT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 4 EPD - NESTING BIRD SURVEY (cont.) RECOMMND

SHALL BE ESTABLISHED UNTIL BREEDING SEASON IS CONCLUDED.

60.EPD. 5 EPD - PSRTGS SURVEY/MITIGATION RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR TR35058 THE PROJECT SHALL HAVE A QUALIFIED BIOLOGIST HOLDING AN MOU WITH RIVERSIDE COUNTY CONDUCT A NEW FOCUSED SURVEY FOR PALM SPRINGS ROUND-TAILED GROUND SQUIRREL AND FINDINGS MUST BE SUBMITTED TO EPD FOR REVIEW. ALL OCCUPIED HABITAT SHALL BE MAPPED AND THE PROJECT MUST PROVIDE PROOF TO RIVERSIDE COUNTY EPD AN EQUAL AREA OF KNOWN PALM SPRINGS ROUND-TAILED GROUND SQUIRREL OCCUPIED HABITAT HAS BEEN PLACED INTO A DEDICATION OF PERPETUAL CONSERVATION UNDER MANAGEMENT OF THE CENTER FOR LANDS MANAGEMENT. AT A MINIMUM THE PREVOIUSLY IDENTIFIED 1 ACRE AREA OF OCCUPIED PSRTGS HABITAT SHALL BE PUT FORTH FOR CONSERVATION UNDER THE CVFTLP.

60.EPD. 6 EPD - LANDSCAPING REVIEW RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR TR35058 THE PROJECT SHALL PROVIDE EPD PROOF THAT THE LANDSCAPING PLAN FOR THIS PROJECT HAS BEEN REVIEWED BY THE DIRECTOR OF THE COACHELLA VALLEY FRINGE TOED LIZARD PRESERVE AND AN ECS SHALL BE PROVIDED WHICH LISTS ALL PROHIBITED PLANTS.

FIRE DEPARTMENT

60.FIRE. 1 USE-#75-WATER PLANS RECOMMND

The applicant or developer shall separately submit two copies of the water system plans to the Fire Department for review. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans shall be signed/approved by a registered civil engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department".

PARKS DEPARTMENT

60.PARKS. 1 MAP - TRAIL PLAN RECOMMND

Prior to the issuance of any grading permits, the applicant shall submit a trails plan to the Riverside County Regional

CT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PARKS. 1

MAP - TRAIL PLAN (cont.)

RECOMMND

Park and Open-Space District for review and approval. The trail plan show the class I bike trail to the north of 38th Avenue with all topography, cross-sections, grading, fencing, signage, street crossings and landscaping. If you have questions contact Dan Nove at (951) 955-6998.

PLANNING DEPARTMENT

60.PLANNING. 10

MAP - PARCEL MAXIMUM GRADING

RECOMMND

The land divider/permit holder shall cause grading plans to be prepared which restricts grading to a maximum of one-hundred per cent (100%) of the net area of each parcel identified on the approved grading area map. Calculations for permitted graded area shall include building pad, driveway, and all manufactured slopes.

60.PLANNING. 11

MAP - COMMUNITY TRAIL ESMNT

RECOMMND

The land divider/permit holder shall cause grading plans to be prepared which delineates grading adjacent to or within a proposed trail easement that occurs along the northerly boundary of Avenue 38, closest to Lots 13, 14, and 15 on the southerly boundary of Avenue 38, within Tentative Tract Map 35058, and as delineated on the TENTATIVE MAP. Said grading must conform to the trail standards of the Comprehensive General Plan.

60.PLANNING. 13

MAP - BUILDING PAD GRADING

RECOMMND

All grading for any proposed new dwellings and/or accessory buildings shall occur within the approved uilding pad sites shown on the TENTATIVE MAP.

60.PLANNING. 14

MAP - HILLSIDE DEV. STANDARDS

RECOMMND

The land divider/permit holder shall cause grading plans to be prepared which conform to the Hillside Development Standards: all cut and/or fill slopes, or individual combinations thereof, which exceed ten feet in vertical height shall be modified by an appropriate combination of a special terracing (benching) plan, increase slope ratio (i.e., 3:1), retaining walls, and/or slope planting combined with irrigation.

ACT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 15

MAP - SLOPE GRADING TECHNIQUES

RECOMMND

The land divider/permit holder shall cause grading plans to be prepared which show all cut slopes located adjacent to ungraded natural terrain and exceed ten (10) feet in vertical height to be contour-graded incorporating the following grading techniques:

1. The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.

2. Angular forms shall be discouraged. The graded form shall reflect the natural rounded terrain.

3. The toes and tops of slopes shall be rounded with curves with radii designed in proportion to the total height of the slopes where drainage and stability permit such rounding.

4. Where cut and/or fill slopes exceed 300 feet in horizontal length, the horizontal contours of the slope shall be curved in a continuous, undulating fashion.

60.PLANNING. 16

MAP*- GRADING & BRUSHING AREA

RECOMMND

The land divider/permit holder shall cause grading plans to be prepared which restricts grading and brushing to public or private access roads, driveways, pad sites leach fields, existing agricultural areas,] and fuel modification zones, as identified on the TENTATIVE MAP.

60.PLANNING. 19

MAP- AGENCY CLEARANCE

RECOMMND

A clearance letter from Coachella Valley Water District (CVWD) shall be provided to the Riverside County Planning Department verifying compliance with the conditions stated in their letter dated November 20, 2008.

60.PLANNING. 21

MAP - FEE BALANCE

RECOMMND

Prior to issuance of grading permits, the Planning

Department shall determine if the deposit based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

CT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 22 MAP - GRADING PLAN REVIEW

RECOMMND

The land divider/permit holder shall cause a plan check application for a grading plan to be submitted to the county T.L.M.A - Land Use Division for review by the County Department of Building and Safety - Grading Division. Said grading plan shall be in conformance with the approved tentative map, in compliance with County Ordinance No. 457, and the conditions of approval for the tentative map.

60.PLANNING. 26 MAP - REQUIRED APPLICATIONS

RECOMMND

No grading permits shall be issued until Specific Plan No. 338, Substantial Conformance No. 1, and Tentative Tract No. 35058 have been approved and adopted by the Board of Supervisors and [has] [have] been made effective.

60.PLANNING. 27 GEN*- CULTURAL RESOURCES PROFE

RECOMMND

As a result of cultural resources investigations conducted for SP 338, archaeological monitoring shall be required for the first three feet of soil removal/disturbance for this implementing project.

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. This professional shall be known as the "Project Monitor." The Project Monitor shall be included in the pre-grade meetings to provide cultural/historical sensitivity training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and special interest monitors. The Project Monitor shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 88

CT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 27

GEN*- CULTURAL RESOURCES PROFE (cont.)

RECOMMND

NOTE:

1)The Project Monitor is responsible for implementing mitigation using standard professional practices for cultural resources. The Professional shall consult with the County, developer/permit holder and special interest group monitor throughout the process.

2)This agreement shall not modify any condition of approval or mitigation measure.

60.PLANNING. 28

GEN*- SPECIAL INTEREST MONITOR

RECOMMND

As a result of previous cultural resources assessment for SP 338, tribal monitoring is required for this project.

Prior to the issuance of grading permits, the developer/permit holder shall enter into contract and retain a monitor(s) designated by the Agua Caliente Band of Cahuilla Indians. This group shall be known as the Special Interest Monitor (SI Monitor) for this project. The contract shall address the treatment and ultimate disposition of cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The SI Monitors shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The SI Monitors shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the appropriate Cultural Resources Professional such as an Archaeologist, Historic Archaeologist, Architectural Historian and/or Historian.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

ACT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 28

GEN*- SPECIAL INTEREST MONITOR (cont.)

RECOMMND

NOTE:

1)The Cultural Resources Professional is responsible for implementing mitigation and standard professional practices for cultural resources. The Professional shall consult with the County, developer/permit holder and special interest group monitor throughout the process.

2)Special interest monitoring does not replace any required Cultural Resources monitoring, but rather serves as a supplement for consultation and advisory purposes for all groups interests only.

3)This agreement shall not modify any condition of approval or mitigation measure.

4)The developer/permit holder shall contact the Planning Director for consideration of this condition after forty-five (45) days, if an agreement with the special interest groups has not been met.

5)Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Planning Department. Should curation be preferred, the developer/permit holder is responsible for all costs.

60.PLANNING. 29

SP - ARCHAEO M/M PROGRAM

RECOMMND

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall enter into an agreement with a qualified archaeologist and the appropriate Native American Tribe. This agreement shall include, but not be limited to, the preliminary mitigation and monitoring procedures to be implemented during the process of grading, as found in the EIR. A copy of said agreement shall be submitted to the Planning Department. No grading permits will be issued unless the preliminary mitigation and monitoring procedures required prior to grading permits as described in the EIR are substantially complied with."

60.PLANNING. 30

SP - ACOE CLEARANCES

RECOMMND

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall obtain written notification to the County Planning Department that the alteration of any watercourse or wetland, located either on-site or on any required off-site

ACT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 30 SP - ACOE CLEARANCES (cont.)

RECOMMND

improvement areas, complies with the U.S. Army Corps of Engineers Nationwide Permit Conditions, or obtain a permit under Section 404 of the Clean Water Act should any grading or construction be proposed within or along the banks of any natural watercourse or wetland. Copies of any agreement shall be submitted with the notification."

60.PLANNING. 31 SP - ARCHAEOLOGIST RETAINED

RECOMMND

"Prior to the issuance of grading permits, a qualified archaeologist shall be retained by the land divider for consultation and comment on the proposed grading with respect to potential impacts to unique cultural resources. Should the archaeologist, after consultation with the appropriate Native American tribe(s), find the potential is high for impact to unique archaeological resources (cultural resources and sacred sites), a pre-grading meeting between the archaeologist, a Native American monitor(s), and the excavation and grading contractor shall take place. During grading operations, when deemed necessary in the professional opinion of the retained archaeologist or the Native American monitor(s) (and/or as determined by the Planning Director); the archaeologist, the archaeologist's on-site representative(s) and the Native American monitor(s) shall actively monitor all project related grading and construction and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of unique cultural resources. Prior to the issuance of grading permits, the NAME, ADDRESS and TELEPHONE NUMBER of the retained archaeologist shall be submitted to the Planning Department and the B&S Grading Division. If the retained archaeologist, after consultation with the appropriate Native American tribe(s), finds no potential for impacts to unique cultural resources, a letter shall be submitted to the Planning Department certifying this finding by the retained qualified archaeologist.

60.PLANNING. 32 SP - NATIVE AMERICAN MONITOR

RECOMMND

Tribal monitor(s) from the appropriate Native American Tribe(s) shall be required on-site during all ground disturbance activities. The land divider/permit holder shall retain a qualified tribal monitor from the Agua Caliente Band of Cahuilla Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a

CT MAP Tract #: TR35058

Parcel: 626-150-007

60. ~~PRIOR TO GRADING PRMT~~ ISSUANCE

60.PLANNING. 32 SP - NATIVE AMERICAN MONITOR (cont.) RECOMMND

signed contract between the appropriate Native American tribe and the land divider/permit holder for the monitoring of the project to the planning Department and to the Department of Building and Safety. The Native American monitor(s) shall have the authority to monitor all ground disturbance activities and shall have the authority to temporarily divert, redirect or halt grading activities to all recovery of cultural resources.

60.PLANNING. 33 SP - CULTURAL ARTIFACT AGRMT RECOMMND

Prior to grading permit issuance, the applicant shall provide the Planning Director evidence of an Agreement with the appropriate Native American tribe(s) that addresses the treatment and disposition of all cultural resources discovered or impacted as a result of the development. The Developer shall relinquish ownership of all cultural resources, including all archaeological artifacts that are of Native American origin, found in the project area to the [state the name of the tribe(s) that will receive the artifacts] for proper treatment and disposition.

60.PLANNING. 34 SP - GEO/SOILS M/M PROGRAM RECOMMND

A clearance letter from the Riverside County Building and Safety Department shall be provided to the Riverside County Planning Department verifying compliance with the following Mitigation and Monitoring Program contained within adopted Environmental Impact Report No. 486, specifically as it relates to Geology and Soils, numbers SS-1 through SS-18, with a correction to SS-17 as follows: Where SS-17 or any other portion of the M/M Program refers to the Uniform Building Code, that reference shall be updated to refer to the California Building Code. Any reference tables from the Uniform Building Code within the M/M Program shall be rendered obsolete, and in place and in stead, the appropriate tables from the California Building Code shall apply.

TRANS DEPARTMENT

60.TRANS. 1 MAP - DRAINAGE SUBMIT PLANS RECOMMND

The developer shall comply with Riverside County Ordinance 458.12 as amended in the preparation of on-site flood protection. The developer shall submit plans for grading,

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 92

ACT MAP Tract #: TR35058

Parcel: 626-150-007

60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 1 MAP - DRAINAGE SUBMIT PLANS (cont.) RECOMMND

landscaping, and irrigation systems, any other necessary documentation along with supporting hydrologic and hydraulic calculations to Riverside County Transportation for review and approval. The developer shall pay all fees as required by Riverside County Transportation Department.

60.TRANS. 2 MAP - EASEMENT FOR DRAINAGE RECOMMND

The developer will prepare and record easements for drainage purposed by separate instrument to the benefit of public, for areas where drainage facilities and other drainage appurtenances are required and/or where drainage flow patterns must be maintained to convey flood plain water. All drainage easements shall be recorded by separate instrument and noted as follows, "Drainage Easement - no building, obstructions, or encroachments are allowed."

60.TRANS. 3 MAP - TYPICAL SITE GRADING RECOMMND

All on-site grading shall be graded to drain to on site drainage facilities. Offsite drainage shall be conveyed through the project site in a manner that will not adversely impact either on-site improvements or worsen the existing drainage conditions to adjacent offsite properties.

60.TRANS. 4 MAP-STORM DRAIN CHANNEL/BRIDGE RECOMMND

The proposed storm drain channel alignment, and bridge at Washington Street, design, and construction shall be coordinated with the Coachella Valley Water District, the U.S. Army Corps of Engineers, and the Transportation Department.

The above mentioned improvements shall be constructed prior to grading permit issuance.

70. PRIOR TO GRADING FINAL INSPECT

TRANS DEPARTMENT

70.TRANS. 1 MAP - EROSION CONTROL RECOMMND

Temporary erosion control measures shall be implemented immediately following site grading to prevent depositions

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 93

CT MAP Tract #: TR35058

Parcel: 626-150-007

70. PRIOR TO GRADING FINAL INSPECT

70.TRANS. 1 MAP - EROSION CONTROL (cont.)

RECOMMND

of debris onto downstream properties, public right-of-way, or drainage facilities. Plans showing these measures shall be submitted to Riverside County Transportation Department for review prior to the start of any site grading.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 MAP-G3.1NO B/PMT W/O G/PMT

RECOMMND

Prior to issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Divisin of the Building and Safety Department.

E HEALTH DEPARTMENT

80.E HEALTH. 1 USE-SEWER/WATER AVAILABILITY

RECOMMND

CVWD sewer and water connections must be available prior to issuance of any building permits. The developer may be required to install additional facilities and provide land and/or easements for these facilities per CVWD "will serve letter dated 7/18/08.

EPD DEPARTMENT

80.EPD. 1 EPD-NO LIGHT INTO CV PRESERVE

RECOMMND

AS THE COACHELLA VALLEY PRESERVE IS LOCATED DIRECTLY NORTH OF AVE 38 ON THE NORTH OF THE PROJECT NO AMBIENT LIGHTING SHALL BE DIRECTED INTO THE PRESERVE AREA. PRIOR TO BUILDING PERMIT INSPECTION EPD SHALL VISIT THE SITE TO MAKE SURE NO LIGHTSOURCES IN THE NORTHERN EDGE OF THE PROPERTY IS DIRECTED INTO THE COACHELLA VALLEY PRESERVE AND THAT SHIELDING HAS BEEN INCORPORATED INTO THE LIGHTING DESIGN AS APPROPRIATE.

80.EPD. 2 EPD - LANDSCAPING REVIEW

RECOMMND

EPD shall visit the site prior to final inspection to ensure the landscaping in place matches what was provided in the initial landscaping plan.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 94

ACT MAP Tract #: TR35058

Parcel: 626-150-007

80. ~~PRIOR TO BLDG PRMT ISSUANCE~~

FIRE DEPARTMENT

80.FIRE. 1 USE-#4-WATER PLANS

RECOMMND

The applicant or developer shall separately submit two copies of the water system plans to the Fire Department for review and approval. Calculated velocities shall not exceed 10 feet per second. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements.

Plans shall be signed and approved by a registered civil engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department."

80.FIRE. 2 USE-#17A-BLDG PLAN CHECK \$

RECOMMND

Building Plan check deposit base fee of \$1,056.00, shall be paid in a check or money order to the Riverside County Fire Department after plans have been approved by our office.

PLANNING DEPARTMENT

80.PLANNING. 15 MAP --ACOUSTICAL STUDY

RECOMMND

The land divider/permit holder shall cause an acoustical study to be performed by an acoustical engineer to establish appropriate mitigation measures

that shall be applied to individual dwelling units within the subdivision to reduce the first and second story ambient interior and exterior levels to 45 Ldn and 65 Ldn, respectively. The study shall be submitted, along with the appropriate fee, to the County Environmental Health Department - Industrial Hygiene Division for review and approval. The approved mitigation measures, if any, shall be forwarded from the Environmental Health Department to the County Department of Building and Safety and the County Planning Department for implementation into the final building plans.

80.PLANNING. 17 MAP - SUBMIT BUILDING PLANS

RECOMMND

The land divider/permit holder shall cause building plans to be submitted to the TLMA - Land Use Division for review by the County Department of Building and Safety - Plan Check Division. Said plans shall be in conformance with the

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 95

CT MAP Tract #: TR35058

Parcel: 626-150-007

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 17 MAP - SUBMIT BUILDING PLANS (cont.) RECOMMND
TENTATIVE MAP.

80.PLANNING. 18 MAP - FEE BALANCE RECOMMND

Prior to issuance of building permits, the Planning Department shall determine if the deposit based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

80.PLANNING. 26 SP - ENTRY MONUMENTATION RECOMMND

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the following language shall be added to the landscaping requirements of the implementing project: 1. An entry monument shall be shown on the Exhibit A. 2. The entry monument shall be in substantial conformance to the design guidelines of Planning Area 4 of the SPECIFIC PLAN, as shown on page 4.37."

80.PLANNING. 27 SP - POST GRADING REPORT RECOMMND

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the project applicant shall provide to the Planning Department a post grading report. The report shall describe how the mitigation and monitoring program as described in the EIR and pre-grading agreements with the qualified archaeologist/Native American Tribe were complied with."

80.PLANNING. 28 SP - SCHOOL MITIGATION RECOMMND

"PRIOR TO BUILDING PERMITS, impacts to the Desert Sands Unified School District shall be mitigated in accordance with state law."

TRANS DEPARTMENT

80.TRANS. 1 MAP - TUMF RECOMMND

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

ACT MAP Tract #: TR35058

Parcel: 626-150-007

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 2 MAP-STORM DRAIN CHANNEL/BRIDGE RECOMMND

The proposed storm drain channel alignment, and bridge at Washington Street, design, and construction shall be coordinated with the Coachella Valley Water District, the U.S. Army Corps of Engineers, and the Transportation Department.

The above mentioned improvements shall be constructed prior to building permit issuance.

80.TRANS. 5 MAP - FINAL MAP DRAIN EASEMENT RECOMMND

Proposed retention basins shall be designed of adequate size to retain 100 percent incremental increase of the post-development storm water runoff from the 100 year storm event. The 100 percent retention of the incremental increase of the post-development runoff from the 100 year storm shall be required as part of the drainage improvements for this project. The subdivider shall obtain approval from the Riverside County Transportation Department regarding the adequacy of the retention basin design. Preliminary design will require the submittal of actual infiltration rate of 2-inches per hour. Final design will require the submittal of actual infiltration rate testing otherwise infiltration will be considered as zero.

80.TRANS. 6 MAP - DRAINAGE EASEMENT RECOMMND

All drainage easements must be 20 feet wide, minimum, located all on one side of a property line.

80.TRANS. 7 MAP -TR35058-4-LN VARNER ONSIT RECOMMND

Prior to the issuance of a building permit for any implementing project that would have direct access on Varner Road, Varner Road shall be improved to four lanes between the western boundary of TR35058 and the eastern boundary of TR35058.

80.TRANS. 8 MAP -TR35058/6-LN VARNER ONSIT RECOMMND

Prior to the issuance of a building permit for any implementing project that would increase the trip generation within the TR to more than 24,000 vpd, Varner Road shall be improved to six lanes between the western boundary of TR35058 and the eastern boundary of TR35058.

CT MAP Tract #: TR35058

Parcel: 626-150-007

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 9

MAP -TR35058/4-LN VARNER OFFSI

RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058, Varner Road shall be improved to four lanes between the eastern boundary of TR35058 and Washington Street.

80.TRANS. 10

MAP -TR35058/6-LN VARNER OFF 1

RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058 that would increase the trip generation within the TR to more than 14,700 vpd, Varner Road shall be improved to six lanes between Berkey Drive and Washington Street. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

80.TRANS. 11

MAP -TR35058/6-LN VARNER OFF 2

RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058 that would increase the trip generation within the TR to more than 22,700 vpd, Varner Road shall be improved to six lanes between Berkey Drive and Leopard Street. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

80.TRANS. 12

MAP -TR35058/6-LN VARNER OFF 3

RECOMMND

Prior to the issuance of a building permit for any implementing project within TR35058 that would increase the trip generation within the TR to more than 24,000 vpd, Varner Road shall be improved to six lanes between Leopard Street and the eastern boundary of TR35058. If condemnation is required to obtain offsite right-of-way, provisions contained in Ordinance 460, section 3.2.j, shall apply.

80.TRANS. 13

SP - VARNER RD OFF-SITE R/W

NOTAPPLY

Prior to the issuance of the 500th building permit the project proponent shall obtain sufficient off-site right-of-way along Varner Road from the project boundary to Washington Street to facilitate the construction of 84-feet of pavement consisting of six traffic lanes (14', 11', 11' eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes) and turning lanes as approved by the Transportation Department. Developer Impact Fee credit and other financial assistance provided by the

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 98

ACT MAP Tract #: TR35058

Parcel: 626-150-007

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 13 SP - VARNER RD OFF-SITE R/W (cont.)

NOTAPPLY

County of Riverside may be available as approved by the
Transportation Department.

80.TRANS. 14 SP - VARNER RD OFF-SITE CONSTR

NOTAPPLY

Prior to the issuance of the 1,000th building permit,
Varner Road from the project boundary to Washington Street
shall be designed and constructed to include 84-feet of
pavement consisting of six traffic lanes (14', 11', 11'
eastbound through lanes, 12-foot wide striped median, 11',
11', 14' westbound through lanes and turning lanes as
approved by the Transportation Department. Developer Impact
Fee credit and other financial assistance provided by the
County of Riverside may be available as approved by the
Transportation Department. The above mentioned improvements
shall include barrier rail and glare shield fencing between
Interstate 10 and Varner Road as approved by the
Transportation Department.

90. PRIOR TO BLDG FINAL INSPECTION

B&S DEPARTMENT

90.B&S. 1 BP*FEMA FORM APPRVL REQUIRED

INEFFECT

Prior to building permit final, a development in FEMA
mapped flood zones "A" or "AO" shall provide a FEMA form,
filled out, wet stamped and signed by a registered civil
engineer or licensed land surveyor, to the Building and
Safety Department Grading Division.

The Grading division will transmit the form to the proper
flood control district for their review and approval.

Upon receipt of their approval, this condition will be
classified as "MET" and the building permit will be
eligible for final approval.

FIRE DEPARTMENT

90.FIRE. 1 USE-#45-FIRE LANES

RECOMMND

The applicant shall prepare and submit to the Fire
Department for approval, a site plan designating required
fire lanes with appropriate lane painting and/or signs.

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 99

CT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 2 USE-#66-DISPLAY BOARDS

RECOMMND

Display Boards will be as follows: Each complex shall have an illuminated diagrammatic representation of the actual layout which shows name of complex, all streets, building designators, unit members, and fire hydrant locations within dimension and located next to roadway access. The minimum size shall be no less than 4 feet x 4 feet.

90.FIRE. 3 USE-#12A-SPRINKLER SYSTEM

RECOMMND

Install a complete fire sprinkler system per NFPA 13 1999 edition in all buildings requiring a fire flow of 1500 GPM or greater. Sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project structural engineer to certify (wet signature) the stability of the building system for seismic and gravity loads to support the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The post indicator valve and fire department connection shall be located to the front, within 50 feet of a hydrant, and a minimum of 25 feet from the building(s). A statement that the building(s) will be automatically fire sprinkled must be included on the title page of the building plans.

Applicant or developer shall be responsible to install a U.L. Central Station Monitored Fire Alarm System. Monitoring system shall monitor the fire sprinkler system(s) water flow, P.I.V.'s and all control valves. Plans must be submitted to the Fire Department for approval prior to installation. Contact fire department for guideline handout

90.FIRE. 4 USE-#83-AUTO/MAN FIRE ALARM

RECOMMND

Applicant or developer shall be responsible to install a manual and automatic Fire Alarm System. Plans must be submitted to the Fire Department for approval prior to installation.

90.FIRE. 5 USE-#27-EXTINGUISHERS

RECOMMND

Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire Extinguishers located in public areas shall be in recessed cabinets mounted 48"

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 100

ACT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 5 USE-#27-EXTINGUISHERS (cont.)

RECOMMND

(inches) to center above floor level with maximum 4" projection from the wall. Contact Fire Department for proper placement of equipment prior to installation.

90.FIRE. 6 USE-#36-HOOD DUCTS

RECOMMND

A U.L. 300 hood duct fire extinguishing system must be installed over the cooking equipment. Wet chemical extinguishing system must provide automatic shutdown of all electrical componets and outlets under the hood upon activation. System must be installed by a licensed C-16 contractor. Plans must be submitted with current fee to the Fire Department for review and approval prior to installation.

NOTE: A dedicated alarm system is not required to be installed for the exclusive purpose of monitoring this suppression system. However, a new or pre-existing alarm system must be connected to the extinguishing system. (* separate fire alarm plans must be submitted for connection)

PLANNING DEPARTMENT

90.PLANNING. 13 MAP*- AGENCY CLEARANCE

RECOMMND

A clearance letter from ___ shall be provided to the Riverside County Planning Department verifying compliance with the conditions of their letter dated ___, summarized as follows:

90.PLANNING. 17 MAP*- ORD 875 CVMSHCP FEE (2)

RECOMMND

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection, whichever comes first, the land divider or land developer shall comply with the provisions of Riverside County Ordinance No. 875, which requires the payment of the appropriate fee set forth in the ordinance. If the land division is a residential development, the amount of the fee will be based on the density of residential development as defined in the ordinance. If the land division is commercial or industrial, the fee will be calculated on the basis of "Project Area" as defined in the ordinance. In the event Riverside County Ordinance No. 875 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 875 be rescinded and

ACT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 17 MAP*- ORD 875 CVMSHCP FEE (2) (cont.) RECOMMND

superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set for in that ordinance shall be required.

90.PLANNING. 18 GEN - CULTURAL RESOURCES RPT RECOMMND

Prior to final inspection of the first building permit, the developer/permit holder shall prompt the Cultural Resources Professional to submit two (2) copies of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports. The report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Planning Department shall review the report to determine adequate mitigation compliance. Provided the report is adequate, the Planning Department shall clear this condition.

TRANS DEPARTMENT

90.TRANS. 1 MAP - 80% COMPLETION RECOMMND

Occupancy releases will not be issued to Building and Safety for any lot exceeding 80% of the total recorded residential lots within any map or phase of map prior to completion of the following improvements:

- a) Primary and Alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions.
- b) Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks and driveway approaches shall be installed.
- c) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance for use by the Flood Control District, if applicable, is required.

CT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 1

MAP - 80% COMPLETION (cont.)

RECOMMND

- d) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to pavement finished grade. Written confirmation of acceptance from water purveyor is required.
- e) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade. Written confirmation of acceptance from sewer purveyor is required.
- f) Landscaping and irrigation, water and electrical systems shall be installed and operational in accordance with County Ordinance 461.

90.TRANS. 2

MAP - UTILITY INSTALL

RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with ordinance 460 and 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site.

A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

90.TRANS. 3

MAP - ANNEX L&LMD

RECOMMND

Prior to issuance of an occupancy permit, the project proponent shall complete annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and/or other maintenance district approved by the Transportation Department for continuous maintenance within public road rights-of-way, in accordance with Ordinance 461. Said annexation should include the following:

- (1) Landscaping along Varner Road and 38th Avenue and all internal streets
- (2) Trails along 38th Avenue

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 103

ACT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 3 MAP - ANNEX L&LMD (cont.)

RECOMMND

- (3) Street lights on Varner Road and 38th Avenue
- (4) Traffic signals located on intersection which traffic signals is required.
- (5) Graffiti abatement of walls and other permanent structures
- (6) Street sweeping

90.TRANS. 4 MAP - GRAFFITI ABATEMENT

RECOMMND

Prior to issuance of an occupancy permit the project proponent shall complete annexation to Landscaping and Lighting Maintenance District NO. 89-1-Consolidated for graffiti abatement of walls and other permanent structures along County maintained road rights-of-way.

90.TRANS. 5 MAP - TRAFFIC SIGNAL 2

RECOMMND

Prior to issuance of an occupancy permit the project proponent shall complete annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated for maintenance of traffic signals within public road rights-of-way for the required traffic signal(s).

90.TRANS. 6 MAP - STREET SWEEPING 2

RECOMMND

Street sweeping annexation into CSA 152 or similar mechanism as approved by the Transportation Department shall be completed.

90.TRANS. 7 MAP-STORM DRAIN CHANNEL/BRIDGE

RECOMMND

Prior to any building final inspection, the proposed storm drain cahnnel and bridge at Washington Street shall be constructed to the satisfaction of the Transportation Department.

90.TRANS. 8 MAP - DRAINAGE IMPROV NOTICE

RECOMMND

All drainage improvements including the construction of drainage swales, storm drains, inlet structures, and retention basins are required to be completed prior to occupancy.

ACT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 9

MAP - EASEMENT FOR DRAINAGE 2

RECOMMND

The developer will prepare and record easements for drainage purposes by separate instrument to the benefit of public, for areas where drainage facilities and other drainage appurtenances are required and/or where drainage flow patterns must be maintained to convey flood plain water. All drainage easements shall be recorded by separate instrument and noted as follows, "Drainage Easement - no building, obstructions, or encroachments are allowed."

90.TRANS. 10

MAP - OWNER MAINTENANCE NOTICE

RECOMMND

The subdivider shall record sufficient documentation to advise purchasers of any parcel that the owners of individual parcels are responsible for the maintenance of the drainage facility (including the retention basins). A viable maintenance mechanism acceptable to Riverside County should be provided for the retention basins and drainage systems. The subdivider shall prepare the CC&R and obtain approval from Riverside County Transportation Department regarding the maintenance of the retention systems. The CC&R shall include the language that each individual owner will inspect the systems a minimum two times a year and also remove debris from the basins two times a year. These maintenance wordings shall be shown on the title sheet of improvement plans.

90.TRANS. 11

MAP - TS/INSTALLATION

RECOMMND

The project proponent and all subsequent implementing projects within the tract shall be responsible for design and construction of traffic signals at the following intersections or as approved by the Transportation Department.

Berkey Drive (NS) at Varner Road (EW) -installation required prior to the issuance of any building permits within TR35058

Washington Street (NS) at Varner Road (EW), signal modification to accommodate added lanes, if and as necessary when lanes are added at the intersection

with fee credit eligibility.

Project Street "B" (NS) at Varner Road (EW) -in conjunction with development

CT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 11 MAP - TS/INSTALLATION (cont.)

RECOMMND

Project Street "C" (NS) at Avenue 38 (EW)-in conjunction with development
Project Street "D" (NS) at Varner Road (EW)-in conjunction with development
Project Street "E" (NS) at Varner Road (EW)-in conjunction with development
Project Street "E" (NS) at Avenue 38 (EW)-in conjunction with development

with no fee credit given for Traffic Signal Mitigation Fees.

or as approved by the Transportation Department.

90.TRANS. 12 SP - SP338/38TH AVE IMPROVEMEN

NOTAPPLY

Prior to the first building final inspection, the following improvements shall be completed:

38th Avenue shall be improved to the Ultimate full section within the project boundaries. The improvements shall reflect a Major Highway roadway classification as approved by the Transportation Department. The off-site portion of 38th Avenue (between the projects westerly boundary and Varner Road) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of this portion of 38th Avenue shall be coordinated with SP00360.

90.TRANS. 13 SP - SP338/VARNER IMPROVEMENT

NOTAPPLY

Prior to the first building final inspection, the following improvements shall be completed: Varner Road from the westerly project boundary east to the projects easterly boundary, matching the existing improvements along Varner Road shall be improved to provide the following: Varner Road shall be constructed to provide three eastbound and three westbound through lanes within a Major Highway right-of-way (118'). The cross-section of the corridor shall provide (south to north) 10-foot wide landscaping, 84-feet of pavement (14', 11', 11' eastbound through lane, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 5-foot wide landscaping, 5-foot wide sidewalk, 4-foot wide landscaping and 10-foot wide bike path. Varner Road frontage improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Cal Trans and County Transportation

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 106

ACT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 13 SP - SP338/VARNER IMPROVEMENT (cont.) NOTAPPLY

Department. or as approved by the Transportation
Department.

90.TRANS. 14 SP - SP338 38TH AVE IMPROVEMEN RECOMMND

Prior to the first building final inspection, the following improvements shall be completed, subject to such phasing of improvements as may be determined by the County Transportation Department or as approved by the Director of the Transportation Department. Avenue 38 shall be improved from the westerly project boundary to the easterly project boundary to the ultimate full cross-section. Within the parkway, a 10' wide concrete bike trail shall be provided on the north side of the new Avenue 38. The improvements shall reflect a Major Highway classification as approved by the Transportation Department. The offsite portions of Avenue 38 (between the western project boundary and Varner Road and the eastern project boundary and Washington Street) shall be constructed per County Draft Standard 106, (32'/60'). The alignment of Avenue 38 shall be coordinated with TR34651 and PP22977.

90.TRANS. 15 SP - SP338/VARNER IMPROVEMENT RECOMMND

Prior to the first building final inspection, the following improvements shall be completed, subject to such phasing of improvements as set forth previously in these conditions and as determined by the County Transportation Department or as approved by the Director of the Transportation Department. Varner Road shall be improved between the western and the eastern boundaries of TR35058 to provide, ultimately, three eastbound and three westbound through lanes within a Major Highway right-of-way (111'). The cross-section of the corridor shall provide (south-to-north) 5-foot wide landscaping, 84 feet of pavement (14', 11', 11', eastbound through lanes, 12-foot wide striped median, 11', 11', 14' westbound through lanes), 22 feet of landscaping which includes a 5-foot meandering sidewalk. Varner Road improvements adjacent to I-10 shall include installation of appropriate barrier and glare shields as approved by Caltrans and County Transportation Department. or as approved by the Transportation Department including the phasing of this improvement, which may follow the approval of any implementing projects. Note: The easterly driveway on Varner Road (Lot No. 1) shall be restricted to right

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15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 107

ACT MAP Tract #: TR35058

Parcel: 626-150-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 15 SP - SP338/VARNER IMPROVEMENT (cont.) RECOMMND

turning movements only. Additional right-of-way along Varner Road shall be dedicated to accomodate a right turn lane as approved by the Transportation Department. A Hardscape raised center median shall be constructed on Varner Road from 'F' Street to easterly of the aforementioned driveway as approved by the Transportation Department.

100. PRIOR TO ISSUE GIVEN BLDG PRMT

FIRE DEPARTMENT

100.FIRE. 1 SP - PERMITS INEFFECT

Prior to any building permits Fire Department approval is required.

PLANNING DEPARTMENT

100.PLANNING. 1 SP *- Park Plans required INEFFECT

PRIOR TO THE ISSUANCE OF THE 250th building permit within he SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Coachella Valley Recreation and Parks District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as Planning Area 6. The detailed park plans shall conform with the design criteria in the specific plan document for Planning Area 6 and with the requirements of the Coachella Valley Recreation and Parks District or other entity set forth in the Planning Department entitled "SP - Common Area Maintenance". The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 2 SP *- START PARK CONST. INEFFECT

Prior to the issuance of the 500th building permit, the construction of the park contained within Planning Area 6 of the SPECIFIC PLAN shall be initiated.

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Riverside County LMS
CONDITIONS OF APPROVAL

Page: 108

CT MAP Tract #: TR35058

Parcel: 626-150-007

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 3 SP *- Complete Park Const.

INEFFECT

PRIOR TO THE ISSUANCE OF THE 750th building permit within the SPECIFIC PLAN, the park designated as Planning Area 6 shall be constructed and fully operable.

100.PLANNING. 4 SP - Count Res Build Permits

INEFFECT

This condition is applied to assist the Planning Department with tracking the build-out of the SPECIFIC PLAN by automatically counting all the issuance of all new residential building permits on the County's Land Management System which are electronically associated with the Specific Plan. Accordingly, this condition will not allow more than 1,756 residential building permits to be issued within the SPECIFIC PLAN.

100.PLANNING. 5 SP - RES/COMMERCIAL RATIO

INEFFECT

This condition will track the issuance of new residential building permits to assure that sufficient commercial development is built concurrently. Prior to the issuance of the 1000th residential building permit within the SPECIFIC PLAN, building permits for 200,000 square feet of commercial space shall have been issued. At least 150,000 square feet of the commercial space shall be distributed equally in two of the following three planning areas: Planning Area 3, 4 or 5.

100.PLANNING. 6 SP *- Reporting Requirement

INEFFECT

PRIOR TO THE ISSUANCE OF THE 500TH RESIDENTIAL BUILDING PERMIT AND THE 750TH RESIDENTIAL BUILDING PERMIT, THE APPLICANT SHALL SUBMIT A STATUS REPORT THAT PROVIDES THE FOLLOWING INFORMATION:

TOTAL RESIDENTIAL BUILDING PERMITS ISSUED BY PLANNING AREA
TOTAL RESIDENTIAL UNITS CONSTRUCTED BY PLANNING AREA
NAME, ADDRESS AND CONTACT INFORMATION FOR ALL BUILDERS
OPERATING WITHIN THE SPECIFIC PLAN
FLOOR PLANS FOR ANY RESIDENTIAL UNITS THAT HAVE BEEN
PERMITTED
TOTAL COMMERCIAL BUILDING PERMITS ISSUED BY PLANNING AREA
TOTAL COMMERCIAL SQUARE FOOTAGE CONTAINED IN EACH BUILDING
PERMIT
MARKETING REPORT INDICATING EFFORTS TO LEASE COMMERCIAL
SPACE, INCLUDING CURRENT SUCCESSES AND DIFFICULTIES

04/19/10
15:08

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 109

ACT MAP Tract #: TR35058

Parcel: 626-150-007

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 7

SP *- COMMERCIAL PERMITS

INEFFECT

PRIOR TO THE ISSUANCE OF ANY COMMERCIAL BUILDING PERMIT,
THE FOLLOWING INFORMATION SHALL BE SUBMITTED TO THE
PLANNING DEPARTMENT FOR THEIR REVIEW:

TOTAL NUMBER OF RESIDENTIAL BUILDING PERMITS THAT HAVE BEEN
ISSUED BY PLANNING AREA.

THE TOTAL NUMBER OF DWELLING UNITS THAT HAVE BEEN PERMITTED
AND/OR BUILT WITHIN EACH PLANNING AREA.

TOTAL AMOUNT OF COMMERCIAL DEVELOPMENT THAT HAS BEEN
PREVIOUSLY PERMITTED BY PLANNING AREA.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson - Agency Director

Planning Department

Robert C. Johnson - Planning Director

DATE: August 19, 2008

TO: BUILDING & SAFETY:

Code Enf./Grading

PLAN CHECK

TRANSPORTATION (2)

HEALTH DEPARTMENT (2)

FIRE PROTECTION

FLOOD CONTROL DISTRICT: CVWD

RIV. CO. PARKS

RIV. CO. GEOLOGIST

RIV. CO. ARCHAEOLOGIST

RIV. CO. GIS DRAFTING: Linda Pherigo

RIV. CO. COMMISSIONER PORRAS

RIV. CO. SUPERVISOR WILSON

RIV. CO. SHERIFF'S DEPT.

RIV. CO. WASTE MANAGEMENT DEPT.

RIV. CO. OFFICE OF INDUSTRIAL HYGIENE

RIV. CO. EDA - CSA ADMINISTRATOR

RIV. CO. ENVIRONMENTAL PROGRAMS DEPT.

RIV. CO. ALUC: John Guerin

RIV. CO. TRAILS COORDINATOR: Jerry Jolliffe

RIV. CO. TRANSPORTATION/FLOOD REVIEW (3)

CVWD/ IID/ SCG (PS - CHATSWORTH)/ VERIZON/ CALTRANS
#8/ CITY OF PALM DESERT/ DSUSD/ SUN CITY-PALM
DESERT HOA/ UCR-EIC/ COACHELLA VALLEY RECREATION
& PARK DIST./ COACHELLA VALLEY PRESERVE/ CA NATIVE
AMERICAN HERITAGE COMMISSION/THOUSAND PALMS
COMMUNITY COUNCIL

DESERT HILLS CENTRAL FILE

TENTATIVE TRACT MAP NO. 35058 - EA No. 42021 - Applicant:
Hunsaker & Associates Inc. - Fourth Supervisorial District -
Bermuda Dunes Zoning District - Western Coachella Area Plan:
Community Development: Commercial Retail (CD:CR) (0.20 - 0.35
FAR), Commercial Tourist (CD:CT) (0.20 - 0.35 FAR), Light
Industrial (CD:LI) (0.25 - 0.60 FAR), Medium Density Residential
(CD:MDR) (2-5 DU/AC), Very High Density Residential (CD:VHDR)
(14-20 DU/AC) - Location: Northerly of Varner Road, southerly of
Avenue 38, easterly of Annette Street, westerly of Washington
Street - Gross Acres: 189 - Zoning: Controlled Development
Areas, 10 Acre Min. (W-2-10), Scenic Highway Commercial (C-P-
S), Controlled Development Areas (W-2), Specific Plan (SP) -
SCHEDULE C - REQUEST: To divide 189 acres into 16 lots
ranging in size from 20 acres to 2 acres and grading of site to
move approximately 2 million cubic yards of earth.

APN: 626-140-003, 626-150-005, 010, 011, 025, etc..

CONCURRENT CASE: CFG05371

RELATED CASES: SP00338 GPA00776 CZ07263

Please review the case described above, along with the attached tentative map/exhibit.

All County Agencies and Departments, please have your conditions in the SIERRA LMS no later than **OCTOBER 16, 2008**.

All other agencies, please have your comments/conditions to the Planning Department as soon as possible.
Your comments/recommendations/conditions are requested so that they may be included in the staff report for this
particular case.

Should you have any questions regarding this item, please do not hesitate to contact Maurice Borrows, Project
Planner at (760) 863-8277.

COMMENTS:

DATE: _____ SIGNATURE: _____
PRINT NAME: _____ TITLE: _____

If you do not use this letter for your response, please indicate case number and project planner's name. Thank You.

EM

J8



Established in 1918 as a public agency

Coachella Valley Water District

Directors:

Patricia A. Larson, President
Peter Nelson, Vice President
Tellis Codekas
John W. McFadden
Russell Kitahara

Officers:

Steven B. Robbins, General Manager-Chief Engineer
Julia Fernandez, Secretary
Dan Parks, Asst. General Manager
Redwine and Sherrill, Attorneys

September 1, 2009

RECEIVED

SEP 08 2009

Riverside County
Planning Department
Desert Office

File: 0163.1
0421.1
0721.1

Judy Deertrack
Riverside County Planning Department
38-686 El Cerrito Road
Palm Desert, CA 92211

Dear Ms. Deertrack:

Subject: Specific Plan No. 338, Substantial Conformance No. 1

The District has reviewed and conceptually approved the flood control channel study which protects Tentative Tract Map No. 35058 from regional flooding. The Flood Control Channel protects the area with or without connection to the Whitewater River Basin Thousand Palms Flood Control Project. Please see the District's letter dated March 5, 2008, copy enclosed.

Prior to occupancy, the developer shall obtain a letter of map revision through the Federal Emergency Management Agency, which removes the development from the special flood hazard area.

This area is shown to be subject to shallow flooding and is designated Zone AO, depth 3 feet on Federal Flood Insurance rate maps, which are in effect at this time.

Prior to occupancy, the District requires the developer to:

- Obtain a letter of map revision through the Federal Emergency Management Agency, which removes the development from the special flood hazard area.
- At the completion of the construction of the flood control facilities, submit "as-built" topography, construction drawings and engineering analysis for District review to verify that the design capacity is adequate.

The county shall require mitigation measures to be incorporated into the development to prevent flooding of the site or downstream properties. These measures shall require on-site retention of the incremental increase of runoff from the 100-year storm.

This project lies within the Study Area Boundary of the Coachella Valley Water Management Plan (September 2002).

The District has approved the Water Supply Assessment (WSA) and/or Water Supply (WSV) for this project.

The District will provide domestic water and sanitation service to this area and such service will be subject to the satisfaction of terms and conditions established by the District and exercised from time to time, including but not limited to fees and charges, water conservation measures, etc.

The District may need additional facilities to provide for the orderly expansion of its domestic water and sanitation systems. These facilities may include pipelines, wells, reservoirs, booster pumping stations, lift stations and other facilities. The developer may be required to install these facilities and provide land and/or easements on which some of these facilities will be located. These sites shall be shown on the tract map as lots and/or easements to be deeded to the District for such purpose.

This notice of domestic water and sanitation service availability can only be used and relied upon for the specific property for which it was issued and shall expire three (3) years from date of issuance.

Domestic water and sanitation service remains at all times subject to changes in regulations adopted by the District's Board of Directors including reductions in or suspensions of service.

The District requires restaurants to install a grease interceptor, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the grease interceptor will be determined and approved by the District. Installation of the interceptor will be inspected by the District.

The District requires detail, repair and lube auto shops and car washes to install an oil and sand separator, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the oil and sand separator will be determined and approved by the District. Installation of the oil and sand separator will be inspected by the District.

The District requires laundromats and commercial establishments with laundry facilities to install a lint trap. The size of the lint trap will be determined and approved by the District. Installation of the lint trap will be inspected by the District.

Plans for grading, landscaping and irrigation systems shall be submitted to the District for review. This review is for ensuring efficient water management.

The project lies within the Upper Whitewater River Subbasin Area of Benefit. Groundwater production within the area of benefit is subject to a replenishment assessment in accordance with the State Water Code.

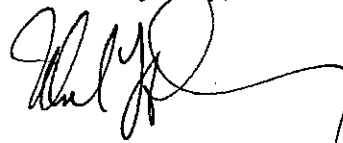
September 1, 2009

All water wells owned or operated by an entity producing more than 25 acre-feet of water during any year must be equipped with a water-measuring device. A District Water Production Metering Agreement is required to ensure District staff regularly read and maintain this water-measuring device.

The groundwater basin in the Coachella Valley is in a state of overdraft. Each new dwelling unit contributes incrementally to the overdraft. The District has a Water Management Plan in place to reduce the overdraft to the groundwater basin. The elements of the Water Management Plan include supplemental imported water, source substitution and water conservation. The elements of this plan should be incorporated in the environmental mitigation plan for this development to reduce its negative impact on the Coachella Valley groundwater basin.

If you have any questions please call Tesfaye Demissie, Stormwater Engineer, extension 2605.

Yours very truly,



Mark L. Johnson
Director of Engineering

Enclosure\1\as

cc: Majeed Farshad (with enclosure)
Riverside County Department of Transportation
38-686 El Cerrito Road
Palm Desert, CA 92211

Alan French (with enclosure)
Riverside County Transportation Department
4080 Lemon Street, 8th Floor
Riverside, CA 92501

Michael Mistica (with enclosure)
Department of Environmental Health
Post Office Box 1280
Riverside, CA 92502

TD:\eng\sw\09\aug\deertrack specific plan 338

050601-3
050602-1



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SEP 08 2009

Riverside County
Planning Department
Desert Office

COACHELLA VALLEY WATER DISTRICT

POST OFFICE BOX 1058 • COACHELLA, CALIFORNIA 92236 • TELEPHONE (760) 398-2651 • FAX (760) 398-3711

DIRECTORS:

PETER NELSON, PRESIDENT
PATRICIA A. LARSON, VICE PRESIDENT
TELLIS CODEKAS
JOHN W. McFADDEN
RUSSELL KITAHARA

OFFICERS:

STEVEN B. ROBBINS,
GENERAL MANAGER-CHIEF ENGINEER
MARK BEUHLER,
ASST. GENERAL MANAGER
JULIA HERNANDEZ, SECRETARY
DAN PARKS, ASST. TO GENERAL MANAGER
REDWINE AND SHERRILL, ATTORNEYS

March 5, 2008

File: 0126.1

Lynn Wubbels
718 University Avenue, Suite 115
Los Gatos, CA 95032

Dear Mr. Wubbels:

Subject: Review and Conceptual Approval for Mirasera Flood
Control Channel Study, Project No. OC108969.001

This letter supersedes our letter dated January 19, 2007.

The Coachella Valley Water District (CVWD) and its consultant, Bechtel, and the U. S. Army Corps of Engineers have reviewed and conceptually approved the *Mirasera Flood Control Channel Study, Project No. OC10869.001*, dated February 27, 2008, prepared by Exponent, Inc. This study contains sufficient hydrological and hydraulics analysis demonstrating the flood control channel accommodates the direct flood risk from Thousand Palms Canyon and flood flows from the west as well as the future connection to the U. S. Army Corps of Engineers (USACE) Thousand Palms Flood Control Project.

The Mirasera channel is situated to capture storm flows from the north and west, before they are conveyed under Washington Street into the southerly flood control channels within Sun City (Fairways 1 and 1b). The Sun City flood control facilities have sufficient capacity to handle flows from The Mirasera Channel with or without the connection to the USACE Thousand Palms Flood Control Project.

The Mirasera Channel will be designed to mitigate sediment transport to the downstream areas during a storm event, with or without the connection to the USACE Thousand Palms Flood Control Project, and will require periodic maintenance and sediment removal, particularly after a major storm event.

Prior to issuance of grading permits, the developer shall submit for final approval:

- Detailed hydrological, hydraulic and sediment transport analysis and construction plans that demonstrate that the Mirasera Flood Control Channel is designed in compliance with Federal Emergency Management Agency requirements, USACE parameters, California Drainage Law and CVWD standards, with and without the connection to the USACE Flood Control Project.

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March 5, 2008

- The suitability of the soil cement lining of the channel bottom with respect to frequent maintenance to remove blow sand from the channel.
- Specific detailed sediment transport analysis that demonstrates that the Mirasera Flood Control Channel mitigates, to the fullest extent feasible, sediment impacts to the downstream Sun City Flood Control facilities, with and without tie-in to the USACE Flood Control Project.

If you have any questions please call Tyme Flatt, Stormwater Engineer, extension 2229 or Georgia Celehar, Principal Stormwater Engineer, extension 2288.

Yours very truly,

/s/ Mark L. Johnson

Mark L. Johnson
Director of Engineering

cc: Cuong Ly
Army Corps of Engineers
915 Wilshire Boulevard
Los Angeles, CA 90017

Doug Hamilton
Exponent
320 Goddard Way, Suite 200
Irvine, CA 92618

Paul Clark
Riverside County Planning Department
82-625 Highway 111, Room 209
Indio, CA 92201

Maurice Borrows
Riverside County Planning Department
82-625 Highway 111, Room 209
Indio, CA 92201

Shelley McCullough
Mirasera, LLC, by Davila Group
Post Office Box 13803
Palm Desert, CA 92255

TF:md\eng\sw\08\mar\wubbels-ltr



Established in 1918 as a public agency

Coachella Valley Water District

Directors:

Peter Nelson, President
Patricia A. Larson, Vice President
Tellis Codekas
John W. McFadden
Russell Kitahara

Officers:

Steven B. Robbins, General Manager-Chief Engineer
Julia Hernandez, Secretary
Mark Beuhler, Asst. General Manager
Dan Parks, Asst. To General Manager
Redwine and Sherrill, Attorneys

November 20, 2008

File: 0163.1
0421.1
0721.1

RECEIVED

NOV 24 2008

Riverside County
Planning Department
Desert Office

Maurice Borrows
Riverside County Planning Department
38-686 El Cerrito Road
Palm Desert, CA 92211

Dear Mr. Borrows:

Subject: Tentative Tract Map No. 35058, Exhibit A Amended
No. 1, Related Cases SP00338, GPA00776 and CZ07263

The District has reviewed and conceptually approved the flood control channel study which protects Tentative Tract Map No. 35058 from regional flooding. The Flood Control Channel protects the area with or without connection to the Whitewater River Basin Thousand Palms Flood Control Project. Please see the District's letter dated March 5, 2008, copy enclosed.

Prior to occupancy, the developer shall obtain a letter of map revision through the Federal Emergency Management Agency, which removes the development from the special flood hazard area.

This area is shown to be subject to shallow flooding and is designated Zone AO, depth 3 feet on Federal Flood Insurance rate maps, which are in effect at this time.

Prior to occupancy, the District requires the developer to:

- Obtain a letter of map revision through the Federal Emergency Management Agency, which removes the development from the special flood hazard area.
- At the completion of the construction of the flood control facilities, submit "as-built" topography, construction drawings and engineering analysis for District review to verify that the design capacity is adequate.

The county shall require mitigation measures to be incorporated into the development to prevent flooding of the site or downstream properties. These measures shall require on-site retention of the incremental increase of runoff from the 100-year storm.

This project lies within the Study Area Boundary of the Coachella Valley Water Management Plan (September 2002).

The District has approved the Water Supply Assessment (WSA) and/or Water Supply (WSV) for this project.

The District will provide domestic water and sanitation service to this area and such service will be subject to the satisfaction of terms and conditions established by the District and exercised from time to time, including but not limited to fees and charges, water conservation measures, etc.

The District may need additional facilities to provide for the orderly expansion of its domestic water and sanitation systems. These facilities may include pipelines, wells, reservoirs, booster pumping stations, lift stations and other facilities. The developer may be required to install these facilities and provide land and/or easements on which some of these facilities will be located. These sites shall be shown on the tract map as lots and/or easements to be deeded to the District for such purpose.

This notice of domestic water and sanitation service availability can only be used and relied upon for the specific property for which it was issued and shall expire three (3) years from date of issuance.

Domestic water and sanitation service remains at all times subject to changes in regulations adopted by the District's Board of Directors including reductions in or suspensions of service.

The District requires restaurants to install a grease interceptor, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the grease interceptor will be determined and approved by the District. Installation of the interceptor will be inspected by the District.

The District requires detail, repair and lube auto shops and car washes to install an oil and sand separator, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the oil and sand separator will be determined and approved by the District. Installation of the oil and sand separator will be inspected by the District.

The District requires laundromats and commercial establishments with laundry facilities to install a lint trap. The size of the lint trap will be determined and approved by the District. Installation of the lint trap will be inspected by the District.

Plans for grading, landscaping and irrigation systems shall be submitted to the District for review. This review is for ensuring efficient water management.

The project lies within the Upper Whitewater River Subbasin Area of Benefit. Groundwater production within the area of benefit is subject to a replenishment assessment in accordance with the State Water Code.

November 20, 2008

All water wells owned or operated by an entity producing more than 25 acre-feet of water during any year must be equipped with a water-measuring device. A District Water Production Metering Agreement is required to ensure District staff regularly read and maintain this water-measuring device.

The groundwater basin in the Coachella Valley is in a state of overdraft. Each new dwelling unit contributes incrementally to the overdraft. The District has a Water Management Plan in place to reduce the overdraft to the groundwater basin. The elements of the Water Management Plan include supplemental imported water, source substitution and water conservation. The elements of this plan should be incorporated in the environmental mitigation plan for this development to reduce its negative impact on the Coachella Valley groundwater basin.

If you have any questions please call Tesfaye Demissie, Stormwater Engineer, extension 2605.

Yours very truly,



Mark L. Johnson
Director of Engineering

cc: Majeed Farshad

Riverside County Department of Transportation
38-686 El Cerrito Road
Palm Desert, CA 92211

Monte Bowers
11590 W. Bernardo Court, Suite 100
San Diego, CA 92127-1624

Mark Abbott
Riverside County Department of Public Health
38-686 El Cerrito Road
Palm Desert, CA 92211

TD:md\eng\sw\08\nov\ftm-35058

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050602-1.



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COACHELLA VALLEY WATER DISTRICT

POST OFFICE BOX 1058 • COACHELLA, CALIFORNIA 92236 • TELEPHONE (760) 398-2651 • FAX (760) 398-3711

DIRECTORS:

PETER NELSON, PRESIDENT
PATRICIA A. LARSON, VICE PRESIDENT
TELLIS CODEKAS
JOHN W. McFADDEN
RUSSELL KITAHARA

OFFICERS:

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GENERAL MANAGER-CHIEF ENGINEER
MARK BEUHLER,
ASST. GENERAL MANAGER
JULIA FERNANDEZ, SECRETARY
DAN PARKS, ASST. TO GENERAL MANAGER
REDWINE AND SHERRILL, ATTORNEYS

July 18, 2008

File: 0421.3

0721.3

C

State of California
Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, CA 90013

O

Ladies and Gentlemen:

P

The Coachella Valley Water District (District) will provide domestic water and sanitation service to the areas located in Riverside County listed on enclosed Exhibit A.

Domestic water service and sanitation service will be subject to the satisfaction of terms and conditions established by the District and exercised from time to time, including but not limited to fees and charges, water conservation measures, etc.

Y

The District may need additional facilities to provide for the orderly expansion of its domestic water and sanitation systems. These facilities may include pipelines, wells, reservoirs, booster pumping stations, lift stations and other facilities. The developer may be required to install these facilities and provide land and/or easements on which some of these facilities will be located. These sites shall be shown on the tract map as lots and/or easements to be deeded to the District for such purpose.

The area must be annexed to Improvement District No. 58 to obtain sanitation service.

This notice of domestic water and sanitation service availability can only be used and relied upon for the specific property for which it was issued and shall expire three (3) years from the date of issuance.

TRUE CONSERVATION
USE WATER WISELY

July 18, 2008

Domestic water and sanitation service remains at all times subject to changes in regulations adopted by the District's Board of Directors including reductions in or suspensions of service.

If you have any questions, please contact Lisa Dunlop in the Development Services Division at (760) 398-2651, extension 3432.

Yours very truly,

/s/ Raul Aguirre

Raul Aguirre
Service Department Director

Enclosure/1/as

cc: Department of Public Health, Indio
Hunsaker & Associates Irvine, Inc., Irvine ✓
Riverside County Department of Environmental Health, Riverside
Riverside County Planning Commission, Riverside

LD:ld\svc\ds\08\jul\hunsaker&assoc

050601-2
050601-3
050602-1

Exhibit A: Assessor's Parcel Numbers

Located in section 1, township 5 south, range 6 east, San Bernardino Base and Meridian:

626-150-003
626-150-004
626-150-005
626-150-006
626-150-007
626-150-008
626-150-009
626-150-010
626-150-012
626-150-013
626-150-014
626-150-025

Located in section 2, township 5 south, range 6 east, San Bernardino Base and Meridian:

626-130-019

LD:\d\s\elds\08\jul\hunsaker&assoc



Dedicated to delivering state-of-the-art occupational and environmental consultation to businesses, governmental agencies and communities of Riverside County

August 28, 2008

IH Project case number/title: Tentative Tract No. 35058 /96524- Noise element

Maurice Borrows,

Tentative Tract No. 35058 has been reviewed and the following applies:

1. No noise report or barrier is required at this time since the request is only to divide 189 acres of land into 16 lots for future development.
2. A future noise study is required for each specific Plot Plan to address either the residential or stationary (commercial) noise standard.
3. Noise standards to be addressed:

a. Residential Noise Standard:

The "Noise Element" section of the Riverside County General Plan states "to avoid future noise hazard, the maximum capacity design standard for highways and major roads shall be used for determining the maximum future noise level," or, in the case of freeways and airports, the estimated conditions 20 years in the future may be used.

1. The interior noise levels in residential dwellings shall not exceed 45 Ldn/CNEL.
2. The exterior noise level shall not exceed 65 Ldn/CNEL.
3. Required Noise Prediction Model - Traffic Noise: FHWA RD 77-108 Highway Traffic Prediction Model, Sound 32 or the equivalent.

b. Stationary (commercial) noise standard:

Facility-related noise, as projected to any portion of any surrounding property containing (or may contain in the future) a "habitable dwelling, hospital, school, library or nursing home," must not exceed the following worst-case noise levels.

1. 45 dB (A)—10 minute noise equivalent level ("leq"), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard).
 2. 65 dB (A)—10 minute leq, between 7:00 a.m. and 10:00 p.m. (daytime standard).
5. Our Department (Office of Industrial Hygiene) must receive, review and approve an acoustical report (as listed above).
6. The applicant shall pay review fees to the Department of Public Health for all time spent in review of this project. Fees will be assessed at the Department's hourly rate for Industrial Hygienists.

If you have any questions, please call me at (951) 358-5050.

Steven D. Hinde, REHS, CIH
Senior Industrial Hygienist

CC: Steven T. Uhlman, REHS, CIH, JD
Public Health Program Chief

CC: Hunsaker & Associates

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SEP 08 2008

Riverside County
Planning Department
Desert Office

August 30, 2008

County of Riverside
Planning Department
38686 El Cerrito Rd
Palm Desert, CA 92211

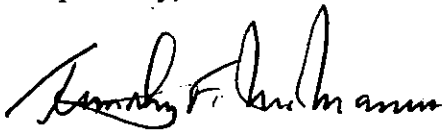
ATTN: Maurice Borrows, Project Planner
RE: Tentative Parcel Map Use Permit No: 35058

Thank you for the providing me with the attached tentative parcel map for the Western Coachella Area plan, located northerly of Varner Rd, southerly of Avenue 38, easterly of Annette Street and westerly of Washington Street.

On 08/30/08, at 1330 hours, I conducted a site inspection. Based on the tentative parcel map, and my site inspection, I have concluded there is no Crime Prevention Through Environmental Design (CPTED) issues presented to the Riverside County Sheriff's Department.

I respectfully request copies of the completed site, floor, elevation, lighting and landscaping plans for this project when they become available so I can provide you with meaningful CPTED recommendations.

Respectfully,



Lieutenant T. Mc Manus
Riverside County Sheriff's Department

Attachment

CC: Lieutenant Mc Manus

We Shape Our Buildings, Therefore; They Shape Us...Sir Winston Churchill



Riverside County
Waste Management Department

Hans W. Kernkamp, General Manager-Chief Engineer

October 17, 2008

RECEIVED

OCT 22 2008

Riverside County
Planning Department
Desert Office

~~Maurice Borrows, Project Planner~~
Riverside County Planning Department
Desert Office
38686 El Cerrito Road
Palm Desert, CA 92211

RE: Tentative Tract Map (TR) No. 35058

Proposal: Divide 189 acres into 16 lots ranging in size from 20 acres

Dear Mr. Borrows:

The Riverside County Waste Management Department (RCWMD) has reviewed the proposed project located north of Varner Road, south of Avenue 38, east of Annette Street, west of Washington Street, in the Bermuda Dunes Zoning District. The project has the potential to impact long-term landfill capacity by generating solid waste that requires disposal. In order to mitigate the project's potential solid waste impact, and to help the County's efforts to comply with State law in diverting solid waste from landfill disposal, the project proponent shall do the following:

1. **Prior to the issuance of a building permit**, a Waste Recycling Plan (WRP) shall be submitted to the Waste Management Department for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. Materials can be taken directly to recycling facilities (Riverside County Waste Management Department, Recycling Section, can be contacted directly at 951.486.3200 for a list of facilities), or arrangements can be made through the franchise hauler and/or a construction clean-up business.
2. **Prior to the issuance of an occupancy permit**, evidence (i.e., receipts or other type of verification) to demonstrate project compliance with the approved WRP shall be presented by the project proponent to the Planning/Recycling Division of the Riverside County Waste Management Department in order to clear the project for occupancy permits.

The project proponent should implement the following measures, as feasible:

1. Hazardous materials **are not** accepted at the Riverside County landfills. Any hazardous wastes, including paint, used during construction must be properly disposed of at a licensed facility in accordance with local, state and federal

regulations. For further information contact the Household Hazardous Waste Collection Program at 1.800.304.2226.

2. Use mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.
3. Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

Thank you for the opportunity to review this proposal. If you have any questions, please call me at (951) 486-3284.

Sincerely,


Mirtha Liedl, Planner

Enclosure: Initial Case Transmittal

PD #53037v7

Borrows, Maurice

From: rschrader@ci.palm-desert.ca.us
Sent: Thursday, February 05, 2009 10:57 AM
To: Borrows, Maurice
Cc: mdiercks@ci.palm-desert.ca.us
Subject: FW: Mirasera EIR - Traffic Analysis Comments
Attachments: IOM - Mirasera EIR Traffic Impacts - TBagato.pdf

Hello Mr. Borrows: <<IOM - Mirasera EIR Traffic Impacts - TBagato.pdf>>

Attached are the comments from our City Transportation Engineer regarding impacts of Mirasera development as studied in a traffic impact analysis, a portion of the Mirasera EIR, that was sent to the City of Palm Desert. We are currently trying to locate our copy of the traffic study that was prepared for the Mirasera EIR, which we reviewed in March of 2008. If you have access to it, or the newest version of it please let me know.

Meanwhile, to date, the only actual impact to the City of Palm Desert that I am able to identify is the potential traffic southward bound on Cook and Washington Streets as stated in the attached memo. Evidently this impact is considered significant and would require a mitigation to the satisfaction of our City's Transportation Engineer, Mark Dierks. Also useful would be a copy of the most recent Public Notice for this project.

Please feel free to call with questions and information.

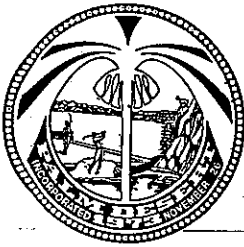
Sincerely,

Renee Schrader MPL, MLA

Associate Planner

City of Palm Desert

760-776-6486 Direct Line



CITY OF PALM DESERT

PUBLIC WORKS

INTEROFFICE MEMORANDUM

To: Tony Bagato, Principal Planner
From: Mark Diercks, Transportation Engineer
Date: March 19, 2008
Subject: Mirasera Final EIR-- Traffic Impact Analysis

After review of the Traffic Impact Analysis, (Appendix J of the Mirasera Specific Plan No. 338 and Final Environmental Impact Report No. 486) we have the following comment:

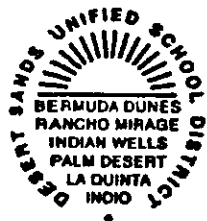
The traffic impact analysis did not address any traffic impacts south of the I-10 Freeway ramps on Washington Street and Cook Street. The analysis, however, indicates that a significant number the project trips will impact streets and intersections within the City of Palm Desert.

Comparing the Existing Average Daily Traffic (ADT) Volumes (Figure 6 on page 19 of the traffic report) and the Project Average Daily Traffic (ADT) Volumes (Figure 18 on page 37), project traffic is shown to increase the ADT on Cook Street by 5.3% and on Washington Street by 8.0%, south of the I-10 Freeway. This increase in traffic caused directly by the project is significant and may have adverse effects on streets and intersections in Palm Desert.

The Traffic Impact Analysis of the Mirasera Final EIR is deficient because the EIR does not address the project traffic impacts, and any mitigation of those impacts, to effected streets and intersections in Palm Desert.

Mark S. Diercks, P.E.
Transportation Engineer

cc: Mark Greenwood, P.E., Director of Public Works
Bo Chen, P.E., City Engineer
Phil Joy, Associate Transportation Planner



Desert Sands Unified School District
47-950 Dune Palms Road • La Quinta, California 92253 • (760) 777-4200

August 25, 2008

Maurice Borrows, Project Planner
County of Riverside
Planning Department
38686 El Cerrito Road
Palm Desert, CA 92211

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SEP 03 2008

Riverside County
Planning Department
Desert Office

Request for Comments: APN: 626-140-003, 626-150-005, 010, 011, 025, etc. Tentative Tract Map No. 35058 - Divide 189 acres into 16 lots for commercial retail use northerly of Varner Road, southerly of Avenue 38, easterly of Annette Street, westerly of Washington Street.

Dear Mr. Borrows,

This is in response to your request for input on the above referenced project and its effect on public schools.

All actions toward commercial development will potentially result in an impact on our school system. School overcrowding is a District-wide concern for Desert Sands Unified School District. The District's ability to meet the educational needs of the public with new schools has been seriously impaired in recent years by local, state and federal budget cuts that have had a devastating impact on the financing of new schools.

As you are aware, there is a school mitigation fee that is currently collected on all new development at the time building permits are issued.

Please feel free to call me if you have further questions. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peggy Reyes".

Peggy Reyes, Director
Facilities Services

PR/sm



45-305 Oasis Street
Indio, CA 92201

Phone (760) 347-3484
Fax (760) 347-4660

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Thousand Palms
Vista Santa Rosa

August 21, 2008

RECEIVED

SEP 03 2008

Riverside County
Planning Department
Desert Office

Via Fax & Regular Mail
(760) 863-7555

Maurice Borrows, Project Planner
County of Riverside, Transportation and Land Management Agency
Planning Department (Desert Office)
38686 El Cerrito Road
Palm Desert, CA 92211

RE: TENTATIVE TRACT MAP #35058, EA # 42021 HUNSAKER & ASSOC. INC.

Dear Mr. Borrows:

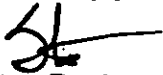
Thank you for providing the Coachella Valley Recreation and Park District (the "District") with a copy of the notice regarding this project to divide 189 acres into 16 lots ranging in size from 20 acres to 2 acres.

The project is located within the District boundaries. The District has a Master Plan which is utilized to levy Quimby fees. The Master Plan also identifies needed facilities and programs for this area. In addition, this residential project may have impacts on the District's provision of services and facilities. Therefore, we request that the following mitigation measures be included in any environmental review, mitigation, and monitoring plan and as conditions of approval for the project.

1. ~~Developer will enter into an agreement to and shall pay fees pursuant to the Quimby Act, as adopted by Riverside County Ordinance 460. Such fees shall be computed by the Coachella Valley Recreation and Park District under that ordinance, as it may be amended from time to time, and shall be paid to the District at the time of recordation of the tentative map. Attached is a copy of the form of agreement.~~
2. In order to provide for public park and recreational facilities and/or the maintenance or operation of current and/or future public park and recreational facilities and programs, prior to the issuance of building permits, Developer shall petition for and complete formation of a new assessment district or annexation to Coachella Valley Recreation and Park District's Landscaping and Lighting Assessment District (e.g., Assessment District 07-1 or successor), and shall pay the cost of such formation and/or annexation in an amount to be determined at the time of annexation (and presently approximately \$7,500).

We look forward to working with you on this project. The undersigned or Mary H. Thiery will be the contact persons for this project (mary@cvrpd.ca.gov or stan@cvrpd.ca.gov). Thank you for your assistance.

Very truly yours,


Stan Ford
General Manager

ST:mht
Enclosure

Letter of Agreement

This Letter of Agreement is made on the 11th day of February 2009, by and between Mirasera, LLC ("Mirasera") and Palm Desert 53 Investors, LLC ("PD53") regarding the Avenue 38 realignment as shown in the attached plan labeled "Option E". In brief, the 118'-0" wide Avenue 38 realignment proposes a 1200' radius and is consistent with the County of Riverside design guidelines with the centerline tangent providing the allowable maximum 5% and a minimum 50' tangent from the flow line before starting or ending a horizontal curve. The attached plan also indicates the location where the 1200' radius ends and joins the alignment along the Mirasera property.

The mutual understanding of Mirasera and PD53 is that the County of Riverside Transportation Department has reviewed and approved the proposed realignment with the 1200' radius in order to allow both property owners' projects and maps to move forward. It is also the mutual understanding of Mirasera and PD53 that the mitigation measure currently under consideration by the County of Riverside is to post a reduced speed limit on Avenue 38.

This Agreement shall be binding on and inure to the benefit of the both parties and on their successors and assigns.

Acknowledged by the Parties (in counterpart):

Mirasera, LLC

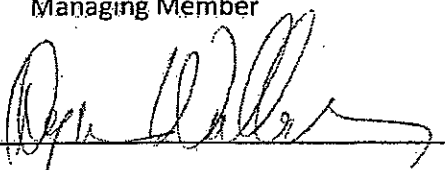
A California Limited Liability Company

By: Davila Group, LLC

A California Limited Liability Company

Its: Managing Member

By:


Lynn Wubbels

Palm Desert 53 Investors, LLC

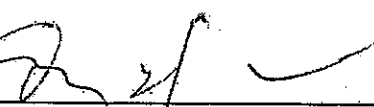
A California Limited Liability Company

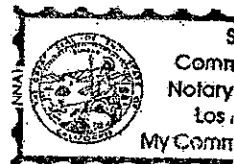
By: Byuksan, LLC

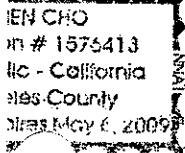
A California Limited Liability Company

Its: Managing Partner

By:


Don Y. Lee





ALL PURPOSE ACKNOWLEDGMENT

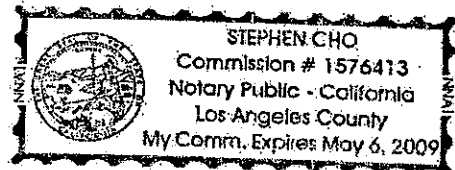
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

On March 18, 2009 before me, Stephen Cho, Notary public (name and title of officer), personally appeared Don Y. Lee, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Stephen Cho
Notary Public Signature



ALL PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA, COUNTY OF _____

On _____ before me, _____ (name and title of officer), personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Signature

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

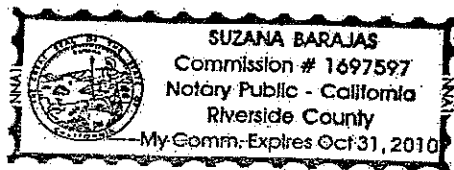
On March 25, 2008 before me,

Suzana Barajas, Notary Public

Here Insert Name and Title of the Officer

personally appeared Lynn Wubbels

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature

Suzana Barajas

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Letter of Agreement

Document Date: Feb 11, 2009

Number of Pages: 3

Signer(s) Other Than Named Above: Don Y. Lee

Capacity(ies) Claimed by Signer(s)

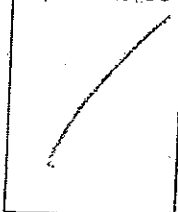
Signer's Name: Lynn Wubbels

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☒ Other: Managing Member

Signer Is Representing:

Mivasea, LLC
Payila Group, LLC

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

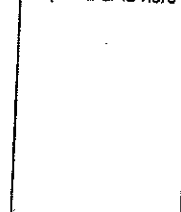


Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here



EXISTING AVENUE 38

DRAINAGE CHANNEL

EXISTING CURVE RADIUS 100' AND
DEVELOPMENT

NEW AVE. 38

NEW AVE. 38

TANGENT

TANGENT

LOT 13

OPTION "E"
NEW AVENUE 38
REALIGNMENT EXHIBIT

TTM 34651

County of Riverside,
State of California

LOT 7

TENT. TR. 34651

GRAPHIC SCALE



(IN FEET)
1 inch = 600 ft.



MEMORANDUM OF UNDERSTANDING FOR JOINT COOPERATION

This Memorandum of Understanding for Joint Cooperation ("MOU") is made this 10th day of October 2005, by and between Mirasera, LLC ("Mirasera"), Christian School of the Desert ("School") and Palm Desert 53 Investors, LLC ("PD53") (collectively the "Parties") to address the provision of real property improvements to benefit each of them.

RECITALS

- A. Each of the Parties owns contiguous properties in the unincorporated area of Riverside County known as Thousand Trails near Varner Road and I-10, as shown on Exhibit A, attached and incorporated; and
- B. In order to develop and utilize such properties now or in the future, certain drainage and related real improvements are required; and
- C. The Parties wish to enter into this MOU to provide for financing, design and installation of such drainage and related improvements (including but not limited to land acquisition costs) by working with Coachella Valley Water District ("CVWD"); and
- D. The Parties further wish for such MOU to providing for financing of costs as well as for sharing costs both covered and not covered by such financing; and
- E. This MOU is intended to be an agreement of the Parties hereto for the development of the channel improvements, the Avenue 38 improvements, the utility relocation, the arch culvert improvement on Washington Street and the Varner Road widening, described below.

NOW, THEREFORE, the Parties agree as follows.

1. Description of Improvements: The Parties agree that the improvements provided pursuant to this MOU generally are as follows and that the Parties will work together to provide detailed descriptions, plans and costs estimates for such improvements:

A. Design and construction of a CVWD approved drainage channel with an ultimate capacity of approximately 21,000 CFS, such channel to be located on lands along the present alignment of Avenue 38 including all or a portion of that right-of-way, together with lands presently owned by the Parties and on the adjacent lands not controlled by the Parties, and certain other lands more particularly described in Exponent *Mirasera Channel Study* of April 18, 2005 attached as Exhibit B and updates as may be generated, and also as depicted on Exhibit A attached and referenced hereof (the "channel improvement"); and

B. Relocation and realignment of County Avenue 38 south of the channel described in A above to allow construction of such channel improvement in and/or adjacent to the former road right of way, including the land acquisition necessary for such realignment to the extent the Parties do not own all such land, more particularly depicted in Exhibit A, attached; and

C. Relocation of Utilities from the current Avenue 38 right of way to the new location of Avenue 38 ("utility relocation") or such other locations(s) as may be feasible; and

D. Installation of arch culverts under Washington Street with outflow into the existing flood channel right-of-way know as "Del Webb-Sun City channel" more particularly depicted in A above; (the "arch culvert improvement"); and

~~E. Widening of Varner Road fronting on the Mirasera and PD53 properties more particularly depicted in Exhibit A, attached; and~~

~~F. Such other infrastructure costs for streets, signage, signalization, storm water drainage, etc. as may be feasible and practical.~~

2. **Coordination with Public Agencies:** The Parties acknowledge that ~~providing the improvements set out in Section 1 requires the cooperation of and action by certain public agencies, as follows:~~

~~A. Channel Improvement: The Parties acknowledge that the channel improvement as set forth in the Mirasera Channel Study cannot and will not be built to the Army Corps of Engineer specifications and that the channel instead will be built as recommended by the study prepared by Exponent and as approved by Bechtel and CVWD. Said channel improvements, once completed and accepted by CVWD, may be dedicated to and maintained by CVWD or such other entity as may be designated and acceptable to the Parties and CVWD. The Parties, through their representative, will take any and all necessary action to work with the Army Corps of Engineers and CVWD regarding the channel improvements.~~

B. Avenue 38 and Varner Road: The relocation and realignment of Avenue 38 and the widening of Varner Road will require the consent and cooperation the County of Riverside, TLMA Transportation Department.

C. CVWD. The Parties will work with CVWD and other agencies as set out in Sections 4 hereof.

3. **Representative of the Parties:** ~~Mirasera shall act as the Parties' representative in dealing with the Army Corps of Engineers, the County of Riverside, CVWD and other public agencies or private companies. Mirasera shall keep the parties informed of performance under this Agreement.~~

4. **CVWD Participation:** Through its representative, the Parties shall work with CVWD to enter into an agreement for CVWD to do the following:

A. Act as lead agency for a financing district to provide funding for the design and installation of the improvements as set out in Section 1 above which financing may include, but is not limited to a Mello-Roos ("CFD") district or such other public financing mechanism as is acceptable to CVWD and the parties;

B. Act as the lead agency for CEQA;

C. Assist and help facilitate in the acquisition of any and all properties where needed for the installation of the improvements including properties not owned by the Parties, these properties include the following four (4) parcels: i). a 10 acre parcel located adjacent to and east of Varner Road; ii). a 5.8-acre parcel in the Avenue 38 realignment area; and; iii). two 10-acre parcels near the School or similar acreage that may be swapped with the County of Riverside Redevelopment Agency.

D. Subject to funding therefore, design, install, accept and maintain the channel and construct the other improvements as set out above.

5. **Obligations of the Parties:** Each Party agrees that it will cooperate with the others as follows:

A. Participate in the CVWD - CFD or other public financing district in proportion to the acreage size of property and the benefit derived by the parties (or as otherwise provided by the financing mechanism agreed upon by the parties and CVWD, where specific costs allocations are made);

B. Make available and deed to CVWD or to other agencies that portion of each the Party's real property, and such other properties.

C. PD 53 and Mirasera will share up to a total budget of \$100,000, (the initial costs of the preliminary planning and design for the improvements) and payment of fees to CVWD and other agencies and well as the administration of such MOU, and any costs not otherwise reimbursed or covered by the financing, in the proportions set out on Exhibit C, attached and incorporated here.

6. **Amendment/Termination:** This MOU shall not be amended, modified or terminated except by an instrument in writing signed by all of the parties hereto.

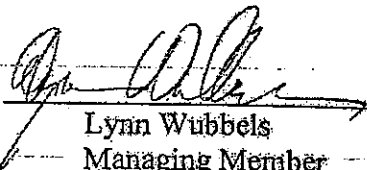
7. **Entirety:** This MOU together with the documents and reports incorporated hereby is intended to be the entire agreement amongst the parties with respect to the subject matter hereof.

8. Attorneys Fees: In the event of any action or proceeding to interpret or enforce this agreement, the prevailing party shall be entitled to attorneys' fees and costs, including appeals.

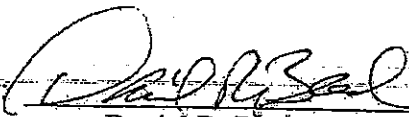
9. Assignment: This MOU shall be binding on and inure to the benefit of the parties hereto and on their successors and assigns.

Acknowledged by the Parties (in counterpart):

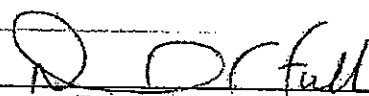
Mirasera, LLC
A California Limited Liability Company
By: Davila Group, LLC
A California Limited Liability Company
Its: Managing Member

By: 
Lynn Wubbels
Managing Member

Palm Desert 53 Investors, LLC
A California Limited Liability Company
By: Corman Communities Inc.
A California Corporation
Its: Managing Member

By: 
Daniel R. Beal
Senior Project Manager

Christian School of the Desert

By: 
Dave Fulton
Founder & CEO

[illegible]

Land Use	Area	Developed Urban P.A.C.	Non- Developed Rural P.A.C.	Non- Developed Rural P.A.C.
COMMERCIAL	72.0	117	24	
INDUSTRIAL	25.8	35	50	
RESIDENTIAL	72.0	21	219	
AGRICULTURAL	24.1	25	159	
Subtotal	567		1,592	
CONCRETE AND ASPHALT	17.2			17.2
PAVED DRIVEWAYS	18.4	0.2		18.6
PAVED ROADS	3.4	0.2		3.6
PAVED TOTAL	39.0			39.0
Subtotal	39.0			39.0
PAVED TOTAL	87	20	179	17.0
Subtotal	87		179	17.0
CONCRETE	2.2			
PAVED DRIVEWAYS	3.1			
PAVED ROADS	3.1			
Subtotal	8.4			



THE PLANNING CENTER

1000 14th St., Suite 1000, Denver, CO 80202
 Tel: 303.733.1111 Fax: 303.733.1112
 www.planningcenter.org

SECRET

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Planning Department

Ron Goldman - Planning Director

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

(UPROJ)

CASE NUMBER: SP0033881

DATE SUBMITTED: 7/30/09

APPLICATION INFORMATION

TR35058, EA42021, CF605371
GEO 82105

Applicant's Name: Mirasera, LLC

E-Mail: Shelley@Mirasera.com

Mailing Address: P.O. Box 13803

Palm Desert

CA

Street

92255

City

State

ZIP

Daytime Phone No: (760) 275-0644

Fax No: (760) 772-7263

Engineer/Representative's Name: Hunsaker & Associates/Ted Frattone

E-Mail: tfrattone@hunsaker.com

Mailing Address: 3 Hughes

Irvine

CA

Street

92618

City

State

ZIP

Daytime Phone No: (949) 768-2541

Fax No: (949) 465-1241

Property Owner's Name: Mirasera, LLC

E-Mail: Shelley@Mirasera.com

Mailing Address: P.O. Box 13803

Palm Desert

CA

Street

92255

City

State

ZIP

Daytime Phone No: (760) 275-0644

Fax No: (760) 772-7263

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary.

Riverside Office: 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 Fax (951) 955-3157
Form 295-1058 (02/27/08)

Desert Office: 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 Fax (760) 863-7555

Murrieta Office: 39493 Los Alamos Road.
Murrieta, California 92563
Fax (951) 600-6145

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

Shirley McCullough Mirasera
PRINTED NAME OF APPLICANT

[Signature]
SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

Shirley McCullough Mirasera
PRINTED NAME OF PROPERTY OWNER(S)

[Signature]
SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

PROJECT INFORMATION:

Description of Substantial Conformance Request (Reference the existing Planning Area(s), and/or Policies, and/or Conditions that are proposed to be modified, and clearly state the proposed modifications) (if lengthy, extra pages may be attached):

See attached revised exhibits for replacement in the substantial conformance
version of the Mirasera Specific Plan (SP00338). These revised exhibits reflect
what is shown on Tentative Tract Map 35058.

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

Related cases filed in advance of, or concurrently with, this request:

Mirasera Specific Plan (SP 00338), Tentative Tract Map (TTM 35058) General Plan Amendment (GPA 00776),
Change of Zone (CZ 07263) Environmental Impact Report (EIR 00486)

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 626-150-004, 005, 006, 008, 009, 010, 011, 012, 013, 014, 025; 626-150-003

Section: 1 & 2 Township: 5 South Range: 6 East

Approximate Gross Acreage: 189.3 Acres

General location (nearby or cross streets): North of Varner Road, South of
Avenue 38, East of Annette Street, West of Washington Street

Thomas Brothers map, edition year, page number, and coordinates: 2006 ed., Page 819 C1, D1, D2

Have there been any prior requests for substantial conformance? Yes ☐ No ☒

If yes, of what nature? _____

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department
Ron Goldman - Planning Director

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- | | | |
|---|---|---|
| ☒ TRACT MAP | ☐ MINOR CHANGE | ☐ VESTING MAP |
| ☐ REVISED MAP | ☐ REVERSION TO ACREAGE | ☐ EXPIRED RECORDABLE MAP |
| ☐ PARCEL MAP | ☐ AMENDMENT TO FINAL MAP | |

CC 004929

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: TR 35058 DATE SUBMITTED: 8/13/08

EA 42021 / CF 685371

Applicant's Name: Hunsaker & Associates, Irvine, Inc. E-Mail: tfrattone@hunsaker.com

Mailing Address: 3 Hughes
Irvine CA Street 92618
City State ZIP

Daytime Phone No: (949) 768-2541 Fax No: (949) 465-1241

Engineer/Representative's Name: Hunsaker & Associates
Irvine, Inc. / Ted Frattone E-Mail: tfrattone@hunsaker.com

Mailing Address: 3 Hughes
Irvine CA Street 92618
City State ZIP

Daytime Phone No: (949) 768-2541 Fax No: (949) 465-1241

Property Owner's Name: Mirasera, LLC
Shelley McCullough E-Mail: Shelley@Mirasera.com

Mailing Address: P.O. Box 13803
Palm Desert CA Street 92255
City State ZIP

Daytime Phone No: (760) 275-0644 Fax No: (760) 772-7263

If additional persons have an ownership interest in the subject property in addition to that indicated above, attach a separate sheet that references the application case number and lists the names, mailing addresses, and phone numbers of those persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

Riverside Office • 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 • Fax (951) 955-3157
Form 295-1011 (08/27/07)

Desert Office • 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

Murrieta Office • 39493 Los Alamos Road
Murrieta, California 92563
• Fax (951) 600-6145

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

LYNN HUBBELS [Signature] MANAGER
FOR MIRASERA LLC PRINTED NAME OF APPLICANT SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

MIRASERA LLC [Signature] MANAGER
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

☐ See attached sheet(s) for other property owners signatures.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 626-150-004, 626-150-005, 626-150-006, 626-150-008,
626-150-009, 626-150-010, 626-150-011, 626-150-012,
Section: 1 & 2 Township: 5 South Range: 6 East
626-150-013, 626-150-014, 626-150-025, 626-140-003

Approximate Gross Acreage: 189.3 Acres

General location (cross streets, etc.): North of Varner Road, South of Avenue 38, East of Annette Street, West of Washington Street

Thomas Brothers map, edition year, page number, and coordinates: 2006 ed., Pg. 819 - Grids C1, D1, D2

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

Proposal (describe project, indicate the number of proposed lots/parcels, units, and the schedule of the subdivision, whether the project is a Vesting Map or Planned Residential Development (PRD):

Tentative Tract Map 35058 is the proposed subdivision of the 189.3 acre site into 16 lots for the future development of residential, commercial, business park, hotel, mixed-use and open space/parks uses consistent with Specific Plans N000338 as well as the associated mass grading and backbone infrastructure improvements etc.

Related cases filed in conjunction with this request:

Mirasera Specific Plan (SP00338), General Plan Amendment (GPA00776)
Change of Zone (CZ 07263)

Is there a previous development application filed on the same site: Yes ☒ No ☐

If yes, provide Case No(s). SP00338, GPA00776, CZ 07263 (Parcel Map, Zone Change, etc.)

E.A. No. (if known) _____ E.I.R. No. (if applicable): EIR 00486

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes ☒ No ☐

If yes, indicate the type of report(s) and provide a copy: Refer to EIR 00486

Is water service available at the project site: Yes ☒ No ☐

If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles) _____

Is sewer service available at the site? Yes ☒ No ☐

If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles) _____

Will the proposal result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes ☐ No ☒

How much grading is proposed for the project site?

Estimated amount of cut = cubic yards: 2,027,000 CYS (Includes Raw & Remedial quantities)

Estimated amount of fill = cubic yards 2,027,000 CYS (Includes Raw & Remedial quantities)

Does the project need to import or export dirt? Yes ☐ No ☒

Import _____ Export _____ Neither _____ Balance on-site _____

What is the anticipated source/destination of the import/export?
n/a

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

What is the anticipated route of travel for transport of the soil material?
n/a

How many anticipated truckloads? n/a truck loads.

What is the square footage of usable pad area? (area excluding all slopes) 6,407,676 sq. ft.

If this is a residential subdivision, is it located in a Recreation and Park District or County Service Area authorized to collect fees for park and recreational services? Yes ☐ No ☒

If yes, does the subdivision intend to dedicate land or pay Quimby fees, or a combination of both?

Dedicate land ☐ Pay Quimby fees ☐ Combination of both ☒

Is the subdivision located within 8½ miles of March Air Reserve Base? Yes ☐ No ☒

If yes, will any structure exceed fifty-feet (50') in height (above ground level)? Yes ☐ No ☒

Does the subdivision exceed more than one acre in area? Yes ☒ No ☐

If yes, in which one of the following watersheds is it located (refer to Riverside County GIS for watershed location)?

Check answer: ☒ Whitewater

☐ Santa Ana River

☐ Santa Margarita River

☐ San Jacinto River

☐ Colorado River

HAZARDOUS WASTE SITE DISCLOSURE STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

☒ (we) certify that (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

☒ The project is not located on or near an identified hazardous waste site.

☐ The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1) [Signature]

Date 8/13/08

Owner/Representative (2) Hunsaker & Associates

Irvine, Inc.

Date

NOTICE OF PUBLIC HEARING
and
**INTENT TO CERTIFY AN ADDENDUM TO AN
ENVIRONMENTAL IMPACT REPORT (EIR)**

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

SPECIFIC PLAN NO. 338, SUBSTANTIAL CONFORMANCE NO. 1 / TENTATIVE TRACT MAP NO. 35058 – Addendum to EIR No. 486 – Applicant: Mirasera, LLC/Hunsaker & Associates, Inc. – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan - Community Development: Specific Plan (CD:SP) – Location: Northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street – 190 Gross Acres – Zoning: Specific Plan (SP338), Controlled Development Areas (W-2-10), and Scenic Highway Commercial (C-P-S) – **REQUEST:** The specific plan substantial conformance proposes to amend Specific Plan No. 338 in order to re-align a portion of Avenue 38 to accommodate an approximate 7,330 foot drainage channel and adjust the circulation (roadway) system, including elimination of five (5) secondary community entry points, the addition of a two (2) acre park, and adjustment of planning area boundaries. The Schedule C tentative tract map proposes to divide approximately 190 acres into 16 lots ranging in size from two (2) acres to twenty (20) acres and grading of the site to move approximately two-million cubic yards of earth, with off-site road improvements approximately 3,575 feet east and 1,000 feet west of the project site on Varner Road; off-site improvements approximately 1,960 feet west and 2,627 feet east of the project site on Avenue 38 for a sixty (60) foot right-of-way access road section; and off-site portions of the drainage channel extending approximately 1,639 feet west and 2,686 feet east of the project boundary as well as the culvert crossing beneath Washington Street and flood control improvements within a portion of the Sun City Palm Desert golf course just east of Washington Street from approximately the Washington Street culvert outlet to Del Webb Boulevard. APN(s): 626-140-003, 626-150-004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, and 025. (Quasi-Judicial)

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: February 3, 2010
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET
RIVERSIDE, CA 92501

For further information regarding this project, please contact Judy Deertrack, Planner IV at (760) 393-3410 or e-mail jdeertra@rctlma.org, or go to the County Planning Department's Planning Commission agenda web page at www.tlma.co.riverside.ca.us/planning/pc.html

The Riverside County Planning Department has determined that the above-described project will not have a significant effect on the environment and has recommended certification of an addendum to an EIR. The Planning Commission will consider the proposed project, and the proposed addendum, at the public hearing.

The case file for the proposed project, and the final environmental impact report, may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 38686 El Cerrito Road, Palm Desert, California 92211.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:

RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Judy Deertrack
38686 El Cerrito Road, Palm Desert, CA 92211

PUBLIC HEARING NOTICE LABEL REQUIREMENTS

PUBLIC HEARING NOTICE LABELS CERTIFICATION FORM

I, Garrett Snyder, certify that on 12/23/09,
Print name Date
the attached property owner's list was prepared by:

First American Title Company for the following project, TR35058 ; SP0033851,
Print Company Name and/or Individual's Name Project case number(s)

using a radius distance of 600 feet, pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the project applicant, the applicant's engineer/representative, if any, the owner(s) of the subject property, the school district or districts within whose boundary the subject project is located, every City within one mile of the subject property or within whose sphere of influence the subject property is located, if any, and, all other property owners within a 600 foot radius around the subject property, and all contiguously owned properties, if any, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the property is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all the property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information field is true and correct to the best of my knowledge.

Name: Garrett Snyder

Title/Registration: First American Title Company

Address: 3 Hughes

Address: _____

City: Irvine State: CA Zip: 92618

Telephone No.: (949) 462-3841 Fax No.: (949) 583-0759

E-Mail: gsnyder@hunsaker.com

Case No.: TR35058 ; SP0033851

626-130-019
Palm Desert 53 Inv
760 W Washington Blvd
s Angeles, CA 90018-1050

626-140-042
New Thousand Trails Inc
PO Box 2529
Frisco, TX 75034-0047

626-140-060
City Of Palm Desert
74760 Us Highway 111 200
Indian Wells, CA 92210-7130

626-150-037
Christian School Of The Desert
40700 Yucca Ln
Bermuda Dunes, CA 92203-8122

626-150-040
County Of Riverside
PO Box 1180
Riverside, CA 92502-1180

626-271-017
Misty L Davis
76871 Castle Ct
Palm Desert, CA 92211-7100

626-271-018
Charles K & Mary Mills
76872 Castle Ct
Palm Desert, CA 92211-7100

626-271-019
Bradley & Steph Garner
PO Box 4731
Palm Desert, CA 92261-4731

626-271-020
Michael Yourgas
8117 W Manchester Ave
Playa Del Rey, CA 90293-8745

626-271-021
David & Barbara Nicolson
76820 Castle Ct
Palm Desert, CA 92211-7100

626-271-023
Regency Palms Homeowners Assn
76800 Country Club Dr
Palm Desert, CA 92260

626-320-027
Anthony R Buccola
2300 S Sepulveda Blvd
Los Angeles, CA 90064-1911

626-320-034
Dennis D French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449

626-320-035
Diamond Leaf Holdings
PO Box 14243
Palm Desert, CA 92255-4243

~~626-320-036
Dennis D French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449~~

~~626-320-037
Dennis D & D French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449~~

~~626-320-038
Dennis D French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449~~

~~626-320-039
Dennis & Sharon French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449~~

~~626-320-040
Dennis D French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449~~

~~626-320-041
Dennis D French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449~~

~~626-320-042
Dennis D French
77564 Country Club Dr 100
Palm Desert, CA 92211-0449~~

~~626-320-043
Dennis D French
PO Box 4680
Pls Vrdnsl, CA 90274-9618~~

626-380-018
David P & Tonya McClellan
39025 Palace Dr
Palm Desert, CA 92211-7155

626-380-019
Adam & Beth Weissman
PO Box 3124
Big Bear Lake, CA 92315-3124

626-380-020
Palm Desert Regency Estates Ho
26857 Abby Ct
Palm Desert, CA 92260

626-380-021
Herlinda Valenzuela
39032 Palace Dr
Palm Desert, CA 92211-7203

626-380-022
Susan Partee
297 Paseo Primavera
Palm Desert, CA 92260-2146

~~626-380-023
Palm Desert Regency Estates Ho
77670 Springfield Ln 24
Palm Desert, CA 92211-0449~~

~~626-380-024
Palm Desert Regency Estates Ho
77670 Springfield Ln 24
Palm Desert, CA 92211-0449~~

626-390-001
Benjamin T & Heidi Kepli *M*
38993 Palace Dr
Palm Desert, CA 92211-7154

626-390-002
Barbara Dalle
PO Box 13433
Palm Desert, CA 92255-3433

~~626-390-003
Palm Desert Realty Estates Hoi
26857 Abby Ct
Palm Desert, CA 92260~~

~~626-390-006
Palm Desert Realty Estates Hoi
77670 Springfield Ln 24
Palm Desert, CA 92211-0444~~

626-420-051
Grinnell Prop
1302 Puyallup St
Sumner, WA 98390-1604

626-420-052
Desert Business Park II
1302 Puyallup St
Sumner, WA 98390-1604

~~626-420-053
Desert Business Park II
1302 Puyallup St
Sumner, WA 98390-1604~~

~~626-420-054
Desert Business Park II
1302 Puyallup St
Sumner, WA 98390-1604~~

~~626-420-055
Desert Business Park II
1302 Puyallup St
Sumner, WA 98390-1604~~

~~626-420-056
Grinnell Prop
1302 Puyallup St
Sumner, WA 98390-1604~~

626-430-018
Deborah D Ritchie
117 Felice Ct
Palm Desert, CA 92211-0724

626-430-019
Beverly J Owen
115 Felice Ct
Palm Desert, CA 92211-0724

626-430-020
Structured Asset Mtg 2005-Ar5
10536 Moon View Way
Escondido, CA 92026-6943

626-430-021
Rodney B Vandenburg
116 Felice Ct
Palm Desert, CA 92211-0724

626-430-022
Mary E Velasco
118 Felice Ct
Palm Desert, CA 92211-0724

626-430-023
David A & Kari Sutherland *M*
120 Felice Ct
Palm Desert, CA 92211-0724

626-430-029
Don C & Nancy Wilhelm
16 Taylor Ave
Palm Desert, CA 92260-0602

626-430-030
Michael C & Mernell Wong
119 Arezzo Ct
Palm Desert, CA 92211-0715

626-430-031
Sylvia Blade
117 Arezzo Ct
Palm Desert, CA 92211-0715

626-430-032
Steven & Michelle Jacobsen
118 Arezzo Ct
Palm Desert, CA 92211-0715

626-430-033
Judith E Forcier
120 Arezzo Ct
Palm Desert, CA 92211-0715

626-430-036
Capri Palm Desert Assn
3525 Lomita Blvd 200
Torrance, CA 90505-5067

626-430-038
City Of Palm Desert
45275 Prickley
Palm Desert, CA 92234

626-450-024
Clayton J & Goldstein Wong
115 Fresco Ln
Palm Desert, CA 92211-0739

626-450-025
Fercil J Tolete
113 Fresco Ln
Palm Desert, CA 92211-0739

626-450-026
Brent S & Karen Stewart
111 Fresco Ln
Palm Desert, CA 92211-0739

626-450-027
Thomas C & L Stewart
5842 Briercrest Ave
Lakewood, CA 90713-1013

626-450-028
Timothy & Kelly McClellan
114 Fresco Ln
Palm Desert, CA 92211-0772

626-450-029
G & K Vu
78415 Via Caliente
La Quinta, CA 92253-2386

626-450-030
Olivia D Polanco
3701 Glenalbyn Dr
Los Angeles, CA 90065-2516

626-450-035
Capri Palm Desert Assn
3525 Lomita Blvd 200
Torrance, CA 90505-5067

~~626-450-036~~
~~City Of Palm~~
~~3510 Red Waring Dr~~
~~Palm Desert, CA 92260-2524~~

626-450-039
Maribel Robayo
114 Rosetta Ct
Palm Desert, CA 92211-0773

626-450-040
Robert Fidalgo
112 Rosetta Ct
Palm Desert, CA 92211-0773

626-450-041
~~Jory C & Davis Kirchhevel~~
110 Rosetta Ct
Palm Desert, CA 92211-0773

626-450-042
Larry Lopez
107 Rosetta Ct
Palm Desert, CA 92211-0773

626-450-043
John & Mary Allison
109 Rosetta Ct
Palm Desert, CA 92211-0773

626-450-044
Hien Nguyen *M*
14330 Claymore Ct
San Diego, CA 92129-4210

626-450-048
Palm Stonebridge
3525 Lomita Blvd 200
Torrance, CA 90505-5067

~~626-450-045~~
~~City Of Palm Desert~~
~~73510 Red Waring Dr~~
~~Palm Desert, CA 92260-2524~~

626-460-004
Meng Lin
112 Francesca Ct
Palm Desert, CA 92211-0774

626-460-005
Henry L & Karyn Sprinkle
110 Francesca Ct
Palm Desert, CA 92211-7713

626-460-006
Frank C Canonico
108 Francesca Ct
Palm Desert, CA 92211-0774

626-460-010
Judith Fagnoli
25 Farrwood Dr
~~Haverhill, MA 01835-8429~~

626-460-020
Joseph M & Lisa Oleson
79160 Citrus
~~La Quinta, CA 92253-8518~~

626-460-021
Joseph Campbell
106 Romanza Ln
Palm Desert, CA 92211-0775

~~626-460-053~~
~~Palm Stonebridge~~
~~3525 Lomita Blvd 200~~
~~Torrance, CA 90505-5067~~

~~626-460-055~~
~~Mark & Alma Chalupnik~~
~~101 Romanza Ln~~
~~Palm Desert, CA 92211-0776~~

~~626-460-056~~
~~Michael & Diane Evans~~
~~103 Romanza Ln~~
~~Palm Desert, CA 92211-0776~~

626-460-057
Dolf Lindeboom
105 Romanza Ln
Palm Desert, CA 92211-0776

626-460-058
Douglas Pasnik
PO Box 45200
San Diego, CA 92145-0200

626-460-059
Philip S & Sandra Lockhart
105 Francesca Ct
Palm Desert, CA 92211-0774

626-460-060
Denis M & Connie Schuh *B*
107 Francesca Ct
Palm Desert, CA 92211-0774

626-460-061
Maureen Hermann
10601 Tierrasanta Blvd
San Diego, CA 92124-2616

626-460-062
Nagy & Natalie Bakhoun
204 Paseo De Granada
Redondo Beach, CA 90277-6719

695-110-002
State Of Calif
1416 9Th St 12062
Sacramento, CA 95814-5511

695-110-003
Usa 653
911 NE 11Th St
Portland, OR 97233

695-120-003
Michael W & M Caldwell
77020 Utah Cir
Palm Desert, CA 92211-7781

~~120-000~~
~~Usa 653~~
~~911 NE 11Th St~~
~~Portland, OR 97233~~

*** 88 Printed ***

Coachella Valley Water Dist.
P.O. Box 1058
Coachella, CA 92236

Imperial Irrigation District
81-600 Avenue 58
La Quinta, CA 92253

S. California Gas Co.
P.O. Box 2300
Chatsworth, CA 91313-2300

Southern California Gas Co.
211 N. Sunrise Way
Palm Springs, CA 92262

Verizon
295 N. Sunrise Way
Palm Springs, CA 92262

CALTRANS #8
Attn: William Mosby
464 4th MS 726
San Bernardino, CA 92401

Desert Sands Unified School Dist.
47-950 Dune Palms Rd.
La Quinta, CA 92253

Palm Desert C.C. Owners Ass.
77-800 California Dr.
Palm Desert Country Club
Palm Desert, CA 92260

Eastern Information Center
Archeological Research Unit
University of California
Riverside, CA 92521

Native America Heritage Commission
915 Capitol Mall, Rm. 364
Sacramento, CA 95814

Thousand Palms Comm. Council
P.O. Box 128
Thousand Palms, CA 92276

C.V. Recreation & Park District
45-305 Oasis Street
Indio, CA 92201

Coachella Valley Preserve
P.O. Box 188
Thousand Palms, CA 92276

City of Palm Desert Planning Dept.
73-510 Fred Waring Drive
Palm Desert, CA 92260

Sun City Palm Desert Comm. Assoc.
Attn: Paul Brady, General Manager
38-180 Del Webb Blvd.
Palm Desert, CA 92211

Hunsaker & Associates, Inc.
3 Hughes
Irvine, CA 92618

Mirasera LLC
C/O: Shelly McCullough
P.O. Box 13803
Palm Desert, CA 92255

(eng.)

(app/own.)

**Extra Labels for
TR35058**

APN: 626-420-054
DESERT BUSINESS PARK II
77519 EL DUNA CT
PALM DESERT, CA. 92211

APN: 626-420-056
GRINNELL PROP
77583 EL DUNA CT
PALM DESERT, CA. 92211

APN: 626-140-042
NEW THOUSAND TRAILS INC
77500 VARNER RD
PALM DESERT, CA. 92211

APN: 748-290-005
HELEN P LAKER
38107 GRAND OAKS AVE
PALM DESERT, CA. 92211

APN: 748-290-006
EDWARD A MALONEY
DONNA MALONEY
38085 GRAND OAKS AVE
PALM DESERT, CA. 92211

APN: 748-390-010
Sun City Palm Springs Community
39755 Berkey Dr.
Bermuda Dunes, CA 92201

APN: 695-120-001
MARK J & LINDA CARPENTER
24 CLANCY LANE ESTS
RANCHO MIRAGE, CA 92270

TOY RUSSELL & TAMARA FIELDS
3018 CORDA DR.
LOS ANGELES, CA 90049

ADDITIONAL
LABELS FOR
TR35058

Ron Goldman · Planning Director

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R0622674

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: MIRASERA LLC
paid by: CK 1572
EIR486

\$2,500.00

paid towards: CFG02841
at parcel:
appl type: CFG3

CALIF FISH & GAME: DOC FEE

By _____ Dec 27, 2006 14:49
MGARDNER posting date Dec 27, 2006

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,500.00

Overpayments of less than \$5.00 will not be refunded!

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

A* REPRINTED * I0802316

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: HUNSAKER & ASSOCIATES INC
paid by: CK 1778

\$64.00

CFG FOR EA42021 (TR35058)

paid towards: CFG05371 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By _____ Aug 13, 2008 16:04
KHAFLIGE posting date Aug 13, 2008

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

Overpayments of less than \$5.00 will not be refunded!