RESOLUTION NO. 2010-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION FOR APPLICATION NO'S. PA07-0035 (MASTER PLOT PLAN), PA07-0039 (PLOT PLAN), AND PA08-0021 (TENTATIVE PARCEL MAP NO. 35822) TO RE-CONFIGURE THE PROPERTY LINES AND COMBINE PARCELS FOR ASSESSOR'S PARCEL NUMBERS 485-230-001 TO 010 AND 014 TO 024 IN ORDER TO DEVELOP SIX LIGHT INDUSTRIAL BUILDINGS RANGING IN SIZE FROM 23,700 TO 47,160 SQUARE FEET AND ONE 409,598 SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING.

WHEREAS, an Initial Study and Negative Declaration have been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public Resources Code sections 21000-21177), CEQA Guidelines (14 California Code of Regulations sections 15000-15387), and any other applicable requirements, for the project, as described in the title of this Resolution; and

WHEREAS, the Negative Declaration was duly noticed and circulated for public review for a period of 20 days from July 1, 2009 through July 23, 2009; and

WHEREAS, on July 23, 2009, the Planning Commission of the City of Moreno Valley held a meeting to consider the application. At said meeting, the Planning Commission adopted a Negative Declaration for the Master Plot Plan, Plot Plan and Tentative Parcel Map No. 35822; and

WHEREAS, on August 6, 2009, an application was submitted to the City appealing the Planning Commission's action to approve the project to the City Council for their consideration; and

WHEREAS, the Negative Declaration was duly noticed and circulated for public review for a period of 20 days from January 6, 2010 through January 26, 2010; and

WHEREAS, on January 26, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the environmental documentation mentioned above; and

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

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

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting on January 26, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Independent Judgment and Analysis – The Initial Study and Negative Declaration represent the City's independent judgment and analysis.

   FACT: A public hearing was conducted by the City Council on January 26, 2010, during which opportunity was given to address the adequacy of the Negative Declaration. All comments on the Initial Study and Negative Declaration raised during the public and agency comment period and at the Public Hearing(s) on the project were considered by the City Council.

2. Less than Significant Impacts to the Environment – The proposed Negative Declaration determines that there is not substantial evidence that the project will have a significant effect on the environment.

   FACT: An Initial Study of the potential environmental impacts associated with the project has been completed in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been prepared, concluding that as designed and conditioned, the project will not result in significant impacts to the environment.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley, California, DOES HEREBY APPROVE Resolution No. 2010-07, adopting a Negative Declaration for PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan) and PA08-0021 (Tentative Parcel Map No. 35822).

APPROVED AND ADOPTED this 26th day of January, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2010-07 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of January, 2010 by the following vote:

AYES: Council Members Batey, Molina, Mayor Pro Tem Hastings and Mayor Flickinger

NOES: None

ABSENT: Council Member Stewart

ABSTAIN: None

CITY CLERK

(SEAL)