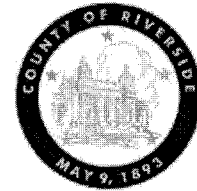


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
1.6  
(ID # 5304)

FROM : TLMA-PLANNING:

MEETING DATE:

Tuesday, September 26, 2017

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE PUBLIC USE PERMIT NO. 931 – EA 42963 – Applicant: Lois Hastings – Representative: Placeworks – Third Supervisorial District – Southwest Area Plan – Highway 79 Policy Area – Rancho California Zoning Area – Zoning: Rural Residential (R-R) – Location: Northwest of Highway 79, east of Pourroy Road, and south of Keller Road – REQUEST: Receive and file the Planning Commission's approval of Public Use Permit No. 931 for construction and operation of a charter school serving 600 students for kindergarten through 8th grade. Total building area is approximately 45,000 square feet. The existing residential structures on the property will remain – APNs: 476-010-013, 476-010-059 – [Applicant Fees 100%]

**RECOMMENDED MOTION:** That the Board of Supervisors:


1. **RECEIVE AND FILE** The Notice of Decision for the above referenced case acted on by the Planning Commission on September 6, 2017.

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

**ADOPTED** a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42963**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

**APPROVED PUBLIC USE PERMIT NO. 931**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

**ACTION: Consent**


  
Charissa Leach, Assistant TLMA Director 9/15/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: September 26, 2017  
xc: Planning, Applicant

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	N/A

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Public Use Permit No. 931 proposes the construction and operation of a charter school serving 600 students for kindergarten through 8<sup>th</sup> grade. Total building area is approximately 45,000 square feet. An existing single family home and garage will remain onsite.

The Planning Commission first heard the project on August 2, 2017. After taking public testimony the Planning Commission determined that the applicant did not do community outreach regarding the project. The Planning Commission continued the project until September 6, 2017 to allow the applicant to reach out to the community.

As a result of the Planning Commission's directive the applicant had two community meetings; August 10, 2017 and August 24, 2017. The main concerns that came from these meetings were Traffic, Noise, and Drainage.

At the September 6, 2017 meeting the Planning Commission took further testimony and imposed two additional conditions of approval on the project to help mitigate neighborhood concerns:

- 1) Prior to grading permit issuance 24" box canopy trees shall be planted at 30 feet on center running the length of the North Property Line from the westerly edge of the TVCS "blacktop" playground to the easterly edge of the property at the Winchester right-of-way and along the westerly edge of the blacktop to the south starting at the northwest corner of the blacktop until the northwest corner of the proposed soccer field.
- 2) Prior to building permit final, a 6-foot solid block wall shall be constructed along Koon Street/Flossie Way along the southern border of APN 476-010-012. The wall shall be constructed on the property line or inside the property line if the owner of 476-010-012 so desires to accommodate topography and a well. The type of block shall be chosen by the property owner of 476-010-012, precision, split face, or slump stone being the most common types of block. The wall shall not be placed in the right of way. Final design of the wall shall be reviewed by the Riverside County Planning Department.

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

If the current owner of 476-010-012, at the time of building permit final, does not desire the construction of this wall, then written confirmation shall be provided to the Riverside County Planning Director, at which time this condition shall be waived.

The above conditions of approval reflect additional noise control measures. The Planning Commission discussed with staff and determined that the project mitigated both traffic and drainage sufficiently.

The Planning Commission then closed the public hearing and approved the project with a 5-0 vote.

**Board Action**

The Planning Commission's decision is final and no action by the Board of Supervisors is required unless the Board assumes jurisdiction by ordering the matter set for a future noticed public hearing, or the applicant or an interested person files a complete appeal application within 10 days of this notice appearing on the Board's agenda.

**Impact on Residents and Businesses**

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and the Planning Commission.

**SUPPLEMENTAL:**

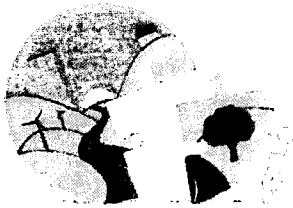
**Additional Fiscal Information**

All fees are paid by the applicant. There is no General Fund obligation.

**ATTACHMENTS:**

- A. **PLANNING COMMISSION MINUTES**
- B. **MEMO TO PLANNING COMMISSION – CORRESPONDENCE WITH MR. GURLING**
- C. **MEMO TO PLANNING COMMISSION – ADDITIONAL LETTERS**
- D. **PLANNING COMMISSION STAFF REPORT**
- E. **PLANNING COMMISSION STAFF REPORT – INITIAL STUDY**
- F. **LETTER RECIEVED AFTER PLANNING COMMISSION**

  
Tina Grande, Principal Management Analyst 9/19/2017



# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach, P.E.*  
*Assistant TLMA Director*

## Memorandum

Date: September 6, 2017

To: Planning Commission

From: Larry Ross, Project Planner

**RE: Item 3.1 - Correspondence with Mr. Gurling and resulting conditions**

Attached is an email from Mr. Kirk Gurling, dated September 2, 2017, requesting continuance of the item since the School had not responded to the questions he had asked.

Attached is an email from Ms. Lois Hastings, dated September 3, 201, responding to Mr. Gurling's questions.

Regarding the three questions, the Planning Department response:

1. Traffic - In discussions with the County Transportation department, the County cannot support turning Pourroy into a Cul-de-sac before in outlets into Keller. The intersection serves too many parcels for both for physical and safety access.
- 2a. Noise – The applicant proposes to mitigate some of the noise from the school by placing trees along the northern property line of school and on the western side of the school from the northwest corner of the blacktop to the northwest corner of the proposed soccer field, shown in green on the attached exhibit. The trees would not, however, be across the southern boundary of Mr. Gurling's property. The point at which the south eastern corner of Mr. Gurling's property touches the school property is where the elevation rapidly rises as it goes west. With the elevation change it does not seem practical to plant on that slope. If the community is in agreement with the school's mitigation, the County Planning Department does not object.

The proposed condition would be:

60. Planning Prior to grading permit issuance 24" box canopy trees shall be planted at 30 feet on center running the length of the North Property Line from the westerly edge of the TVCS "blacktop" playground to the easterly edge of the property at the Winchester right-of-way and along the westerly edge of the blacktop to the south starting at the northwest corner of the blacktop until the northwest corner of the proposed soccer field

- 2b. Noise – The second noise issue as relayed to the Planning Department, is more of a child/animal interaction concern, than primarily a noise issue. The property owner is concerned that children walking by would upset the property owner's animals. The school has agreed to put a 6 foot vinyl

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fence along the southern property line that fronts on Flossie/Koon to minimize child/animal interaction as shown on the attached exhibit in yellow.

The proposed condition would be:

90. Planning. Prior to building permit final, a 6-foot solid vinyl fence shall be constructed along Koon Street/Flossie Way along the southern border of APN 476-010-012. If the current owner of 476-010-012, at the time of building permit final, does not desire the construction of this fence, then written confirmation shall be provided to the Riverside County Planning Director, at which time this condition shall be waived.

3. Drainage – There is no Blue Line Stream mapped on the project site, there is one mapped to the north of the project site however. See the attached Map My County exhibit. The proposed storm water control measures are acceptable to the County, a preliminary WQMP has been reviewed and approved by the Transportation Department.

**Ross, Larry**

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**From:** Kirk Gurling <gonetocostarica@gmail.com>  
**Sent:** Saturday, September 02, 2017 12:07 PM  
**To:** Lois Hastings; Sarabia, Elizabeth  
**Cc:** Ross, Larry  
**Subject:** September 6, 2017 Planning Commission Hearing Re: PUP00931 Temecula Valley Charter School// Attention Planning Commissioner Ruth Ann Taylor Burger and Planning Director Charissa Leach

September 2, 2017

Dear Ms. Hastings and Elizabeth Sarabia;

Since the itemized list of the Neighborhood's concerns that were presented to the Charter School and your consultants responses to these concerns, which were committed to be provided by yourself and your consultants at the August 24, 2017 neighborhood outreach meeting, have not been received as of today it appears that there will not be enough time to thoroughly review this information, discuss these issues with possible solutions and to hold a follow up community meeting prior to the upcoming September 6, 2017 Planning Commissioner Hearing.

In light of lack of enough advance notice to the community to hold such a meeting I will be requesting a further continuance at the up-coming Planning Commission Meeting on September 6<sup>th</sup> to allow for proper outreach to address the concerns raised at the afore mentioned, Thursday, August 24, 2017, neighborhood outreach meeting.

I will be forwarding this letter along with a request to the Planning Commission to continue the Public Hearing to a new date to provide the time to complete this review.

Sincerely, Kirk R. Gurling

**From:** Lois Hastings  
**To:** Kirk Gurling  
**Subject:** Follow Up to the Community Meeting of the 24th  
**Date:** Sunday, September 3, 2017 11:45:54 AM

Dear Mr. Gurling:

Thanks to you and the community members who attended our recent meeting to discuss our planned development of 34155 Winchester Rd. We heard your concerns and understand the major issues from the community are:

1. Traffic
2. Drainage
3. Noise

In response, we have provided all of the studies and plans that address these (and many other) aspects of the development.

We did reach out to our consultants to determine if the County would attend another community meeting, but we were not successful. Our understanding is that County Staff would not attend such a meeting.

To help mitigate the major issues noted above, we wanted to propose some possible solutions:

1. Traffic: We would gladly support a petition to the County to make Pourroy into a cul-de-sac before it outlets onto Keller. Initially, we imagine it could simply be a painted wood standard dead-end blockade with a "No Outlet" sign at the Koon Street intersection. Ultimately we imagine the County could pave the road and terminate it in a cul-de-sac, just like we're doing with Koon in front of the school. It would remain a public street but would prohibit access from Keller to the school. This solution would completely prevent access to the school from Keller.
2. Noise: To minimize noise during school days, the school would propose to add a tree row in the NW corner of the property line to help shield the neighbors from the noise of the playground. In addition, the school can install (with the owner's permission) vinyl or block fencing along the neighbor's property on the north of Koon street to Pourroy to protect her property from noise and students walking on Koon.
3. Drainage: While we understand the community's concerns regarding drainage, we believe our WQMP site plan shows that the site has been properly engineered to prevent drainage flowing uphill to neighboring properties. We also wanted to assure you that none of our studies, reports or other due diligence show a perennial, "blue-line stream" impacting the property. We truly believe that our site is properly engineered to control water flow and stand by our WQMP and associated reports/plans. There will be no alteration to historical drainage patterns due to our engineering plans, which have been reviewed and approved by the County.

Sincerely,

Lois Hastings

August 22, 2017

Good evening Ms. Hastings

Regarding the upcoming event, "Neighborhood Meeting", hosted by the Temecula Valley Charter School, this Thursday, 24, 2017, from 6:00pm to 7:00pm. I was curious if there was any way to extend the time? I acknowledge that we all have busy schedules, but many neighbors are coming from work during rush-hour traffic. Secondly, one hour seems rather short given how many concerns the neighbors have. Is there any way to extend the meeting to two hours?

Before the meeting, I thought it would be a good step in mentioning some of our major concerns.

1. **TRAFFIC:** Access, Circulation, Emergency access, Parking, Traffic control signage, especially at the Pourroy Rd. & Koon St. Intersection. What precautions is the school taking to prevent parents from parking on the dirt roads and embankments in front of neighbors properties, speeding and heavy traffic flow around the main intersection? What precautions is the school taking to prevent vehicles from speeding on Pourroy Road's unstable dirt road? What precautions is the school taking to prevent such a heavy traffic flow on the main intersection at Pourroy Rd. & Flossie/Koon St?
2. **DRAINAGE/GRADING:** Grading and blockage of existing historic drainage courses and patterns, Blue Line Streams. Etc. Many neighbors that share a common property line with the school are concerned about obstruction to, or alteration of historic drainage courses. What precautions is the school taking to prevent obstruction?
3. **BUFFERING:** Walls, fences, landscaping, restricting the use of existing structures and unused excess property! Many local residents are concerned with the increase in foot traffic and noise! What precautions is the school taking to protect neighbors as close as 100' and closer from the negative impacts of the increase in noise, trash, lighting and curious children from the placement of the school?

These are some but certainly not all of the concerns the neighbors have!

Thank you for your time and consideration!

Kirk R. Gurling



August 23, 2017

Good afternoon Ms. Hastings.

In an effort to answer some very specific questions posed by neighbors in the previous communication, I have bullet pointed those questions. This is intended to highlight those concerns.

1. **TRAFFIC:** Access, Circulation, Emergency access, Parking, Traffic control signage, especially at the Pourroy Rd. & Koon St. Intersection.
  - What precautions is the school taking to prevent parents from parking on the dirt roads and embankments in front of neighbors properties, speeding and heavy traffic flow around the main intersection?
  - What precautions is the school taking to prevent vehicles from speeding on Pourroy Road's unstable dirt road?
  - What precautions is the school taking to prevent such a heavy traffic flow on the main intersection at Pourroy Rd. & Flossie/Koon St?
2. **DRAINAGE/GRADING:** Grading and blockage of existing historic drainage courses and patterns, Blue Line Streams. Etc.

Many neighbors that share a common property line with the school are concerned about obstruction to, or alteration of historic drainage courses.

- What precautions is the school taking to prevent obstruction?

3. **BUFFERING:** Walls, fences, landscaping, restricting the use of existing structures and unused excess property!

Many local residents are concerned with the increase in foot traffic and noise!

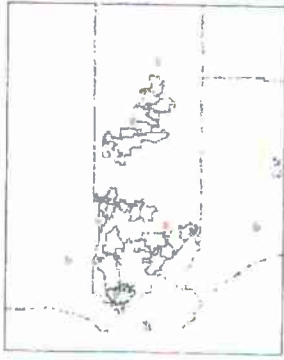
- What precautions is the school taking to protect neighbors as close as 100' and closer from the negative impacts of the increase in noise, trash, lighting and curious children from the placement of the school?

These are some but certainly not all of the concerns the neighbors have!

Thank you again for your time and consideration!

Kirk R. Gurling

# My Map



- Legend**
- ☐ City Boundaries
  - ☐ Cities
  - roads
  - highways
  - HWY
  - INTERCHANGE
  - INTERSTATE
  - OFFRAMP
  - ONRAMP
  - US-HWY
  - counties
  - cities
  - hydrographylines
  - waterbodies
  - Lakes
  - Rivers

## Notes

"IMPORTANT" Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party) accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



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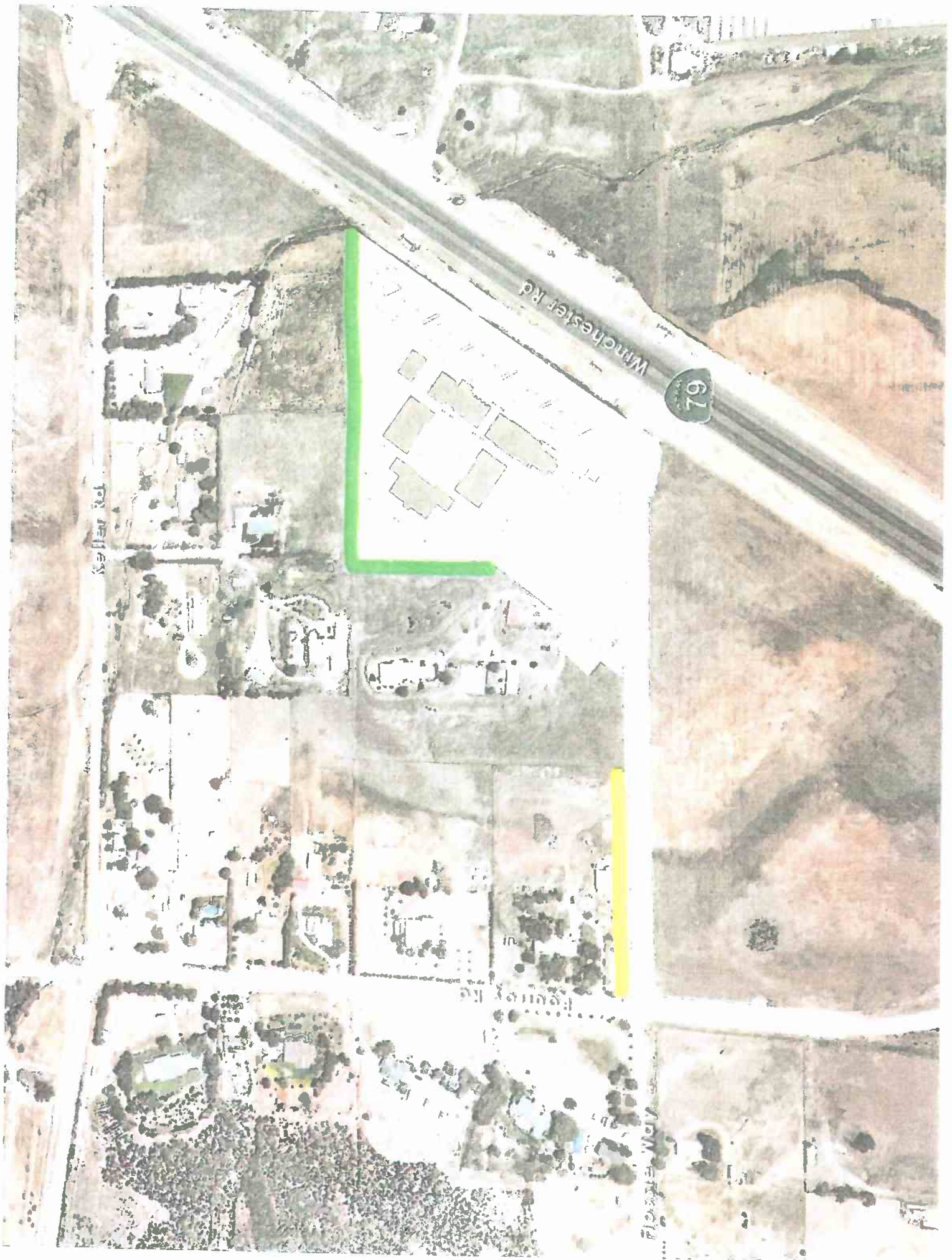
1,073 Feet



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**RIVERSIDE COUNTY**  
**PLANNING DEPARTMENT**

*Charissa Leach, P.E.*  
*Assistant Director of TLMA*

## Memorandum

Date: September 6, 2017

To: Planning Commission

From: Larry Ross, Project Planner

**RE: Item 3.1 Additional letters**

1. Brian James – in opposition. Concerns: Traffic, Drainage, and Noise/Light Pollution
2. Kirk Gurling – in opposition. Concerns: Traffic, Noise, Light, and Initial Study.

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*"Planning Our Future... Preserving Our Past"*

## **Ross, Larry**

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**From:** brian james <brianj83@yahoo.com>  
**Sent:** Tuesday, September 05, 2017 10:24 PM  
**To:** esarabia@rivco.gov  
**Cc:** Ross, Larry; Taylor, Russell; Leach, Charissa  
**Subject:** Proposed Temecula Valley Charter School

Elizabeth Sarabia,

This email is to express my concerns regarding the proposed Temecula Valley Charter School in my neighborhood.

1. Traffic. I have seen the current traffic issues at the schools current location. With the planned route to the new school being from the south, it won't take long for parents to look for alternative access during drop off and pick up times. My concern is a significant increase in high speed traffic along the northern portion of Pourroy Rd. and Keller Rd. I am also concerned about inadequate parking during special events (back to school night, parent teacher conferences, etc.)

2. Drainage. I know the plans call for significant changes in elevation on site. My concern is flooding on my property during significant rainfall. I have had issues with flooding in the past and don't quite see how channeling water around an area the size of a school would have a positive impact on my home.

3. Noise/Light Pollution. I have chosen to make my home away from city noise in the semi rural community of Winchester for a reason. The last the thing I want to listen to all day is school bells, buzzers and PA announcements. The constant noise and lighted sky (if the school plans to have a lighted athletic field) would be an infringement on my quality of life.

Thank you for your consideration regarding these issues.

Respectfully,  
Brian James

**Ross, Larry**

---

**From:** Sarabia, Elizabeth  
**Sent:** Wednesday, September 06, 2017 8:02 AM  
**To:** Ross, Larry  
**Cc:** Leach, Charissa  
**Subject:** FW: Re:PUP00931 (Temecula Valley Charter School) - Letter of Opposition.  
**Attachments:** September 5, 2017 Letter to Planning Commissioners.docx

**From:** Kirk Gurling [mailto:gonetocostarica@gmail.com]  
**Sent:** Tuesday, September 05, 2017 10:42 PM  
**To:** Sarabia, Elizabeth <ESarabia@RIVCO.ORG>  
**Subject:** Re:PUP00931 (Temecula Valley Charter School) - Letter of Opposition.

Ms. Sarabia

Would you please circulate the attached letter to; Ruthanne Taylor Berger (Planning Commissioner), Charissa Leach (TLMA Director of Planning) & Larry Ross (Project Planner).

Please make the attached letter part of the Public record relative to the Public Hearing tomorrow, September 6, 2017.

Thank you, Kirk R. Gurling

September 5, 2017

RE: TEMECULA VALLEY CHARTER SCHOOL

PUP00931

Dear Planning Commissioners:

You will recall that we met on August 2, 2017 at the initial Planning Commission hearing regarding the above referenced matter and that at that time the neighbors to this project and some of the Commissioners expressed concerns, largely about the cul de sac quality and nature of the project. As the neighbors promised at the August 2, 2017 hearing there has been a steady and constant dialogue since that time and one meeting hosted by the developers on August 24, 2017. Unfortunately, the concerns and apprehensions of the neighbors and the neighborhood have not been resolved and we cannot report any significant change in our views about this project.

We have met with the Applicant and stated our observations and numerous concerns. They have responded with their pre-existing studies and a couple of stabs or suggestions towards mitigation. Unfortunately,) we think the developer's stabs and suggestions grossly inadequate.

The issues that are inherent with schools, and it would seem, especially with this school, cannot or have not been mitigated on this site are:

Namely:

1. Traffic-including traffic circulation, patterns, timing and frequency, as well as volume
2. Noise-during the operation of the school and in the transportation and traffic connected with the operation of the school.
3. Lighting-during the hours of school operation and during the hours after and before school operation.

#### A REVIEW OF THE ENVIRONMENTAL ASSESSMENT AND NEGATIVE DECLARATION

There are items in the Environmental Assessment and Negative Declaration for PUP00931 (the Temecula Valley Charter School) that we believe to be incorrect (misstated) and/or that have not been adequately described, addressed, weighed or analyzed, by the County or the Applicant. The developer's agent, Placeworks fails in their studies to include several obvious activities, actors and impacts (both existing and imminent) that the school will add to and in combination impose on the neighborhood. The

planners assigned to this project have been frank that the analysis does not include the presence and impact of a new active school, the Harvest Steam Academy, which is less than .5 of a mile from the site of PUP 00931. Additionally, the planners acknowledge that PUP00931 has not been analyzed in conjunction with the existing, contiguous commercial project referred to as the Pinnacle Shopping Center project which has been approved for over ten (10) years. Contact between the neighbors and Pinnacle suggest that construction at the shopping center may commence in the near future, if the Pinnacle developers are to be believed.

As an example of the inadequate review and analysis, the Pinnacle shopping center will contribute and combine with the Charter School to dramatically and intolerably increase traffic, noise, air quality, lighting on the adjacent streets and in the neighborhood. The Charter School plan suggests and argues that the School will be the exclusive user of Koon Street but this is not true. Koon Street has been dedicated, at least in part, for many years and is planned for construction as part of the Pinnacle Shopping Center and will serve the shopping center as presently planned and approved. It is not true or accurate to state that Koon Street will be the exclusive access for the Charter School and this is made clear when it is considered that substantial parts of Koon Street are not even on the Charter School's property or property line.

Together the Charter School and the shopping center will dramatically and severely effect traffic congestion at Winchester Rd./Abelia St./Pourroy Rd. intersection, the Koon St./Pourroy Rd./ Flossie Way intersection and the Pat Rd./Pourroy Rd. Intersection. The Harvest STEAM Academy is currently using these roads for their access and egress and it is telling that this usage has not been accounted for in this Environmental Assessment and Negative Declaration.

The writers would like to review the Environmental Checklist which is pages 35-45 of the Counties Environmental Assessment and Negative Declaration and incorporate the writer's and neighbors' views of the Checklist and Checklist Findings. This will be prepared in a separate letter and submitted to the Planning Commission at a later time. However, for now, let it be noted that the neighbors do not agree with the Checklist conclusions concerning Lighting, Agriculture, Air Quality, Wildlife and Vegetation, Wetlands, Geology and Soils (including slopes, soils or erosion), Green Gases and Emissions, nearby Airport Analysis, Hydrology and Water Quality (including runoff and storm water, flood water, surface runoff, blue line streams, and other topics. The Checklist seems to lack and thoughtful and careful consideration of changes in Land Use, the impact of changes in Land Use, the impact in the change of current zoning, the Noise Impacts, the proximity of the School to Highway 79, the noise impacts of the vehicle activities and human activity at the proposed School site, nor the way in which the School project will change the housing opportunities in the existing neighborhood. The Checklist also dismisses and does not adequately review, analyze or consider the impact of the project on Public Services, including Police and Fire, or other schools, libraries or potential health services. There is no evaluation of the impact on trails or recreational activities such as biking or horseback riding which are both presently enjoyed in the community. The traffic analysis is terrible and incomplete. The planners acknowledge that they did not evaluate any traffic from the North of the proposed School site and concluded that all



traffic would come from the South of the site. There are no provisions for improvements for utilities and services to be brought to the contiguous neighbors or neighborhood by this project. This applies to Fire Hydrants, Communications, City Water, Gas, Parks, or Recreational Facilities. Finally, taken in totality, there is no realistic analysis of the Mandatory Findings of Significance while the cumulative impact of this project would clearly have a Significant Impact on the overall environmental quality of the neighborhood and would affect the habitat of owls, raptors, other animals and the present residents.


Sincerely, Kirk R. Gurling

34119 Keller Flat Court

Winchester, CA. 92596

Agenda Item No.: 3.1  
Area Plan: Southwest  
Zoning Area: Rancho California  
Supervisory District: Third  
Project Planner: Larry Ross  
Planning Commission: September 6, 2017

Public Use Permit No. 931  
Environmental Assessment No. 42963  
Applicant: 34155 Winchester Rd, LLC  
Engineer/Representative: PlaceWorks

  
Charissa Leach P.E.  
Assistant TLMA Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION:

Public Use Permit No. 931 proposes the construction and operation of a charter school serving 600 students for kindergarten through 8<sup>th</sup> grade. Total building area is approximately 45,000 square feet. An existing single family home and garage will remain onsite.

### PROJECT LOCATION:

Northwest of Highway 79, east of Pourroy Road, and south of Keller Road

### FURTHER PLANNING CONSIDERATIONS:

August 2, 2017

The project was heard before the Planning Commission on August 2, 2017.

Eight neighbors spoke against the project. One neighbor spoke in a neutral position on the project. No neighbors spoke in favor of the project.

3 letters were received at the Planning Commission. 2 Additional letters were received after the Planning Commission meeting.

The discussion at Planning Commission was primarily focused on traffic and access.

The Planning Commission asked the applicant if any public outreach had been done. The applicant replied that no community outreach had been done. The Planning Commission continued the project to September 6, 2017 to allow the applicant to do community outreach.

### FURTHER PLANNING CONSIDERATIONS:

August 10, 2017

The applicant held a community meeting on August 10, 2017. Details from the applicant's meeting:

On August 10, 2017, the school's director/principal, their legal counsel, PlaceWorks' traffic engineer, and two of the community representatives met at the offices of the Temecula Valley Charter School at 35755 Abelia Street in Winchester. The community issues of concern discussed at the meeting included:

- Access and circulation
- Public Safety

- Hours of operation
- Future expansion
- Existing house
- Grading, drainage, and water quality
- Fencing, screening and landscaping
- Noise and lighting
- Lighting

The project team made note of these issues of concern and will present responses to the surrounding neighbors at next week's community meeting, which was held on Thursday, August 24 at 6:00 PM in the Multipurpose Room of the Temecula Valley Charter School.

**FURTHER PLANNING CONSIDERATIONS:**

August 24, 2017

The applicant held a community meeting on August 24, 2017 at the Multipurpose Room of the Temecula Valley Charter School. Attached are some pre-meeting correspondence, the meeting power point, and a photo of the meeting.

**FURTHER PLANNING CONSIDERATIONS:**

August 29, 2017

Attached to the staff report are responses to comments addressing the concerns raised by the 5 letters that were received.

**BACKGROUND:**

The Temecula Valley Charter School was founded in 1994, under the name Temecula Learning Center. The school has been operating at its current location, 35755 Abelia Street, in French Valley for many years. The current charter school site is owned by the Temecula Valley School District, and because of operational needs of the Temecula Valley School District asked the Temecula Valley Charter School to relocate. The proposed Public Use Permit No. 931 is for the relocation of the existing school, staff and students.

**SUMMARY OF FINDINGS:**

- |  |  |
|--|--|
| 1. Existing General Plan Land Use (Ex. #5):    | Rural: Rural Residential (RR)  |
| 2. Surrounding General Plan Land Use (Ex. #5): | Rural: Rural Residential (R:RR) to the north and west, and Community Development: Commercial Retail (CD:CR) to the south and east. |
| 3. Existing Zoning (Ex. #2):                   | Rural Residential (R-R)  |
| 4. Surrounding Zoning (Ex. #2):                | Rural Residential (R-R) to the north and west, General Commercial (C-1/C-P) to the south, and Specific Plan to the east.           |
| 5. Existing Land Use (Ex. #1):                 | Single Family Residential  |
| 6. Surrounding Land Use (Ex. #1):              | Single Family Residential to the north, east and west, vacant to the south.  |

7. Project Data: Total Acreage: 14.59
8. Environmental Concerns: See attached environmental assessment

**RECOMMENDATIONS:**

**ADOPT** a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42963**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

**APPROVE** **PUBLIC USE PERMIT NO. 931**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

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

1. The project site is designated Rural: Rural Residential (R:RR) on the Southwest Area Plan.
2. The proposed use, a charter school is consistent with the Rural: Rural Residential (RR) designation. The RR designation allows for governmental uses, the charter school is a governmental use.
3. The project site is within the Highway 79 Policy Area of the Southwest Area Plan. The Highway 79 Policy Area requires a 9 percent reduction from the midpoint of the density range for a given General Plan designation for residential land division. Since the proposed project is not a residential subdivision, it is not subject to the Highway 79 Policy area requirements.
4. The project site is surrounded by properties which are designated Rural: Rural Residential (R:RR) to the north and west, and Community Development: Commercial Retail (CD:CR) to the south and east..
5. The zoning for the subject site is Rural Residential (R-R).
6. The proposed use, a charter school, is consistent with the development standards set forth in the Rural Residential (R-R) zone:

"One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance."

The tallest building in the project is 28 feet in height, therefore the project does not exceed the height requirement of the zone.

"Lot Area. One-half acre, with a minimum average width of 80 feet, including the area to the center of adjacent streets, shall be the minimum size of any lot except as follows:

- (i) Public utilities, 20,000 square feet with a minimum average lot width and depth of 100 feet."

The project currently has two lots, but the project is conditioned to be merged into one lot. The current lot sizes of each lot is approximately 7 acres, thus exceeding the half acre requirement. The first lot currently has a width of 513 feet. The second lot has a width of 300 feet that expands to 767 feet in width, giving it an average width of 533.5 feet. Both lots in their current configuration meet minimum average 80 foot lot width, and with the parcel merger the new lot will have an average lot width of 944.5 feet which also meets the required minimum average 80 foot lot width.

"Automobile storage space shall be provided as required by Section 18.12. of this ordinance."

Under section 18.12, elementary schools are required to be parked at "Whichever is greater: 1 space/classroom, OR 1 space/3 seats in the auditorium or multi-purpose room. " The project has a multipurpose room with 290 seats, which when divided by 3 as stated above, the required parking would be 97 parking spaces. The project has provided 98 parking spaces.

7. Pursuant to Section 18.29 of Ordinance No. 348, the proposed charter school is permitted in the Rural Residential (R-R) zone with an approved public use permit. Section 18.29 provides that that educational institutions may be permitted in any zoning classification provided a public use permit is granted.
8. Pursuant to Section 18.29d of Ordinance No. 348, "A public use permit shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community. Any permit that is granted shall be subject to such conditions as shall be necessary to protect the health, safety or general welfare of the community"

The proposed school has been designed to insure the safety of both the children that attend the school as well as the public at large. The school meets Fire code requirements and the Transportation requirements for such a facility. In addition, a school meets the needs of the community by providing schooling to the children that reside in the Temecula Valley School District. The charter school further assists the School District in its mission to educate the children located in the district by taking pressure off of the district's limited resources and giving the community at large a choice as to an alternate form of education within the district.

9. In accordance with Section 18.12 of Ordinance No. 348 the required parking for this facility is 93 parking spaces. The proposed charter school will include 96 parking spaces.
10. The project site is surrounded by properties which are zoned Rural Residential (R-R) to the north and west, General Commercial (C-1/C-P) to the south, and Specific Plan to the east.
11. Single family residential uses have been constructed and are operating in the project vicinity.
12. The project site is located within the City of Murrieta sphere of influence and as such a copy of the project was transmitted to the City of Murrieta. As of writing of this staff report, no response has been received from the City of Murrieta.
13. This project is located within Criteria Area 5275 of the Western Riverside County Multiple Species Habitat Conservation Plan. The project went through the HANS process and the project was transmitted to Joint Project Review on June 20, 2017 by the Regional Conservation Authority. Conservation within this Cell will range from 10%-20% of the Cell focusing in the southern portion of the Cell. The project site, however, is located in the northwestern part of the Cell. Further, the

proposed Constrained Linkage 8 is located approximately 1,400 feet south of the project site. The land between the project site and the linkage is in agricultural use and is crossed by SR-79. The proposed project would not impact the assembly or wildlife movement function of Constrained Linkage 18. As a result, the project is not required to provide land for conservation and it fulfills the requirements of Criteria Cell 5275 and Constrained Linkage 18.

14. The project is located within the Stephens Kangaroo Rat Fee Area or Core Reserve Area. The project has been conditioned (60.PLANNING.11) that prior to the issuance of a grading permit, the applicant shall comply with the provisions of the Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance.
15. Notifications about this project were sent to the Native American tribes that requested to be noticed pursuant to AB 52. These include the Pechanga Band of Luiseno Indians, Soboba Band of Luiseño Indians, Ramona Band of Cahuilla Indians, Colorado River Indian Tribes and the Rincon Band of Luiseño Indians. Requests for consultation were received from Pechanga and Soboba. The remaining tribes did not request consultation on this project. Pechanga and Soboba did not identify any Tribal Cultural Resources in the project area. Pechanga and Soboba expressed concern that subsurface resources may be present and requested that a tribal monitor be present during grading activities(60.PLANNING 3). Consultation was concluded with both Pechanga and Soboba on April 19, 2017.
16. Environmental Assessment No. 42963 identified the following potentially significant impacts:
  - a. Cultural Resources
  - b. Geology/Soils

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, conditions of approval, and attached letters. No other significant impacts were identified.

### **CONCLUSIONS:**

1. The proposed project is in conformance with the Rural: Rural Residential Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Rural Residential (R-R) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

### **INFORMATIONAL ITEMS:**

1. As of this writing, no letters, in support or opposition have been received.

2. The project site **is not** located within:
  - a. A 100-year flood plain, an area drainage plan, or dam inundation area;
  - b. California Gnatcatcher, Quino Checkerspot Butterfly habitat;
  - c. A high fire area; or
  - d. Recreation and Parks District boundary.
3. The project site **is** located within:
  - a. The city of Murrieta sphere of influence;
  - b. The Stephens Kangaroo Rat Fee Area; and
  - c. A low liquefaction potential area;
4. The subject site is currently designated as Assessor's Parcel Numbers 476-010-013 and 476-010-059.

August 2017 | Response to Comments

# TEMECULA VALLEY CHARTER SCHOOL

County of Riverside

*Prepared for:*

**County of Riverside**

Contact: Larry Ross, Principal Planner  
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Riverside, California 92502  
951.955.9294

*Prepared by:*

**PlaceWorks**

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# 1. Response to Comments

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The following is a list of agencies and organizations that submitted comments on the Initial Study/Mitigated Negative Declaration (IS/MND) during the public review period. Comment letters and specific comments are given letters and numbers for reference purposes.

Number Reference	Commenting Agency/Person	Date of Comment	Page No.
<b>Agencies and Organizations</b>			
A1	Law Offices of Abigail Smith	August 1, 2017	3
<b>Residents</b>			
R1	Rick and Kelly Croy	August 1, 2017	27
R2	Rita Flenoid	August 1, 2017	31
R3	Dennis T. Tuffin	August 1, 2017	37
R4	Kirk R. Gurling	August 1, 2017	47

## Response to Comments

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## Response to Comments

LETTER A1 – Law Offices of Abigail Smith (7 pages)

**Law Offices of Abigail Smith**  
1455 Frazee Road, Suite 500, San Diego, CA 92108

Abigail A. Smith, Esq.  
Telephone: (951) 506-9925  
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Email: abby@socalccqa.com

***BY E-MAIL AND U.S. MAIL***

August 1, 2017

Riverside County Planning Commission  
c/o Ms. Elizabeth Sarabia, Planning Comm'n Secretary  
4080 Lemon Street, 12<sup>th</sup> Floor  
P.O. Box 1409  
Riverside, CA 92502  
esarabia@rivco.org

Mr. Larry Ross  
Principal Planner  
County of Riverside Planning Dept.  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, CA 92502  
Lross@rivco.org

**Re: Planning Commission Hearing August 2, 2017, Item 4.1—Public Use Permit No. 931/Temecula Valley Charter School**

Dear Riverside County Planning Commissioners:

Please accept this letter on behalf of local residents, Residents For Intelligent Planning, regarding the proposed Temecula Valley Charter School/Public Use Permit No. 931. This project is scheduled for hearing before the Planning Commission on August 2, 2017 (Item 4.1).

First, we request that the Planning Commission continue the hearing to allow for additional time for public review of project documents and comment. The community was not consulted on this Project. The lack of public outreach has left the community scrambling to understand the scope and nature of the proposed project and its impacts. A1-1

Second, if the Planning Commission will consider this item, we urge that the Commission deny the Project at this time and recommend that an Environmental Impact Report ("EIR") be prepared.

## Response to Comments

### 2 Riverside County Planning Commission Public Comments – Item 4.1

The Temecula Valley Charter School is a proposal for the construction and operation of a charter school serving 600 students for kindergarten through 8<sup>th</sup> grade. For the reasons outlined below, the Environmental Assessment (“EA”) is legally inadequate and an Environmental Impact Report (“EIR”) is required. The California Environmental Quality Act (“CEQA”) requires the preparation of an EIR for any project that *may* have significant adverse effects on the environment. (Public Resources Code § 21151.) “Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect.” (State CEQA Guidelines, §15064 (f)(1).) The Project meets these standards as discussed further below. Additionally, a mitigated negative declaration is only appropriate when revisions in the proposed project “would avoid the effects or mitigate the effects to a point where *clearly* no significant effects would occur, and [t]here is *no* substantial evidence, in light of the whole record before the agency, that the project as revised *may* have a significant effect on the environment.” (State CEQA Guidelines, § 15070 (b) [emphasis added].) The EA does not demonstrate that significant impacts are mitigated to a point where “clearly no significant effects would occur.”

A1-2

#### Project Description

Based on the available information there is apparently an inconsistency relative to the existing street or road that provides access to the existing home on the Project site. Will this road be eliminated as part of the Project? Does the Project intend to rely upon this road for emergency access or otherwise? The site plan indicates that the road may be retained. Moreover, it is indicated that the existing residential structures on-site will remain. The site plan indicates that one will be a “caretaker residence.” Does the applicant intend to develop this adjacent parcel more fully at some point? Consistent with CEQA’s mandates, the entirety of the Project and all phases must be described fully and accurately.

A1-3

#### Air Quality

The construction air quality study should be updated using the latest CalEEMod (*see*, <http://www.caleemod.com>).

Furthermore, we could not locate the CalEEMod report to support the conclusions of EA, p. 42 regarding construction emissions. This model report does not appear with the EA, though Appendix B purports to contain “Air Quality and Greenhouse Gas Background and Modeling Data”. Therefore, we are unable to review and comment on the assumptions, inputs, and ultimate conclusions of the construction air quality study. Even so, the “expectation” that the earthwork is balanced must be made a condition of the proposed project in order to guarantee that the assumptions of the air quality model are

A1-4

## Response to Comments

### 3 Riverside County Planning Commission Public Comments – Item 4.1

accurate. The noise section suggests it is assumed that there will be little to no off-site/on road haul trips.

A1-4  
cont'd

### Water Quality and Flooding

Conclusions about water quality impacts are based on a preliminary WQMP. The EA mentions that, "site specific features would be described in the site-specific WQMP" (p. 87). This represents deferred analysis contrary to CEQA. There is not evidence to support the conclusion that impacts are less than significant under thresholds a), d), and g). The EA also describes that the "proposed development of the Keller Crossing Specific Plan ... would include a 24-inch storm drain along Keller Road that ... would prevent off-site runoff from entering the school site" (p. 87). This is inadequate. The Project must mitigate its impacts and not rely on anticipated improvements by other projects.

A1-5

The Project is apparently designed so that all storm water shall be contained underground. We urge the Planning Commission to ensure that this project has been fully reviewed by all water quality agencies prior to approval, including State agencies that monitor the Santa Margarita Water Shed and the San Diego River Watershed. There is major concern on the part of the community that flood and stormwater impacts have not been fully evaluated or mitigated. CEQA provides that impacts must be studied *before* a project is approved.

A1-6

### Land Use

The Project area is described as a rural residential and agricultural area of French Valley. According to the EA, the immediate neighborhood consists of rural residences and farmland, and in fact a single family abuts the northern site boundary on the west. The current land use designation is Rural Residential; the current zoning is Rural Residential. The Project has potentially significant land use impacts due to conflicts with surrounding uses. These impacts are not mitigated because of the granting of a permit for the proposed use. The Project will bring a substantial number of vehicle trips, noise, and lighting effects to a rural area. This represents an adverse change to the environment within the meaning of CEQA. Further, we do not agree, as claimed by the EA, that "land use compatibility is no longer a CEQA issue" (p. 101). If the Project site were developed pursuant to the Rural Residential land use and zoning designations, these environmental effects would be much less; notably, there would be far fewer vehicle trips.

A1-7

### Noise

The operational noise analysis is wholly inadequate as related to nearby and adjacent homes. The EA states that General Plan Policy N 2.3 establishes noise standards for stationary noise sources but then fails to discuss or evaluate noise levels due to the

A1-8

## Response to Comments

### 4 Riverside County Planning Commission Public Comments – Item 4.1

Project at nearby residential receptors. The analysis also fails to mention Policy N 4.1 that prohibits facility-related noise received by any sensitive use from exceeding the level of 65 dBA between 7 a.m. and 10 p.m. The EA discusses operational noise only in terms of roadway noise. There is no attempt to determine whether Project noise is significant in terms of nearby receptors, because either (1) the noise levels violate the General Plan noise standards or (2) there is a substantial, permanent increase in ambient noise (*i.e.*, the adopted thresholds of significance). The EA acknowledges that nearby sensitive receptors include the “multiple single-family residences between 200 and 500 feet north of the proposed project site and approximately 350 feet west of the proposed project site.”

The EA mentions that rooftop mechanical equipment would be “placed within appropriate sound enclosures or parapets” to minimize noise. But there is no attempt to quantify the noise levels of such equipment and evaluate operational noise due to the Project in relation to nearby receptors. Moreover, rooftop mechanical equipment is just one element of a school facility. The school facility can be expected to generate noise due to delivery trucks, school buses including idling of buses, car idling, other parking lot noise such as doors slamming, a public address system, and school bells *as well as* rooftop mechanical equipment. There is no attempt to quantify these noise sources and evaluate whether collectively they produce noise in excess of noise standards or other thresholds at sensitive receptors. The General Plan regulates noise so that noise is prohibited above 55 Leq daytime and 65 Lmax daytime. The Project must be evaluated in terms of these standards as to the nearby receptors and in terms of all operational noise sources.

Indeed, there is no attempt to evaluate Lmax noise levels, which are also regulated. In the context of the proposed project, the likely short-term noise events include car horns and other parking lot activities, loudspeakers/PA system, and school bells.

Furthermore, the noise analysis does not appear to disclose the existing CNEL at nearby receptors so that the reader cannot determine whether the Project will cause a measureable *increase* in existing noise conditions at these locations.

In terms of roadway noise, it does not appear that analysis was performed with respect to Flossie Way, Ruft Road or Pat Road (or any roadways east of Pourroy Road). These are all rural residential roadways. This omission must be corrected.

Nevertheless, the noise study indicates a significant impact, contrary to the EA’s conclusion, as to at least Pourroy Road, Keller Road, and Ruft Road. For instance, in 2018, there is a 12.5 dbA increase in roadway noise levels on Keller Road east of Winchester. The EA fails to explain how the Project’s contribution to this noise increase is a mere 0.2 dB so that impacts are less than significant. The EA dubiously notes that there are “major overall increases between existing conditions and future conditions but

A1-8  
cont’d

A1-9

## Response to Comments

5 Riverside County Planning Commission  
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these are due to ambient growth and the cumulative contributions of other projects in the area.” The noise analysis does not disclose the other projects that would contribute to such a major noise increase *by year 2018*. Thus the EA indicates, at the very least, a “fair argument” of significant roadway noise impacts due to the Project.

A1-9  
cont'd

The EA reveals that the “facades of the project buildings that would face SR-79” would experience traffic noise levels of approximately 69 dBA CNEL. We disagree that this is not a significant CEQA impact at least in terms of compatibility with the General Plan. Also, according to the EA, this failure to comply with the General Plan noise standards would “need to be addressed prior to the issue of building permits.” This statement amounts to deferred analysis and mitigation, and furthermore, does not resolve the Project’s conflict with the General Plan.

A1-10

Construction noise is significant and unmitigated with respect to at least two nearby receptors. Case law interpreting CEQA provides that compliance with a regulatory standard such as the County’s construction ordinance does not necessarily eliminate the CEQA impact.

A1-11

### Traffic

There is inadequate access to the Project where it relies solely on the newly created cul-de-sac street (Koon Street). There is indication that there will be an emergency access point on Highway 79 to satisfy the Fire Department who has yet to approve the PUP. Traffic and safety issues are unresolved.

A1-12

The Project will generate 1,488 vehicle trips per day, and the EA indicates a significant impact at numerous intersections and roadways, yet there is no mitigation proposed for the impact. For instance, the EA concludes there are significant impacts with respect to the intersection of Pourroy Road at Pat Road and states that road improvements – *i.e.*, a traffic signal – would be necessary to address the intersection’s operational deficiencies (pp. 126-127). However, based on the purported application of “signal warrant criteria” (purportedly contained in Appendix H) the EA concludes that the signal warrant criteria would not be met for any intersection under existing and 2018 scenarios. The EA references Appendix H (the traffic study) but this study (p. 41) contains the same conclusory language as the EA. There is no analysis to support the bare conclusion of the EA that no signal is warranted. There is also a reference to the 2014 California Manual on Uniform Traffic Control Devices but that document is apparently not included with the study, and is not even referenced in the EA’s “References” section. Thus there is no explanation as to how the Project was determined to be exempt from requiring the construction of a traffic signal. Indeed, during the “AM peak hour” the intersection of Pourroy Road at Pat Road (currently unsignalized) degrades from LOS D to LOS F. This meets the adopted threshold of significance for Project impacts and *mitigation is required* (p. 126). In short, the Project must be conditioned to provide the necessary traffic

A1-13



## Response to Comments

### 6 Riverside County Planning Commission Public Comments – Item 4.1

improvements to mitigate significant traffic impacts. Otherwise, reliance upon a mitigated negative declaration is legally improper.

A1-13  
cont'd

The EA also omits information such as:

- the combined impact of the proposed school with the Harvest Steam Academy located at 31600 Pat Road (at Elliot Road). *See*, EA Figure 12; *see also*, Traffic Study, Appendix E. This elementary school is causing significant traffic impacts nearby. Thus Figure 12 does not represent “closely related past, present, and reasonably foreseeable probable future projects.” Nor does Figure 12 include “the Keller Crossing Specific Plan, which is just north of Keller Road and the school site” (p. 87);
- all roads north of the Project site, which is completely unrealistic. For instance, the intersections of Keller Road at Pourroy Road, and Ruft Road at Pourroy are excluded;
- a traffic scenario based on cumulative projects or growth beyond year 2018 such as 2025 or 2030. Limiting the analysis to year 2018 is simply presenting a *short-term* view of Project impacts; and
- the recommendations of the traffic study at p. 44.

A1-14

A1-15

A1-16

A1-17

Finally, it is not clear that the thresholds of significance listed at EA p. 116 are applicable to all of the roadways and intersections identified in the EA. For instance, Pat Road is a “two –lane local street.” Pat Road will receive 20% of the Project’s traffic according to Figure 11. Pourroy Road is a “Secondary Roadway and is currently two lanes” (p. 113). The vast majority of Project traffic is anticipated to use Pourroy Road according to the EA.

A1-18

### **General Plan Inconsistency**

In addition to unmitigated CEQA impacts, the Project may also conflict with the County’s General Plan including:

- Policy N 1.3 which discourages schools or other residential uses in areas in excess of 65 CNEL  
(*see*, [http://planning.rctlma.org/Portals/0/genplan/general\\_plan\\_2016/elements/Ch07\\_Noise\\_120815.pdf?ver=2016-04-01-100805-193](http://planning.rctlma.org/Portals/0/genplan/general_plan_2016/elements/Ch07_Noise_120815.pdf?ver=2016-04-01-100805-193).);
- Policy N 1.5 stating that projects should “prevent and mitigate the adverse impacts of excessive noise exposure on the residents, employees, visitors and noise-sensitive uses of Riverside County”; and
- Policy N 1.3 specifically stating that any land use that is exposed to levels higher than 65 CNEL will require noise attenuation measures

A1-19

## Response to Comments

7 Riverside County Planning Commission  
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The EA asserts based on case law that analysis of the existing environment on the project is no longer a requirement of CEQA. Yet, here, the project before you involves school children and thus greater concerns are in play.

A1-19  
cont'd

**Conclusion**

As a result of these flaws and omissions, we believe the Environmental Assessment is legally inadequate and that an EIR is required. Furthermore, we respectfully ask that you continue this item to a future hearing date to honor the desire of the community to have additional time to fully review the project.

A1-20

Sincerely,

*Abigail Smith*

Abigail Smith, Esq.

## Response to Comments

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## Response to Comments

### **A1. Response to Comments from Law Offices of Abigail Smith, Abigail Smith, Esq., dated August 1, 2017.**

A1-1 The commenter requested a continuance of the Planning Commission hearing and that the Planning Commission deny the project and require preparation of an EIR. In response to the public comments received at the Riverside County Planning Commission meeting of August 2, 2017, regarding the lack of community outreach and various project issues and concerns raised by surrounding residents, the Planning Commission continued the project to the September 6, 2017, Planning Commission meeting in order to provide the Temecula Valley Charter School ample time to meet with the surrounding community residents to discuss and provide responses and solutions to the issues and concerns raised. Meetings with the surrounding community residents were held at the offices of the Temecula Valley Charter School on August 10 and August 24, 2017.

Please note that the County released the Initial Study/Mitigated Negative Declaration for public review on July 7, 2017. The public review period extended from July 13, 2017 to August 1, 2017. Additionally, the Notice of Public Hearing and Intent to Adopt a Mitigation Negative Declaration that accompanied the Initial Study/Mitigated Negative Declaration (IS/MND) was made available by the County on July 13, 2017. In addition to noting the public hearing details (e.g., time, date, location), information was provided as to where the public could review the IS/MND. The notice was made available to the public in accordance with the County's public noticing requirements, and the public review period of the IS/MND was provided in accordance with the CEQA Guidelines.

With regards to the request for the preparation of an EIR, the detailed rationale provided by the commenter for the need of an EIR is provided in Comment A1-2. See Response to Comment A1-2, below.

A1-2 The commenter stated that per the CEQA Guidelines statutes outlined in this comment and for the reasons provided in Comments A1-3 through A1-19, the environmental assessment contained in the Initial Study/Mitigated Negative Declaration does not demonstrate that project-related significant impacts are mitigated to a point of less than significant and therefore, an EIR should be prepared.

Based on the analysis, findings and conclusions contained in the Initial Study/Mitigated Negative Declaration (IS/MND), the IS/MND is the appropriate environmental document necessary to provide CEQA clearance for the proposed charter school. As demonstrated in the individual topical sections of the IS/MND, all impacts were determined to either not be significant, less than significant, or less than significant with implementation of mitigation. Based on their review of the IS/MND, the County of Riverside has determined that the IS/MND meets the requirements of Section 15070 of the CEQA Guidelines, and that an EIR is not required to provide CEQA clearance for

## Response to Comments

the proposed project. Refer also to the individual responses provided to Comments A1-3 through A1-19, below.

- A1-3 The commenter requested clarification on a number of project features and components; specifically, those related to the existing use of the home onsite, plans for development of the western portion of the project site, and vehicular and emergency access. The commenter also stated that per the CEQA mandates, the entirety of the project must be described fully and adequately.

A detailed description of the proposed project is provided in Section 1.3, *Project Description*, of the IS/MND. However, the following text of Section 3.1 (pages 2 and 3) has been revised in response to the commenter and for clarification. Changes made to the IS/MND are identified here in ~~strikeout~~ text to indicate deletions and in underlined text to signify additions.

### 1.3.1 Proposed Land Use

The project consists of construction and operation of a K-8 charter school for 600 students. Six one-story school buildings, totaling about 44,998 square feet of building area, would be clustered in the east-central part of the project site around a quad (see Figure 6, Site Plan). The buildings would consist of four classroom buildings containing 31 classrooms and totaling 27,180 square feet; a 9,468-square-foot multipurpose building; and an 8,350-square-foot administration building. The multipurpose building, which would be built in the south-central part of the project site, would be about 27 feet high, and the four classroom buildings would each be about 18 feet high (see Figures 7, *Elevations, Multipurpose Building*, and 8, *Elevations, Classroom Building C2*).

As shown in Figure 6, most of the westerly parcel onsite would be left as is. The, which consists of a vacant single-story residence atop the hill in the northwestern part of the project site, and the a garage, a concrete driveway, two aboveground water tanks and a concrete pad in the west-central part of the project site, would remain in its existing condition. Improvements proposed for the westerly parcel include the installation of a new concrete driveway to serve the existing residential structure, as well as turf areas and playfields in the southeasterly portion of this parcel. Additionally, An existing mobile home in the west-central part of the project site would be removed. The existing residence to remain may be used as a caretaker residence, or may remain vacant and unused. Aside from the aforementioned improvements and activities, no further development plans are proposed for the western parcel.

~~The northwestern part of the project site, a hill topped by a vacant single family residence, would be left as is.~~

## Response to Comments

### Access and Parking

School site access would be via Koon Street, currently designated as a paper street in the County's General Plan, which would begin at the Flossie Way/Pourroy Road intersection, extend along the project site's southern boundary and end in a cul-de-sac at SR-79. School access from the Koon Street cul-de-sac would be via two 1-way driveways forming an elongated one-way loop next to the east site boundary, with the school's 100-space parking lot in the center of the loop. ~~A fire lane would extend over paved areas around the school buildings.~~ A flow-through student drop-off lane would loop around the periphery of the parking lot.

As shown in Figure 6, a fire lane would extend over paved areas around the school buildings. Emergency access to the school site would be provided via Koon Street, which would include a striped center lane. The cul-de-sac proposed at the end of Koon Street would also include rolled curbs, which would provide secondary emergency access to the school site from SR-79 in the event it is needed for emergency vehicles.

The existing dirt access road onsite that connects to SR-79 (see Figure 3, *Aerial Photograph*) would be eliminated and no longer provide vehicular access to the project site in any way. As noted above, vehicular access would be provided via Koon Street. While Emergency vehicular access would also be provided via Koon Street, secondary emergency access from SR-79 would also be available via the rolled curbs of the cul-de-sac at the terminus of Koon Street.

A new concrete driveway would be built just west of the campus connecting an existing driveway from the remaining residence on the hill to Koon Street (see Figure 6).

Project development would also include paving approximately 385 feet of Pourroy Road extending south from the intersection of Koon Street to a currently paved portion of Pourroy Road. The areas of Koon Street and Pourroy Road that would be developed would total about 0.65 acre.

- A1-4 The air quality and greenhouse gas (GHG) emissions modeling was conducted prior to the release of CalEEMod Version 2016.3.1. The modeling using CalEEMod 2013.2.2 shows that construction and operational phase emissions of the project are substantially below the South Coast Air Quality Management District (SCAQMD) significance thresholds. Modeling improvements since CalEEMod 2013 include revisions to the emissions factors in the California Air Resources Board's OFFROAD and EMFAC model that integrate the latest regulations for new vehicles, resulting in a reduction in emissions in future model years. Consequently, while a newer modeling tool is available, emissions associated with the proposed project would remain less than significant. The

## Response to Comments

CalEEMod emissions outputs are included in Appendix B, *Air Quality and Greenhouse Gas Background and Modeling Data*, of the IS/MND.

In addition, the construction trip evaluation for noise was consistent with the inputs and assumptions used in the air quality assessment. That is, with a ‘balanced’ site, all cut-and-fill dirt movement would stay within the confines of the project boundaries, resulting in little to no haul-in/haul-out trips to or from the site being needed. Rather, other vendor trips (including watering trucks) and worker (commuting) trips were included in the assessment, and the total construction-related traffic trips would be less than 50 daily trips. As stated in the IS/MND, these worker and vendor trips would be inaudible in comparison to the SR-79 vehicle flows of approximately 19,640 ADT (that is,  $10 \times \log_{10} (19,690/19,640)$  is less than  $1/50^{\text{th}}$  of a decibel, which is well below the  $\pm 3$  dB threshold of detectability for changes in sound levels). Please see the Air Quality technical appendix (Appendix B of the IS/MND) for additional details on the construction period equipment, vehicles, and trip numbers.

- A1-5 The commenter stated that the reference in the IS/MND regarding the site-specific features to be included in the site-specific Water Quality Management Plan (WQMP) is considered deferred analysis contrary to CEQA. The commenter also stated that there is no evidence to support the conclusion that impacts are less than significant under thresholds a), d), and g). In response to the commenter, the analysis, findings and conclusions associated with thresholds a), d), and g) of the Section 3.9, *Hydrology and Water Quality*, of the IS/MND are based in part on the preliminary WQMP prepared for the proposed project, for which a complete copy of this report was made available for review at the County of Riverside Planning Department, as noted at the beginning of Section 3.9 (page 86). The preliminary WQMP was reviewed and approved for use by the Riverside County Transportation Department and provides sufficient detail regarding the potential physical environmental impacts as they relate to stormwater and hydrology, as well as appropriate BMPs. The commenter is incorrect in assuming that a preliminary WQMP is somehow insufficient or represents deferred analysis.

Additionally, and for clarification, Condition of Approval 60.TRANS 005 requires the project applicant to submit a final WQMP to the County Transportation Department for review and approval. Submittal of a final WQMP is a standard requirement of the County, and preparation of the final WQMP is based on the preliminary WQMP prepared for the proposed project. However, the following text of Section 3.9 (pages 87 and 90) has been revised in response to the commenter and for clarification. Changes made to the IS/MND are identified here in ~~strikeout~~ text to indicate deletions and in underlined text to signify additions.

## Response to Comments

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

The operational phase of the project development would contain a number of features to reduce the impact of erosion and siltation, including site design, source control, and treatment control BMPs. These features ~~would be~~ are described in the ~~site-specific preliminary~~ WQMP prepared for the proposed project; hydromodification BMPs that mimic pre-development flow rates and volumes would also be included, if needed. Implementation of the construction and operational BMPs would minimize erosion and siltation, and impacts would be less than significant. No mitigation is required.

- d) **Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**

**Less Than Significant Impact.** All storm drain facilities would be designed in accordance with Riverside County Flood Control and Water Conservation District design standards to provide protection from a 100-year storm event. County flood control policy requires that the rate of stormwater runoff discharged from a project site not be increased as a result of development. The final size and location of all the required drainage systems and water quality features would be determined and described in the ~~site-specific final~~ WQMP ~~and hydrology study~~ that will be prepared for the proposed project and submitted to the County for review and approval prior to the issuance of grading permits. ~~Although the treatment control BMPs have not yet been designed, they would most likely~~ However, the preliminary WQMP prepared for the proposed project outlines the types of BMPs that would be implemented as a part of the project. For example, LID BMPs would consist of bioretention basins, ~~that~~ which would attenuate peak flows and mimic pre-development runoff conditions so that the capacity of the channels to which runoff is discharged is not exceeded.

With regards to the comment about the offsite 24-inch storm drain along Keller Road that is related to development of the proposed Keller Crossing Specific Plan, the mention of the storm drain in the introduction paragraph on page 87 of Section 3.9, *Hydrology and Water Quality*, of the IS/MND was included for context purposes only. With or without future installation of the 24-inch storm drain along Keller Road, the project's drainage improvements would be designed and constructed to mitigate any and all project-related impacts. Additionally, development of the offsite 24-inch storm drain along Keller Road, if and when it happens, would only further benefit the drainage conditions of the area.



## Response to Comments

- A1-6 The commenter requested that the County's decision-making body and personnel ensure that the proposed project be reviewed by all water quality agencies (including state agencies that monitor the Santa Margarita and San Diego River Water Sheds) to ensure that the projects flood and stormwater impacts are fully and adequately addressed. For clarification, the project site lies within Santa Margarita Watershed, which includes the San Diego River. As noted above in response to Comment A1-5, the project's preliminary WQMP was reviewed and approved for use by the Riverside County Transportation Department, which has oversight and authority to review and approve these technical documents. Review of the preliminary WQMP was coordinated with the Riverside County Flood Control District. Additionally, any required future permits related to water quality or stormwater would be obtained by the appropriate agencies if warranted, including the Regional Water Quality Control Board.

Furthermore, Condition of Approval 60.TRANS 005 requires the project applicant to submit a final WQMP to the Transportation Department for review and approval. Submittal of a final WQMP is a standard requirement of the County, and preparation of the final WQMP is based on the preliminary WQMP prepared for the proposed project. Additionally, the County Transportation Department is reviewing the site-specific, design-level hydrology and grading plans to ensure that all drainage and flooding issues are adequately addressed. Design and construction of the charter school will be required to follow these approved plans.

- A1-7 The comment asserts that the project would conflict with the existing Rural Residential nature of the site and its surroundings. The comment is in reference to threshold d) of Section 3.1, *Land Use and Planning*, of the IS/MND, which asks whether a project would conflict with a land use designation and land use policies, not land use compatibility.

In response to the general comments that the project will bring a substantial number lighting effects, noise and vehicle trips to a rural area, the project's impacts associated with these environmental topics/issues are adequately addressed in Sections 3.1, *Aesthetics*, 3.12, *Noise*, and *Transportation/Traffic*, of the IS/MND. As substantiated in these sections, impacts related to lighting, noise and traffic would be less than significant.

With respect to noise, the commenter is misinterpreting the IS/MND's position as it relates to "land use compatibility" in the context of noise evaluation. Land use compatibility in project planning is typically evaluated with a local jurisdiction's community noise exposure matrix; in this case, the County's Noise Element (Chapter 7 of the County's General Plan, including Table N-1 and Policy N 1.3) which discourages schools or residential land uses in areas in excess of 65 CNEL. The California Supreme Court decision regarding the assessment of the environment's impacts on proposed

## Response to Comments

projects (*CBLA v BAAQMD*, issued December 17, 2015),<sup>1</sup> generally means that it is no longer the purview of the CEQA process to evaluate the impact of existing environmental conditions subject to certain exceptions onto any given project. For noise, the application of this ruling means that the analysis of existing traffic, rail, and aircraft noise effects on the project site—in terms of land use compatibility—is no longer part of CEQA. This was discussed in the IS/MND.

A1-8 The comment asserts that the project's operational noise analysis is wholly inadequate and mentions several related issues; as discussed separately below.

- a. The comment asserts that the IS/MND did not mention Noise Element Policy N 4.1. While this policy item was not specifically delineated in the IS/MND text, the numerical values of Policy N 4.1 are the same in this situation as with the values in Policy N 2.3, which was presented in the IS/MND. Thus, the only notable failing of the IS/MND text is in not expressing that both of these policies were represented by the noise limits presented in Table 10, *Stationary Source Land Use Noise Standards*, of Section 3.12, *Noise*.
- b. The comment asserts that the IS/MND “discusses operational noise only in terms of roadway noise.” This is not the case, since the IS/MND did discuss operational noise in terms of project-related, roof-top mechanical equipment (primarily HVAC equipment) and how such equipment noise would be insignificant at the distances (to the nearest receptors), as presented in Section 3.12, *Noise*, of the IS/MND (page 101).
- c. The comment asserts that the IS/MND made “no attempt to determine whether project noise is significant” [in terms of either the County's General Plan standards or for a substantial, permanent increase]. This assertion is partially true in that the IS/MND did not provide a quantified analysis of future noise levels from stationary, operational sources. Rather, the IS/MND presented a qualitative evaluation based on (a) the statements that the few nearby residences are from 200 to 500 feet from the project site (and would, thus, experience sizable noise reductions due to distance attenuation), (b) the demonstration that receptors within approximately 400 feet of SR-79 (between Pourroy Road and Keller Road) are already exposed to traffic-related noise levels at or above 60 dBA CNEL (which would overshadow any project-related mechanical equipment), and (c) future mechanical equipment would need to show compliance with the County Municipal Code regarding noise emissions.
- d. The commenter disapproves of the IS/MND for acknowledging that there are (scattered) residences from 200 to 500 feet from the project site, but it is precisely

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<sup>1</sup> *California Building Industry Association v. Bay Area Air Quality Management District* (2015, 62 Cal. 4th 369).

## Response to Comments

these relatively long distances that will result in less-than-significant noise impacts from the project's future onsite sources.

- e. The commenter disapproves of the IS/MND for not quantifying noise emissions from the roof-top mechanical equipment, as well as from other, school-related sources (such as idling buses, idling cars, parking lot noise, truck deliveries, PA announcements, and school bells. As discussed above, the IS/MND presented a qualitative evaluation of the most notable stationary operational source, roof-top equipment.

A detailed analysis of project-related noise impacts is provided in Section 3.12, *Noise*, of the IS/MND. However, the following text of Section 3.12 (page 101) has been revised in response to the commenter and for clarification. Changes made to the IS/MND are identified here in ~~strikeout~~ text to indicate deletions and in underlined text to signify additions.

### 3.12 NOISE

- a) **Would the project include stationary sources of noise generating a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**No Impact.** The project does not propose a land use that would generate substantial noise that could affect people on and near the site, such as an industrial facility or outdoor music venue. Further, there are only two noise-sensitive residential receivers within 300 feet of the proposed project site.

Heating, ventilation, and air conditioning equipment on top of the proposed classroom buildings would be placed within appropriate sound enclosures or parapets so that their operations would not be notably different than existing conditions in and around the proposed area of improvements and would not exceed the county's exterior noise standards.

Project development would introduce up to 600 students in the area immediately surrounding the proposed development. This increase in potential number of students may result in increased, but localized, noise generation from people talking and outdoor school activities on the project site, such as recess or outdoor physical education classes. The locations of these potential outdoor areas are located approximately 200 feet from the nearest residences. Noise due to outdoor student activity will be substantially reduced due to distance attenuation alone. Further, the undeveloped landscape and topographical features surrounding the project site will further reduce project-related noise, as compared to a flat, hard-surfaced area.

## Response to Comments

The proposed project will also introduce stationary noise from school bus idling during drop-off and pick-up periods, and truck deliveries. However, the proposed school buildings will provide barrier attenuation for school bus idling and other parking lot noise, as it affects the noise-sensitive receptors to the northwest.

School bells and public announcements (PA) systems are expected to be primarily focused on the interior of the school. The sensitive receptors closest to the project site (to the northwest), may, at times hear the school bell or PA system. However, due to the distances between source and receiver, and the existing noise environment, these stationary sources will not exceed the applicable noise limits for stationary sources (65 dB  $L_{max}$ ).<sup>2</sup> Additionally, the school bell and PA systems will be only be in use during normal school hours.

Stationary noise sources associated with the proposed project are generally not associated with high levels of noise, and will be located far away from the nearest noise-sensitive receptors. Further, existing roadway noise from SR-79 is expected to be the dominant noise source in the vicinity of the project site; the proposed project is not expected to result in any noticeable noise increases above existing conditions.

Furthermore, Noise from such stationary sources would be regulated through the Riverside County Noise Element.

No significant permanent noise increases due to project-related activities would occur, and no mitigation measures are necessary.

- f. The comment asserts that the County's General Plan regulates both energy-average noise levels (to 55 dBA  $L_{eq}$  daytime) and maximum noise levels (to 65 dBA  $L_{max}$  daytime). The commenter appears to be misinterpreting the County Noise Element and the standards included therein. Actually, Noise Element Policy N 2.3 (including Table N-2) and Noise Element Policy N4.1 both present exterior standards during the daytime of 65 dBA  $L_{eq}$  (over a 10-minute period). The Noise Element does not establish any noise level standards in terms of the  $L_{max}$  noise level metric (see Appendix G to the IS/MND for a reproduction of the County Noise Element). The 55 dBA  $L_{eq}$  daytime standard is an interior threshold (but not so stated in the comment). Lastly, the comment fails to present a very important footnote to Table N-2 of Policy N 2.3 that states: "These are only preferred standards; final decision will be made by the Riverside County Planning Department and Office of Public Health." The fundamental purpose of any CEQA document is to provide pertinent information for decision-makers and the public with which informed decisions can

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<sup>2</sup> County of Riverside General Plan, Chapter 7, Noise Element, Policy N 2.3

## Response to Comments

be made. This footnote facilitates that process by the pertinent decision-making body for this project.

- g. The comment asserts that the IS/MND makes “no attempt to evaluate  $L_{\max}$  noise levels, which are also regulated.” As noted above, the Noise Element does not regulate  $L_{\max}$  noise levels. The County Municipal Code, however, has a presentation on noise level limits (Table 1 in Section 9.52.040) that are in terms of the  $L_{\max}$  metric. For daytime hours, it appears that the relevant code standard for this project would be 55 dBA  $L_{\max}$ . However, the commenter fails to include a very important contextual provision at the beginning of the Code’s Noise Regulation that states “This chapter is intended to establish county-wide standards regulating noise. This chapter is not intended to establish thresholds of significance for the purpose of any analysis required by the California Environmental Quality Act and no such thresholds are established.” To follow this specific intent statement, the IS/MND did not use the  $L_{\max}$  noise level limits of Section 9.52.040 as CEQA thresholds. (Note: the commenter’s objections are based on the County Noise Regulations, yet Section 9.52.020 exempts, among other things: (item E) Public or private schools and school-sponsored activities and (item L) Heating and air conditioning equipment.)
- h. The comment asserts that the IS/MND “does not appear to disclose the existing CNEL at nearby receptors so that the reader cannot determine whether the Project will cause a measureable increase in existing noise conditions at these locations.” This is not actually the case, since the IS/MND did show all these parameters in Table 11, *Existing and Future Noise Level Estimates* – i.e., both the existing CNEL and future CNEL at relevant segments around the project, as well as the incremental increases (if any) that are due to the project. All such project-contributed increments were shown to be well below the establish significance threshold of +3 dB.

A1-9 The comment asserts that the project’s traffic-related noise analysis is deficient and mentions several related issues; as discussed separately below.

- a. The comment asserts that the IS/MND did not analyze project-related traffic with respect to Flossie Way, Ruft Road, or Pat Road; all rural-residential roads, as noted by the commenter. Pat Road (south of Pourroy Road) was included in Table 11, *Existing and Future Noise Level Estimates*, which showed that the project contribution to future traffic noise was 0.7 dB (again, well below the establish significance threshold of +3 dB). Flossie Way and Ruft Road were not included in the traffic noise analysis since they were not part of the traffic flow evaluation (see Section 3.16, *Transportation/Traffic*, of the IS/MND). They were excluded from both since they do not currently and are not expected in the future (either with or without the project) to experience notable flow rates so as to warrant detailed evaluations.

## Response to Comments

- b. The comment asserts that the IS/MND shows a significant roadway noise impact and that the IS/MND failed to meet the ‘fair argument’ standard with respect to future conditions with and without the proposed project. The commenter uses the example of Keller Road, east of Winchester which showed a 12.5 dB overall increase, but a project-only contribution of 0.2 dB. The comment labels the IS/MND language “major overall increases between existing conditions and future conditions but these are due to ambient growth and the cumulative contributions of other projects in the area” as dubious. The comment also asserts that the IS/MND failed to disclose the other projects that would contribute to such a major increase by year 2018. The roadway noise assessment used only the information provide in the project’s Transportation Impact Analysis (TIA; provided as Appendix H to the IS/MND). As is standard practice within the traffic assessment industry, if future, reasonably-known projects do not have a defined development timeline, all such projects are lumped into the horizon, build-out year of any given, proposed project, even if doing so is effectively impossible and considerably overstating the future conditions. In that sense, this extremely conservative approach shows that if and when all known projects are actually implemented, that the proposed project will have negligible contributions. Additionally, such future, lumped projects were discussed in the IS/MND, not in the noise section, but in the traffic section and its related technical appendix (see Section 3.16, *Transportation/Traffic*, of the IS/MND).

A1-10 The comment disagrees that the IS/MND’s conclusion of no significant impact under CEQA for certain project buildings that are expected to have traffic-generated noise levels of approximately 69 dBA CNEL (for those closest facades that face SR-79). The IS/MND clearly stated that such exterior sound levels – although above the County’s Noise-Land Use Compatibility threshold for an acceptable school environment – is no longer subject to a CEQA significance conclusion per the CBIA v BAAQMD ruling (as also discussed in response to Comment A1-7, above). If no CEQA conclusion is germane, then there is no nexus for mitigation under CEQA; deferred or not. Rather, the IS/MND was trying to be informative to the readers to acknowledge that the incompatibility still existed and would have to be addressed in the County permitting phase of development; just not in the CEQA clearance portion of the project.

A1-11 The comment asserts that project construction noise would be “significant and unmitigated with respect to at least two nearby receptors.” However, the comment does not provide any substantiation as to which receptors are being referenced, nor how the commenter arrived at the conclusion of a significant impact. The commenter also fails to provide a citation for what case law is being referenced regarding compliance with a regulatory standard not necessarily eliminating a CEQA impact.

A detailed analysis of project-related construction noise impacts is provided in Section 3.12, *Noise*, of the IS/MND. However, the following text of Section 3.12 (pages 102-104) has been revised in response to the commenter and for clarification. Changes made

## Response to Comments

to the IS/MND are identified here in ~~strikeout~~ text to indicate deletions and in underlined text to signify additions.

### 3.12 NOISE

Even though construction activities will occur within the allowable hours included in the Riverside County Municipal Code, construction activities still have the potential to negatively impact sensitive receivers in the project vicinity.

As shown in ~~this~~ Table 12, the nearest off-campus receptors would be the residential uses that are approximately 380 feet to the north of the proposed project area. At this distance, composite construction noise would be reduced to a conservatively estimated level of approximately 70 dBA  $L_{eq}$  at the nearest residence to the northwest (due to distance attenuation alone). The undeveloped landscape and topographical features surrounding the project site will further reduce project-related construction noise, as compared to a flat, hard-surfaced area. Additionally, the erection of campus buildings will provide barrier attenuation for construction activities located on the east side of the project site. Thus, project-related construction is expected to be considerably less than what is presented in Table 12.

According to the existing traffic noise level estimates presented in Table 11, roadway noise at 50 feet from Winchester Road is approximately 73.4 dBA CNEL at 50 feet. Since line-source roadway noise attenuates at approximately 3 dB per doubling of distance, the nearest residence to the northwest is currently exposed to approximately 62 dBA CNEL. Including all the attenuation characteristics described above, the worst-case project construction noise (grading) will only increase the noise environment at the nearest residence to the northwest by approximately 7 dB.

Since the loudest period of construction would last less than a month (according to the associated air quality assessment), construction activities would be limited to relatively small equipment (i.e., bulldozers, grading tractors, dump trucks, loaders, back hoes, pavers, and a crane), would not substantially increase the existing noise environment, and would take place during the county's allowable hours of construction, construction noise impacts would be less than significant and no mitigation measures are necessary.

While impacts related to construction noise were already deemed to be less than significant, to further reduce construction noise as it affects nearby sensitive receptors, the charter school will follow these standard Best Management Practices through communication with the construction contractor:

- Post a construction site notice near the construction site access point or in an area that is clearly visible to the public. The notice shall include the following: job site address; permit number, name, and phone number of the

## Response to Comments

contractor and owner; dates and duration of construction activities; construction hours allowed; and the Temecula Valley Charter School Board of Directors and construction contractor phone numbers where noise complaints can be reported and logged.

- Reduce nonessential idling of construction equipment to no more than five minutes.
- Ensure that all construction equipment is monitored and properly maintained in accordance with the manufacturer's recommendations to minimize noise.
- Fit all construction equipment with properly-operating mufflers, air intake silencers, and engine shrouds, no less effective than as originally equipped by the manufacturer, to minimize noise emissions.
- If construction equipment is equipped with back-up alarm shut offs, switch off back-up alarms and replace with human spotters, as feasible.
- Stationary equipment (such as generators and air compressors) and equipment maintenance and staging areas shall be located as far from existing noise-sensitive land uses, as feasible.
- Shut off generators when they are not needed.
- Coordinate deliveries to reduce the potential of trucks waiting to unload and idling for long periods of time.

A1-12 The commenter stated that there is inadequate emergency access to the project site and that the Riverside County Fire Department has yet to approved the project. The commenter also made a general comment that traffic and safety issues are unresolved. In response to the commenter, site access would be via two 1-way driveways at the southeast corner of the site from the extension of Koon Street, which would begin at the existing Pourroy Road intersection and end in a cul-de-sac at SR-79. Koon Street would link to Pourroy Road and form a 4-leg intersection. Flossie Way will be constructed in conjunction with the proposed project with its ultimate width as a local road per County of Riverside design standards. Prior to the opening of the project, TVCS will work with Riverside County to identify onsite traffic signing and striping to be implemented in conjunction with detailed construction plans for the project. The TIA prepared for the proposed project (provided as Appendix H to the IS/MND) demonstrated that site access would not create conflicting turning movements or place queues for driveways on highways or arterial roadways. Additionally, the project would include an emergency-only site access connecting the Koon Street cul-de-sac via rolled curbs with SR-79 that would not conflict with traffic on SR-79. The proposed project would be constructed with strict adherence to all emergency response plan requirements



## Response to Comments

set forth by the County of Riverside and Riverside County Fire Department (RCFD). Furthermore, vehicular site access and access for emergency vehicles were analyzed by the County and RCFD and found to be adequate.

- A1-13      Approximately 85 percent of project trip generation would consist of trips already generated by the existing Temecula Valley Charter School campus on Abelia Street, which would be relocated to the proposed school site. Thus, project trip generation in the TIA and IS/MND overestimates new trips that would be added to study area roadways. While the TIA identified traffic impacts using the criteria to evaluate impacts from typical land development projects (criteria outlined under Section 1.1, *Impacts to the Circulation System*, of the TIA), deficiencies at various intersections would occur without and with the project under the 2018 cumulative traffic conditions, which is the year the proposed school would be in operation. As demonstrated in the TIA, in and of itself, the projects traffic generation would not result in an impact at the affected intersections under existing plus project traffic conditions. However, addition of project traffic at these intersections in 2018 cumulative traffic conditions, under both cumulative without and cumulative with project conditions, would result in impacts. For example, the intersection of Pourroy Road at Pat Road would be deficient without and with the project (see Tables 22 and 23 of the IS/MND). The project's traffic would add additional delay to the impacted intersections under the 2018 cumulative condition, but would not result in an impact in and of itself without addition of the cumulative traffic. In other words, addition of the project traffic only (no cumulative traffic added) to the impacted intersections would not result in an impact to these intersections.

Several funding mechanisms for transportation improvements in Riverside County were identified in the TIA (see section 6.2.1, *Applicable Funding Mechanisms*, of the TIA), such as the Western Riverside Council of Governments Transportation Uniform Mitigation Fee (TUMF) program, the Riverside County Development Impact Fee program, or the Road and Bridge Benefit Districts. The County of Riverside normally requires payment of transportation improvement fees to mitigate local traffic impacts. All development projects are required to pay transportation improvement fees unless they are exempt. However, as stated in the TIA, the proposed school is exempt from payments of such fees because it is a governmental entity operated by a non-profit, tax-exempt corporation, and therefore, it is not subject to the DIF, TUMF, and RBBD fees. Furthermore, as noted in the TIA, none of the impacted intersections were identified in the TUMF program, Riverside County Development Impact Fee program, or Road and Bridge Benefit Districts. However, all transportation impact fees collected by the County build into their system that non-institutional developments are paying the full cost of overall development of the County's transportation system. Non-institutional growth generates the vehicle trips and pays the full cost. The County's fee program recognizes that public institutions are simply serving that growth.

## Response to Comments

With regards to signal warrant calculations, these calculations were performed under existing and 2018 scenarios to evaluate the potential need for the installation of a traffic signal at an unsignalized or stop-controlled intersection. The calculations are included in appendix J of the TIA and are based on traffic volumes entering the intersections during the peak hour. The signal warrant criteria would not be met at any intersection under existing and 2018 scenarios.

- A1-14 As a part of the TIA, weekday AM and PM peak hour turn movement volumes were collected at the study-area intersections on Wednesday, September 14, 2016 when the Harvest Hill Steam Academy was in session. Therefore, the traffic evaluation included traffic from Harvest Hill Steam Academy. Cumulative projects shown in Figure 12, *Cumulative Developments Location Map*, of the IS/MND include reasonable and foreseeable projects in the near term. The Keller Crossing Specific Plan is not anticipated to be developed and occupied in the near term. Consistent with guidelines to prepare traffic impact analyses in Riverside County, the TIA provided an analysis of traffic under near-term conditions and not long-range general plan conditions.
- A1-15 The study intersections were selected based on the attendance boundaries for the school, a review of residential land uses, the circulation network configuration, and the anticipated project trip distribution. As shown in Figure 11, *Project Trip Distribution*, of the IS/MND, the majority of trips would come from the south and east. In addition, Pourroy Road is unpaved north of the site, therefore nominal traffic related to the project is expected along Pourroy Road north of the site.
- A1-16 According to the County of Riverside Traffic Impact Guidelines, development proposals that include a General Plan Amendment, Specific Plan, Zone Change or other approval that increases traffic beyond what was approved in the General Plan is required to perform a buildout analysis to assess long-term impacts. Schools are permitted in the R-R zoning with a Public Use Permit and do not require general plan level analyses; the proposed project also does not require or involve a General Plan Amendment, Specific Plan, or Zone Change. The traffic impact analysis evaluated traffic conditions for near-term conditions with traffic from the development of reasonable and foreseeable projects (cumulative projects) at project open year
- A1-17 The recommendations provided in page 44 of the TIA are included in Figure 13, *Project Site Access Improvements*, and page 128 of the IS/MND. Note that the recommendation to construct and pave a section of 385 feet of Pourroy Road is part of the project description on page 3 of the IS/MND.
- A1-18 The thresholds of significance are applicable to all roadways and intersections, as described on page 116 of the IS/MND.

## Response to Comments

- A1-19      The comment brings up the issue of a potential noise environment conflict with the County's General Plan. As discussed above in response to Comment A1-10, the IS/MND clearly stated that the expected exterior sound levels were higher than the normally acceptable classification of the County's Noise-Land Use Compatibility matrix. The IS/MND was trying to be informative to the readers to acknowledge that the incompatibility existed and would have to be addressed in the County's permitting phase of development; just not in the CEQA clearance portion of the project. Also, as discussed above in response to Comments A1-7 and A1-10, the effects of the environment's impacts onto a proposed (or existing) project are no longer subject to a CEQA significance conclusion per the *CBIA v BAAQMD* ruling. Additionally, part of the conditions of approval for this project with respect to both the Planning Department and the Building Department is a requirement for a sound insulation study, per established County requirements, that will address this situation.
- A1-20      See response to Comments A1-1 through A1-19, above. Per the responses provided above and as demonstrated in the IS/MND, the project's impacts were all evaluated in sufficient detail and all impacts were reduced to a level of less than significant.

## Response to Comments

LETTER R1 – Rick and Kelly Croy (1 page)

**Hildebrand, John**

**From:** Sarabia, Elizabeth  
**Sent:** Tuesday, August 01, 2017 4:14 PM  
**To:** Hildebrand, John  
**Subject:** FW: ITEM 4.1 PUP00931 TEMECULA VALLEY CHARTER SCHOOL

**From:** rick croy  
**Sent:** Tuesday, August 01, 2017 4:02 PM  
**To:** Ross, Larry; Sarabia, Elizabeth; Victorian-White, Rosalee  
**Subject:** ITEM 4.1 PUP00931 TEMECULA VALLEY CHARTER SCHOOL

Mr. Ross,

We wish to express our opposition to this change in land use on these parcels for several reasons.

1. Circulation

How can this School, with a potential 600 students coming and going, be adequately serviced by one street which is a dead end Cul de sac? It doesn't seem safe, logical, or even feasible to expect this two lane road to service the need. R1-1

2. Fire

In light of the above, isn't a secondary entrance and egress REQUIRED by Fire? R1-2

3. Planning

This area is a WELL ESTABLISHED rural residential area with unpaved roads and limited access. You can expect many people flying down unimproved Pouroy Rd and Keller which is a completely unsafe condition. R1-3

4. Community outreach

While we understand that Schools may be located in any area, we find it offensive that ZERO community outreach was employed by the school's proponents. R1-4

5. Alcohol

Since the parcel south of the proposed school is future commercial/ market type area, will Alcohol sales be permitted so close to a school? R1-5

This may have legal ramifications for the County if approved

Thank you and we wish to have our letter included in the Public Record

--

Thank you  
Rick and Kelly Croy

## Response to Comments

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## Response to Comments

### **R1. Response to Comments from Rick and Kelly Croy, dated August 1, 2017.**

- R1-1 The comment asks how project traffic can be accommodated on one two-lane road (Koon Street and Pourroy Road are each two-lane roadways). All project-generated trips are estimated to travel through the intersection of Pourroy Road and Pat Road, the nearest intersection to the project site studied in the project's Transportation Impact Analysis (TIA; provided as Appendix H to the Initial Study/Mitigated Negative Declaration [IS/MND]). The TIA determined that in existing plus project conditions (that is, direct project impacts) the level of service at the intersection of Pourroy Road and Pat Road would be C in the AM peak hour and B in the PM peak hour; both levels of service are acceptable per Riverside County standards. Therefore, the existing and proposed two-lane roadways could accommodate project-generated traffic, and no revision to the IS/MND is needed.
- R1-2 The commenter inquired whether a secondary emergency access point is required for fire. As shown in Figure 6, *Site Plan*, of the IS/MND, a fire lane would extend over paved areas around the school buildings. Emergency access to the school site would be provided via Koon Street, which would include a striped center lane. The cul-de-sac proposed at the end of Koon Street would also include rolled curbs, which would provide secondary emergency access to the school site from SR-79 in the event it is needed for emergency vehicles. The proposed project's emergency access improvements and features were reviewed and approved by the County Transportation Department and Riverside County Fire Department.
- R1-3 Regarding the commenters concerns about speeding cars, drivers are not supposed to drive faster than is reasonable or prudent having due regard for things like weather, visibility, and traffic and road conditions. Drivers must always use judgement and consider prevailing conditions. Prima Facie Speed limits are basically default speed limits. On these roads, which are in a school zone and a residential area, the prima facie speed limit is 25 miles per hour. The designs of roadways and intersections that would be built as part of the project would not create conflicting turning movements or place queues for driveways on highways or arterial roadways. The project would not modify the design or layout of the segments of Pourroy Road and Keller Road north of the project site and would not create an unsafe hazardous condition.
- R1-4 The commenter's dissatisfaction with notification and outreach to nearby residents is noted. Notification of neighbors included mailing copies of the Notice of Intent/Notice of Availability to residents and owners of properties within 600 feet of the project site. The Initial Study/Mitigated Negative Declaration was circulated for public review, including posting on the County Planning Department's website. Notification exceeded the requirements of CEQA.

## Response to Comments

Additionally, in response to the public comments received at the Riverside County Planning Commission meeting of August 2, 2017, regarding the lack of community outreach and various project issues and concerns raised by surrounding residents, the Planning Commission continued the project to the September 6, 2017, Planning Commission meeting in order to provide the Temecula Valley Charter School ample time to meet with the surrounding community residents to discuss and provide responses and solutions to the issues and concerns raised. Meetings with the surrounding community residents were held at the offices of the Temecula Valley Charter School on August 10 and August 24, 2017.

- R1-5      The comment regarding the potential future sale of alcohol within the planned commercial development south of the school site, across Koon Street, is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

## Response to Comments

LETTER R2 - Rita Flenoid (2 pages)

### Hildebrand, John

**From:** Ross, Larry  
**Sent:** Tuesday, August 01, 2017 5:23 PM  
**To:** Hildebrand, John; Leach, Charissa; Brady, Russell  
**Subject:** Fwd: OUR NEIGHBOR HOOD / TEMECULA VALLEY CHARTER SCHOO.

Larry Ross  
Principal Planner  
Riverside County Planning Department  
4080 Lemon Street, 12th Floor  
PO Box 1409  
Riverside, CA 92502

Begin forwarded message:

**From:** <theredeemed1too@gmail.com>  
**Date:** August 1, 2017 at 4:31:07 PM PDT  
**To:** "lross@rivco.org" <lross@rivco.org>  
**Subject:** OUR NEIGHBOR HOOD / TEMECULA VALLEY CHARTER SCHOO.

I SHARE THE EASEMENT WITH THE ROAD THAT WILL BE USED TO GAIN INTRANCE TO THE PROPERTY .  
I AM APPALLED BY THE NUMBER OF LIES I WAS TOLD WHEN I ASKED SURVEYER THAT CAME OUT TO  
THAT PROPERTY DURING THE PAST TWO YEARS. THE COULD ANSWER NO QUESTIONS AND NOT ONCE  
DID ANYONE MENTION A SCHOOL. R2-1

SUCH DISRESPECT, SUCH BLANTANT DISREGARD FOR OUR NEIGHBORHOOD.

I'M SURE THAT SOMEONE JOBS DISCRPTION IS TO CONTACT NEIGHBORING RESIDENTS WITH THE  
INFORMATION ABOUT CHANGES THAT DIRECTLY AFFECT HOMES IN MY AREA. A  
THIS IS NOT THE WAY TO TREAT PEOPLE THAT PAY YOUR SALARY..... AND ARE LAW ABIDING CITIZENS,  
TAX PAYERS.

THERE IS A 48 PG REPORT ON LINE FROM THE PLANNING COMMITTEE , I WOULD LIKE TO GET A COPY  
OF IT. R2-2

SOMEBODY IS NOT DOING THEIR JOB.  
I'D LIKE TO HAVE OUTREACH WITH THE COUNTY TO EXPLAIN THINGS PROPERLY.  
PERHAPS THE LOCAL NEWS PAPER COULD ASK MORE DEFINITE QUESTIONS AS TO WHY "CONDITIONS  
OF APPROVAL" IS ALREADY BEEN MADE AVAILABLE TO THE PUBLIC AND WE THE NEIGHBORHOOD  
FOLKS HAVE BEEN GIVEN A MARE 10 DAYS TO SUBMITT TO YOUR RULING,. R2-3

WHAT ABOUT BUFFERS FOR PROPERTY OWNERS THAT ARE DIRECTLY AFFECTED???  
WE HAVE ANIMALS, CARS WILL MOST LIKELY BE PARKED IN FRONT OF MY HOME, R2-4



## Response to Comments

WHAT ABOUT SIGNAL AND SAFETY IMPROVEMENTS. WILL BUSES USE POURROY RD FOR ARRIVAL AND PICKUP, IF THE ANSWER IS NO, THAT'S A LIE BECAUSE BUSES USE POURROY RD NOW FOR THE MAGNA SCHOOL, I HAVE REPORTED SEVERAL BUSES FOR SPEEDING WITH KIDS ON THE BUS. 70 MILES PER HR	R2-5
ANY STUDIES ON THE ADDED NOISE TO OUR COMMUNITY??	R2-6
AIR QUALITY, DRAINAGE ISSUES,, ANY KIND OF TRAFFIC CONTROL /PARKING ON POURROY AND KELLER ROAD???	R2-7
I'M SURE THESE ARE ALL QUESTION WE WOULD HAVE BEEN ABLE TO ASK HAD WE BEEN GIVEN THE PROPER NOTIFICATION. I'VE PRAYED ABOUT THE SITUATION AND I'VE ASKED MY GOD TO INTERVINE ON THE PLANS OF THE WICKED IN THIS SITUATION,.	R2-8
I BELIEVE A CONTINUANCE WILL BE ALLOWED.....	R2-9
WE WERE ALL BLESSED BY GOD TO LIVE THIS RURAL LIFESTYLE,. WE ARE NOT OPPOSED TO PROGRESS.	R2-10
BUT TO BE TREATED LIKE LESS THAN HUMAN BY OUR OWN COUNTRY IS SIMPLE NOT ACCEPTABLE. THIS IS THE UNITED STATES OF AMERICA. NOT SOME FOREIGN COUNTRY THAT WALKS ON ITS CITIZENS, FOR THE ALMIGHTY \$\$\$\$\$\$\$\$\$\$.	R2-11
NOT TO MENTION INCREASE IN CRIME, WHAT ABOUT PEOPLE THAT RIDE THEIR HORSES DAILY, KIDS THAT KNOW NOTHING ABOUT NATURE ARE PRETTY CRUEL, WHY A "LOT MERGER" AND NOT A "LOT LINE ADJUSTMENT"???	R2-12
WHAT ABOUT REGULATIONS REGARDING DAYS AND HOURS OF USE RELATIVE TO NOISE, LIGHTING TRAFFIC PARKING ETC.	R2-13
I HAVE FARM ANIMALS, I WELCOME THE WALL TO BLOCK OFF VISION OF MY PROPERTY, IN ORDER TO KEEP KIDS FROM THROWING THINGS OVER ONTO MY PROPERTY.	R2-14
WHEN YOU DON'T DO THINGS RIGHT TO BEGIN WITH THIS IS WHAT YOU GET..... I WAS NOT CREATED TO WORRY, I WAS NOT CREATED TO FEAR, THEREFORE I'VE TURNED IT TOTALLY OVER TO MY GOD. HE'S ALREADY WORKED IT OUT.	R2-15
SINCERELY RITA FLENOID. 34220 POURROY RD WINCHESTER, CA 92596  Sent from <a href="#">Mail</a> for Windows 10	R2-16

## Response to Comments

### **R2. Response to Comments from Rita Flenoid, dated August 1, 2017.**

R2-1 The comment regarding easements and surveying is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

The commenter's dissatisfaction with notification and outreach to nearby residents is noted. Notification of neighbors included mailing copies of the Notice of Intent/Notice of Availability to residents and owners of properties within 600 feet of the project site. The Initial Study/Mitigated Negative Declaration was circulated for public review, including posting on the County Planning Department's website. Notification exceeded the requirements of CEQA.

Additionally, in response to the public comments received at the Riverside County Planning Commission meeting of August 2, 2017, regarding the lack of community outreach and various project issues and concerns raised by surrounding residents, the Planning Commission continued the project to the September 6, 2017, Planning Commission meeting in order to provide the Temecula Valley Charter School ample time to meet with the surrounding community residents to discuss and provide responses and solutions to the issues and concerns raised. Meetings with the surrounding community residents were held at the offices of the Temecula Valley Charter School on August 10 and August 24, 2017.

R2-2 The comment is not directed to the technical adequacy of the Initial Study/Mitigated Negative Declaration (IS/MND). The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R2-3 See response to Comment R2-1, above.

R2-4 The comment generally discusses buffer zones for affected neighbors and parking issues and mentions property animals. However, no specific details or rationale related to these concerns was provided. Additionally, the comment is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration. However, with regards to parking, the commenter should be aware that parking will be prohibited along the entire stretch of Koon Street, once this road is improved.

R2-5 Proposed vehicular site access is described in Section 1.3, *Project Description*, of the IS/MND. All vehicular traffic, including school buses would access the site via Pourroy Road and Koon Street. Project development would also include paving approximately 385 feet of Pourroy Road extending south from the intersection of Koon Street to a

## Response to Comments

currently paved portion of Pourroy Road. The roadways and intersections that would be built as part of the project would be designed and constructed in accordance with all required County of Riverside standards and would not create conflicting turning movements or place queues for driveways on highways or arterial roadways.

R2-6 Project noise impacts were adequately analyzed in Section 3.12, *Noise*, of the IS/MND. As substantiated in this section, impacts related to noise would be less than significant.

R2-7 Project air quality, drainage and traffic impacts were adequately analyzed in their respective topical sections of the IS/MND: Sections 3.3, *Air Quality*, 3.9, *Hydrology and Water Quality*, and 3.16, *Transportation/Traffic*. As substantiated in these sections, impacts related to air quality, drainage and traffic would be less than significant.

With regards to parking, the commenter should be aware that parking will be prohibited along the entire stretch of Koon Street and Pourroy Road, once these roads are improved.

The comment asks about traffic control on Pourroy Road and Keller Road. Signal warrant analyses were conducted for the intersections of Pourroy Road with Pat Road and Skyview Road as a part of the Transportation Impact Analysis prepared for the proposed project (TIA; provided as Appendix H to the IS/MND); as concluded in the TIA, warrants were not met for either intersection. Additionally, project traffic is not anticipated to use Keller Road and therefore, the project would not create a need for traffic control measures on Keller Road.

R2-8 See response to Comment R2-1, above.

R2-9 See response to Comment R2-1, above.

R2-10 The comment is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R2-11 The comment is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R2-12 The comment regarding increase in crime and horses is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

## Response to Comments

- R2-13 The comment regarding the type of land merger process is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.
- R2-14 The proposed hours of operation for the charter school are discussed in Subsection 1.3.2, *Project Operation*, of the IS/MND. Lighting impacts and associated regulations are discussed in Section 1, *Aesthetics*, of the IS/MND. Noise and traffic impacts and their related regulations are discussed in Sections 3.12, Noise, and 3.16, *Transportation and Traffic*, respectively, of the IS/MND.
- R2-15 The wall comment is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.
- R2-16 The comment is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

## Response to Comments

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## Response to Comments

LETTER R3 – Dennis F. Tuffin (4 pages)

Planning Commission  
Riverside County Planning Department  
Attention Larry Ross  
lross@rivco.org  
Post Office Box 1409,  
Riverside, California 92502-1409

RE: Temecula Valley Charter School  
PUP00931

Dear Commissioners;

I am writing to express my concerns and objections to the proposed Public Use Permit Application and the County of Riverside approval of the Temecula Valley Charter School referenced above.

R3-1

### TRAFFIC CIRCULATION AND ACCESS PROBLEMS AND GRIDLOCK

The neighborhood in which the Charter School project is located is a long established residential neighborhood with a limited but presently barely adequate street system. However, the streets in the neighborhood are not paved and are already a limitation on the safety of the neighborhood because they are not paved. Previous development in the neighborhood and the surrounding area are taxing the roads and making the roads less adequate and less safe.

R3-2

The construction of the nearby Harvest Hill Steam Academy in 2015 on Pat Road at the intersection of Elliot has increased traffic dramatically over Pat Road, Pourroy Road from Pat Road where it intersects with Abelia Street and the Abelia Street intersection with Winchester Road (hereinafter Highway 79). Harvest Hill Steam Academy was not, according to the Riverside County Transportation Department, reviewed and approved by the Planning

## Response to Comments

Department or the Planning Commission of Riverside County. Harvest Hill Steam Academy and the impacts associated thereby was not included in the traffic study or the Conditions for Approval for the Temecula Valley Charter School PUP00931. This is an obvious error and is a ground for my objection to this project, PUP00931.

R3-2  
cont'd

The Harvest Hill Steam Academy is also a poorly planned project and is within close distance to PUP00931. Google Maps indicates that the two address are a mile apart but the new access to the PUP00931 from the new intersection of the new Koon Street and Pourroy Road and the Harvest Hill Steam Academy is much less, .6 of a mile according to Google Maps and much less as the crow flies or in actual distance.

In the traffic study of 00931 prepared by Placeworks and reviewed by the County Planning Department improvements to address the new demands caused by 00931, Placeworks recommended substantial improvements to the roads serving the site from the South of the site. The Planning Department has not recommended or conditioned that all the recommended improvements be required for Approval. This is very misguided and I object to the lack of incorporation of the specific and detailed improvements recommended by Placeworks and ignored by the County to the roads serving the above referenced project from the South. These two Schools will share Pat Road, a section of Pourroy Road, the intersection of Abelia and Highway 79 and Ruft Road. Ruft Road is an unimproved dirt road which connects Pourroy Road and Elliot Road.

R3-3

There is a misconception incorporated in the Traffic Study, the Planning and the Conditions for Approval and the Staff Report and Recommendation for Approval for PUP00931. That misconception is that no person travelling to the Temecula Valley Charter School will come from the North. All the planners are aware of this misconception because they evaluated the Northern access when they studied the Northern intersection of Highway 79 and Keller Road which was recently improved and signalized in 2015.

The mistakes made in the development of the Harvest Hill Steam Academy are informative about the development of PUP 00931 and many of the same mistakes and ill-conceived plans are being duplicated.

R3-4

In both projects there is an irresponsible neglect of the rural neighborhoods to the North of the school sites and it is reasonable to expect the same negative impacts found in the case of the existing Harvest Hills Steam Academy (hereinafter HHSA). In the case of HHSA the school, incredibly is bounded on three sides by rural dirt roads and has bounded by only one paved road, Pat Road. The predictable result is that the many persons travelling to HHSA are completely congesting Elliot Road to the South of the school and Pat Road in front of the

## Response to Comments

school. There have been occasions where large school buses with children aboard have travelled on the dirt roads, (specifically on Elliot Road to the North) and have become stuck up to the axle during the heavy rains last winter and had to be evacuated and removed with heavy towing equipment. There are regularly cars and vehicles travelling to the school down Keller Road and Elliot from the North of HHSA and travelling too fast for the conditions and, in the rainy weather, severely rutting and disordering the dirt roads.

R3-4  
confd

PUP00931 suffers from this same defective sort of planning. The access to the school which abuts Highway 79, is from a present dirt road, Pourroy, and an eighteen hundred foot new road, Koon Street, which will be constructed over property not owned by the developers of PUP 00931 but instead dedicated by the developers of a failed commercial project to the South of the PUP00931. The improvements off the site and off present private property are too little to support the burdens which will be imposed on the neighborhood. The PUP00931 site will be approached from the South, according to the planners. This would envision the traffic and students arriving on Highway 79 and Pourroy to access Koon Street or arriving via Pat Road and Pourroy Road. But the proponents and the Planning Department anticipate 600 trips for each cycle at the PUP00931 and clearly this volume will force and encourage some persons to travel the extra .4 of a mile to the next intersection, Keller Road and Highway 79. There will obviously be chaotic congestion and traffic circulation problems.

R3-5

There are a long list of other problems with this project and basis upon which I object. They are;

1. INAPPROPRIATENESS OF THE SCHOOL SITE PER THE CALIFORNIA DEPARTMENT OF EDUCATION SCHOOL SITE SELECTION AND APPROVAL GUIDE.

R3-6

2. HIGHWAY 79 POLICY AREA, HIGHWAY 79 AS AN EXPRESSWAY, INADEQUACY OF HIGHWAY 79 TO SUPPORT THE PROPOSED 00931 AND OTHER PROJECTS ALREADY APPROVED NEAR AND CONTIGUOUS TO 00931. CALTRANS NEEDS TO BE CONSULTED ON THE IMPACT OF PROJECTS ON THE HIGHWAY 79 EXPRESSWAY CONCEPT AND THE EXPRESSWAYS ABILITY TO REDUCE GRIDLOCK IN LIGHT OF THE PROPOSED DEVELOPMENT.

R3-7

3. LACK OF STUDY OF APPROVED AND IMPLIED PROJECTS USING KOON STREET WEST OF HIGHWAY 79.

R3-8



## Response to Comments

- |   |       |
|---|-------|
| 4. THE LACK OF CLARITY ABOUT WHETHER AN EMERGENCY FIRE ACCESS WILL BE ALLOWED ON HIGHWAY 79, THE IMPROVEMENTS TO 79 IF ALLOWED, THE IMPACT OF SUCH AN ACCESS TO THE HIGHWAY 79 OBJECTIVES.        | R3-9  |
| 5. BUFFERING BETWEEN THE EXISTING NEIGHBORHOOD AND 00931-NOISE CONCERNS, AIR QUALITY CONCERNS   | R3-10 |
| 6. THE SAFETY OF CHILDREN WALKING TO THE PROPOSED 00931 SCHOOL SITE AND THE LACK OF WALLS OR RESTRAINTS TO PREVENT PEDESTRIANS FROM TRYING TO RUN ACROSS HIGHWAY 79 TO GAIN ACCESS TO THE SCHOOL  | R3-11 |
| 7. FIRE AND SAFETY ACCESS TO THE SITE OF 00931 AND THE PROPOSED HIGHWAY 79 EMERGENCY FIRE ACCESS UTILIZING A PREEXISTING PAVED DRIVEWAY AT 34155 WINCHESTER ROAD.                                 | R3-12 |
| 8. THE INADEQUACY OF THE FLOOD WATER OR STORM WATER PLAN FOR 00931 AND THE PREEXISTING FLOOD WATER PROBLEM IN THE NEIGHBORHOOD EXACERBATED BY THE RECENT EXPANSION AND DEVELOPMENT OF HIGHWAY 79. | R3-13 |

THE AREA HAS A SERIOUS FLOOD WATER/STORM WATER PROBLEM. PRESENTLY WATER IS COLLECTING AND LAKEING ON BOTH SIDES OF HIGHWAY 79 AT THE 00931 SITE. THE TRANSPORTATION DEPARTMENT HAS NO EFFECTIVE WAY TO CONTROL THE FLOW OF WATER INTO THE NEARBY REGIONAL WATER SHED SYSTEM WHICH IS ITSELF OVERBURDENED. THE STATE AGENCIES SHOULD BE CONSULTED REGARDING THIS PROJECT AND PROPER PERMITS AND REVIEW REQUESTED AND REQUIRED.	R3-14
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THE FOLLOWING AGENCIES AND THEIR EXPERTISE RELATIVE TO THIS PROJECT SHOULD BE SOUGHT,	R3-15
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CAL TRANS DISTRICT 8 IN SAN BERNADINO

THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

THE SAN DIEGO REGIONAL WATER CONTROL DISTRICT AND THE SANTA MARGARITA

For all the reasons cited above I object to PUP00931 and also to the cursory planning and to the lack of notice and out reach to the community in the evaluation of this project and also for a litany of other reasons which will be expressed by the community at hearing and in writing.

Dennis F. Tuffin

## Response to Comments

### **R3. Response to Comments from Dennis F. Tuffin, dated August 1, 2017.**

R3-1 The commenter expressed his general concerns and objections with the proposed project. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R3-2 The commenter discussed concerns regarding the rural and unpaved nature of the roads in the project area, and how the unpaved condition results in safety issues in the area. The roadway and circulation recommendations provided in page 44 of the Transportation Impact Analysis prepared for the proposed project (TIA; provided in Appendix H of the Initial Study/Mitigated Negative Declaration [IS/MND]) are included in Figure 13, *Project Site Access Improvements*, and page 128 of the IS/MND. As noted in Figure 13, in addition to constructing Koon Street to its ultimate width, project development would include paving approximately 385 feet of Pourroy Road extending south from the intersection of Koon Street to a currently paved portion of Pourroy Road.

The comments of how Harvest Hill Steam Academy's impacts were not included in the proposed project's conditions of approval, the school's poor planning and the proximity of the school to the proposed charter school site are not directed to the technical adequacy of the IS/MND. The comments are acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

The commenter also noted that the traffic generated by the nearby Harvest Hill Steam Academy was not included in the TIA prepared for the proposed project. As a part of the TIA, weekday AM and PM peak hour turn movement volumes were collected at the study-area intersections on Wednesday, September 14, 2016 when the Harvest Hill Steam Academy was in session. Therefore, the traffic evaluation included traffic from Harvest Hill Steam Academy.

R3-3 The commenter stated that the County Planning Department has not recommended or conditioned that all recommended improvements of the proposed charter school be required for approval. The roadway and circulation recommendations provided in page 44 of the TIA prepared for the proposed project (TIA; provided in Appendix H of the IS/MND), which are included in Figure 13, *Project Site Access Improvements*, and page 128 of the IS/MND, are a part of the project development and will be required to be implemented by the County. Implementation of the roadway and circulation improvements will be ensured through the County's development review and permitting process, and through adherence to the project's conditions of approval. For example, condition of approval 10.TRANS 006 states: "The associated conditions of approval

## Response to Comments

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

R3-4 The comments regarding the traffic issues of the existing Harvest Hill Steam Academy are not related to the proposed project or directed to the technical adequacy of the IS/MND. The comments are acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R3-5 The commenter asserted that the construction and paving of Koon Street by the charter school, which will serve as the vehicular access to the school site from Pourroy Road, will be constructed over property not owned by the charter school but instead dedicated by the owner/developer of a failed commercial development on the property to the south. The commenters assertion is incorrect. Koon Street, which is currently designated as a paper street in the County’s General Plan, will be developed on County-owned right-of-way. The entire stretch of Koon Street, from Pourroy Road to SR-79, is owned by County of Riverside. Additionally, the charter school is dedicating additional school property to increase the right-of-way of Koon Street, as required by the County’s Transportation Department.

Additionally, the project’s traffic, circulation and access impacts were adequately analyzed in the Transportation Impact Analysis (TIA; provided as Appendix H to the IS/MND) that was prepared for the proposed project, which was the basis of the traffic analysis provided in Section 3.16, *Transportation/Traffic*, of the IS/MND. As substantiated in the TIA and Section 3.16, project-related impacts traffic, circulation and access were deemed to be less than significant.

R3-6 The commenter made a general comment about the inappropriateness of the school site per the current Department of Education school siting standards. The comment is not directed to the technical adequacy of the IS/MND. The comments are acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R3-7 The commenter made a general comment regarding the Highway 79 Policy Area and the inadequacy of the policy are to support the proposed project. No specific details or rational as to why was provided. However, the proposed project’s consistency with the Highway 79 Policy Area is discussed in Section 3.10, *Land Use and Planning*, of the IS/MND. As demonstrated in this section, the project is consistent with the policies of this policy area.

With regards to the need for Caltrans to be consulted on the project’s impacts on SR-79, the County Transportation Department has coordinated and consulted with Caltrans regarding the proposed project and its related traffic impacts and improvements.

## Response to Comments

- R3-8 The commenter made a general comment regarding the lack of study of approved and implied projects using Koon Street west of SR-79. Cumulative projects shown in Figure 12, *Cumulative Developments Location Map*, of the IS/MND include reasonable and foreseeable projects in the near term, which is consistent with guidelines to prepare traffic impact analyses in Riverside County. Therefore, all applicable near-term cumulative projects were included in the cumulative traffic analysis of the TIA.
- R3-9 The commenter noted that there was a lack of clarity regarding emergency access and concerns with emergency access from SR-79. As noted above in response to Comment A1-3 of the Law Offices of Abigail Smith, the following text of Section 3.1, *Project Description*, of the IS/MND (page 3) has been revised for clarification. Changes made to the IS/MND are identified here in ~~strikeout~~ text to indicate deletions and in underlined text to signify additions.

### **Access and Parking**

School site access would be via Koon Street, currently designated as a paper street in the County's General Plan, which would begin at the Flossie Way/Pourroy Road intersection, extend along the project site's southern boundary and end in a cul-de-sac at SR-79. School access from the Koon Street cul-de-sac would be via two 1-way driveways forming an elongated one-way loop next to the east site boundary, with the school's 100-space parking lot in the center of the loop. ~~A fire lane would extend over paved areas around the school buildings.~~ A flow-through student drop-off lane would loop around the periphery of the parking lot.

As shown in Figure 6, a fire lane would extend over paved areas around the school buildings. Emergency access to the school site would be provide via Koon Street, which would include a striped center lane. The cul-de-sac proposed at the end of Koon Street would also include rolled curbs, which would provide secondary emergency access to the school site from SR-79 in the event it is needed for emergency vehicles.

The existing dirt access road onsite that connects to SR-79 (see Figure 3, *Aerial Photograph*) would be eliminated and no longer provide vehicular access to the project site in any way. As noted above, vehicular access would be provided via Koon Street. While Emergency vehicular access would also be provided via Koon Street, with secondary emergency access from SR-79 available via the rolled curbs of the cul-de-sac at the terminus of Koon Street.

## Response to Comments

R3-10 The commenter outlined general concerns regarding air quality and noise, as well as buffering between existing neighborhoods. However, no specific details or rationale related to these concerns was provided. The project's impacts associated with aesthetics, air quality, and noise are outlined in Sections 3.1, *Aesthetics*, 3.3, *Air Quality*, and 3.12, *Noise*, of the IS/MND. As substantiated in these sections, impacts related to aesthetics, air quality and noise would be less than significant.

Additionally, the school is planned to be at the far east end of the property and the remaining natural knoll on the western portion of the site will remain, and therefore, provide a natural buffer for residents to the west.

R3-11 The commenter outlined concerns regarding the safety of students walking to the school, lack of walls along SR-79, and pedestrians running across SR-79 to access the school. Being that the children attending the charter school are of elementary- and middle-school age and due to the proposed location of the school, it is anticipated that students will be dropped off by their parents on a daily basis. However, a public sidewalk is proposed along the entire stretch of Koon Street. The charter school will also implement all necessary student safety measures before, during and after school hours to ensure the safety of the students. With regards to the comment about walls, the proposed charter school will be completely fenced on all side, which is provided primarily to protect students during school hours. Direct access from SR-79, for either pedestrian or vehicles, is not provided nor proposed. Also, it is safe to say that no reasonable parent would stop along SR-79 to drop off their grade-school child and have them run across SR-79.

R3-12 See response to Comment R3-9, above.

R3-13 The commenter outlined general concerns regarding flooding and stormwater plans. However, no specific details or rationale related to these concerns was provided. The project's impacts associated with flooding and drainage are outlined in Section 3.19, *Hydrology and Water Quality*, of the IS/MND. As substantiated in this section, impacts related to flooding and drainage would be less than significant. Additionally, the County Transportation Department is reviewing the site-specific, design-level hydrology and grading plans to ensure that all drainage and flooding issues are adequately addressed. Design and construction of the charter school will be required to follow these approved plans.

R3-14 See responses to Comments R3-13, above, and R3-15, below.

## Response to Comments

- R3-15      The commenter noted that the following agencies and their expertise relative to this project should be sought: Caltrans, South Coast Air Quality Management District, and San Diego and Santa Margarita Regional Water Quality Control District. With regards to the need for Caltrans to be consulted on the project's impacts on SR-79, the County Transportation Department has coordinated and consulted with Caltrans regarding the proposed project and its related traffic impacts and improvements. Additionally, through their development review and permitting process, the County Transportation Department coordinated with and involved the appropriate water quality control district(s) in the review of the proposed project and its associated drainage impacts and improvements. Furthermore, the County involves and coordinates with SCAQMD (when necessary or required) in the review of development projects.

## Response to Comments

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## Response to Comments

### LETTER R4 – Kirk R. Gurling (2 pages)

Kirk R. Gurling  
34119 Keller Flat Court  
Winchester, Ca. 92596

August 1, 2017

Mr. Larry Ross

Re: PUP00931

My name is Kirk Gurling. I live at 34119 Keller Flat Court, next door to the proposed Charter School (Temecula Valley Charter School/PUP00931). MY bedroom windows are only 11.5 feet from our common property line.

I would ask and urge you to grant a continuance as there has been no community outreach attempted by the applicant. As you are aware The "Conditions of Approval" and the "Staff Report" were only made available to the public late last week and on Saturday, leaving insufficient time for review and study.

R4-1

As it stands I oppose the approval of PUP00931. I see this as a deeply flawed project that either ignores or inadequately addresses the obvious safety and environmental issues that allowing this school to locate here would create.

R4-2

Please Note: Not one rural neighbor will be sending any of their children to this school. It would much more appropriate to locate this school in the neighborhoods that create the need for it.

R4-3

The assumptions made by the County Planning Commission and its affiliates regarding traffic circulation and surrounding road use render the traffic, air, noise studies inaccurate and deeply flawed! Parents will not wait in long lines of cars to drop off and pick up their children! They will decide to take alternate routes to enter and exit the area. They will most likely drop off and pick up their children along the County maintained dirt roads, while parking in non-delineated spaces blocking driveways, causing conflict with the long standing rural residents and their long standing equestrian uses or they will be dropped off on the opposite side of Highway 79 (Winchester Road) an extreme safety issue, the speed limit is 65 mph. Monitoring the traffic issues after the school is built solves nothing as the problems will then be permanent. One only has to view the traffic problems law enforcement allows to persist at their current location at Abelia St. & Washington Ave. to see the total disregard of traffic laws, long lines of parked cars blocking lanes and the failure of virtually all exiting vehicles to stop before crossing sidewalks at the driveway entrance to the Temecula Valley Preparatory School. The total lack of enforcement of traffic laws by the police departments with jurisdiction for such issues is obvious and can't be relied on. If safety is the paramount concern then this school will not

R4-4



## Response to Comments

meet that requirement! The Highway designation of "Expressway" beginning at the intersection of Abelia St. /Pourroy Rd. and Highway 79 will be choked with left-hand turns and pedestrian traffic making their way to the inadequate entrance to the school. This will be a huge safety problem! This will also render the Highway anything but an "expressway", Caltrans stated use.

R4-4  
cont'd

The residents that rely on this route to exit their neighborhood will be severely delayed and necessary emergency response times unnecessarily delayed.

R4-5

In addition the drainage study is inaccurate because it fails to recognize the current water courses accurately. Remember the upstream approved developments have not been designed or built making water runoff calculations only a wild guess.

R4-6

No buffers to soften the negative impacts that the neighbors will be forced to endure.

R4-7

There are no regulations regarding days and hours of use and operation relative to noise, lighting, traffic, parking, special events, etc.

R4-8

I doubt that the adjacent commercial property was considered when evaluating any cumulative negative effects relative to traffic, air quality, noise, lighting or compatibility.

R4-9

Is this site appropriate if alcohol sales are going to be allowed on the already approved adjacent commercial property?

R4-10

Why a lot merger instead of a lot line adjustment if there is no plan for future expansion of the school?

R4-11

Failure to give credence to The California Department of Education's School Site Selection and Approval Guide" is abundantly clear to me.

R4-12

There are many more issues that need to be addressed, however with the County's late release of public information and the condensed time period created by the County for review and research this is a problem for adequate scrutiny.

R4-13

Thank you for your consideration in this process.

I Kirk R. Gurling oppose PUP00931

## Response to Comments

### **R4. Response to Comments from Kirk R. Gurling, dated August 1, 2017.**

R4-1 The commenter requested a continuance of the Planning Commission hearing due to lack of community outreach. In response to the public comments received at the Riverside County Planning Commission meeting of August 2, 2017, regarding the lack of community outreach and various project issues and concerns raised by surrounding residents, the Planning Commission continued the project to the September 6, 2017, Planning Commission meeting in order to provide the Temecula Valley Charter School ample time to meet with the surrounding community residents to discuss and provide responses and solutions to the issues and concerns raised. Meetings with the surrounding community residents were held at the offices of the Temecula Valley Charter School on August 10 and August 24, 2017.

R4-2 The commenter expressed opposition to the proposed project. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R4-3 The commenter made a general comment about the inappropriateness of the location of the school site. The comment is not directed to the technical adequacy of the Initial Study/Mitigated Negative Declaration (IS/MND). The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

R4-4 The commenter asserted that the assumptions made by the Riverside County Planning Commission and its affiliates regarding traffic and circulation render the traffic, air and noise studies inaccurate and deeply flawed. The commenters assertions are incorrect and unsupported. The analysis, findings and conclusions provided in Sections 3.3, *Air Quality*, 3.12, *Noise*, and 3.16, *Transportation/Traffic*, of the IS/MND are based in part on the detailed technical analyses/reports prepared for each of these environmental topics, all of which were included in the technical appendices of the IS/MND and reviewed and approved by the County of Riverside for use in the IS/MND.

The commenter also asserted that parents driving kids to the school will drop them off along county-maintained dirt roads, parents will park in non-delineated parking areas while blocking driveways, project will cause issues with equestrian uses, and parents will drop off their kids on the opposite side of SR-79. The commenters assertions are incorrect and unsupported. The charter school will implement all necessary student safety measures before, during and after school hours to ensure the safety of the students—these include but are not limited to traffic monitors and prohibiting parents from traveling on dirt roads. Also, any violations can be reported to the school and will be dealt with promptly and effectively. With regards to parents parking in non-delineated

## Response to Comments

parking areas, the commenter should be aware that parking will be prohibited along the entire stretch of Koon Street and Pourroy Road, once these roads are improved. Additionally, the idea that a parent would park along the dirt roads of Flossie Way to the east or Pourroy Road to the northwest (or any other dirt road in the area) of the school site is highly unlikely. As noted above, the charter school will implement all necessary student safety measures; also, parents will be required to adhere to the school's drop-off and pick-up times and requirements. Furthermore, it is safe to say that no reasonable parent would stop along SR-79 to drop off their grade-school child and have them run across SR-79.

The commenter also stated that law enforcement officers continue to allow traffic, access and parking issues to persist at the current charter school location, and that the lack of enforcement of traffic laws by police departments with jurisdiction over these issues is obvious and cannot be relied on. The commenters concern regarding law enforcement and the implementation of traffic laws at the existing charter school site are not directed to the technical adequacy of the Initial Study/Mitigated Negative Declaration (IS/MND). The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.

Finally, the commenter asserted that the amount of traffic created by the charter school will render SR-79 anything but an expressway, as delineated by Caltrans. The commenters assertions are incorrect and unsupported. The Transportation Impact Analysis (TIA) prepared for the proposed project (included as Appendix H to the IS/MND), was reviewed and approved by the County of Riverside for use in the IS/MND. As substantiated in the TIA, no impacts to SR-79 would occur as a result of project development.

- R4-5      The commenter made a general assertion that residents that rely on this route to exit their neighborhood will be severely delayed and necessary response times unnecessarily delayed. However, the route in question was not mentioned and no specific details or rationale related to this concern was provided. The project's impacts associated with traffic and emergency access are outlined in Sections 3.16, *Transportation/Traffic*, of the IS/MND. As substantiated in Section 3.16, impacts related to traffic and emergency access would be less than significant. Additionally, the projects proposed roadway and circulation improvements have been reviewed by the County Transportation Department and Riverside County Fire Department, and recommended for approval.
- R4-6      The commenter stated that the project's drainage study is inaccurate because it fails to recognize the current water courses accurately, and that project's runoff calculations are only a wild calculation due to upstream-approved developments not being designed or built yet. The commenters assertions are incorrect and unsupported. The analysis, findings and conclusions provided in Section 3.9, *Hydrology and Water Quality*, of the

## Response to Comments

IS/MND are based in part on the preliminary Water Quality Management Plan (WQMP) prepared for the proposed project, for which a complete copy of this report was made available for review at the County of Riverside Planning Department, as noted at the beginning of Section 3.9 (page 86). The preliminary WQMP accurately outlines the current water courses that affect drainage (e.g., pattern, quantities) in the project area. Also, the hydrology calculations prepared by the project's civil engineer were used as the basis for determining the project's drainage and water quality features described in the preliminary WQMP. The runoff calculations were not random and wild calculations or guestimates as asserted by the commenter—they were based on established calculation methods and rates for calculating runoff in this area of Riverside County.

Additionally, the preliminary WQMP was reviewed and approved for use by the Riverside County Transportation Department. The County's review and approval further ensures that all necessary and applicable information and calculations were provided in the preliminary WQMP. Furthermore, and for clarification, Condition of Approval 60.TRANS 005 requires the project applicant to submit a final WQMP to the County Transportation Department for review and approval. Submittal of a final WQMP is a standard requirement of the County, and preparation of the final WQMP is based on the preliminary WQMP prepared for the proposed project.

- R4-7 The comment generally made mention of the need for buffers for affected neighbors. However, no specific details or rationale related to this concern was provided. The project's impacts associated with aesthetics are outlined in Sections 3.1, *Aesthetics*, of the IS/MND. Additionally, the school is planned to be at the far east end of the property and the remaining natural knoll on the western portion of the site will remain, and therefore, provide a natural buffer for residents to the west.
- R4-8 The proposed hours of operation and parking for the charter school are discussed in Section 1.3.2, *Project Operation*, of the IS/MND. Lighting impacts and associated regulations are discussed in Section 1, *Aesthetics*, of the IS/MND. Noise and traffic impacts and their related regulations are discussed in Sections 3.12, *Noise*, and 3.16, *Transportation and Traffic*, respectively, of the IS/MND.
- R4-9 The commenter doubts that the adjacent commercial property was considered when evaluating any cumulative negative effects relative to traffic, air quality, noise, lighting, or compatibility. With regards to cumulative impacts associated with air quality, noise, lighting or compatibility, CEQA requires that such cumulative impacts be analyzed in context of the existing conditions on the ground at the time of preparation of the environmental document for a proposed development project. Cumulative impacts related to these topics only need to consider existing conditions and not future potential uses or conditions. Since the property to the south has always been and remains vacant,

## Response to Comments

cumulative impacts of a potential future commercial use being developed on that property are not required to be included in IS/MND prepared for the proposed project.

With regards to cumulative traffic impacts, cumulative projects shown in Figure 8, *Cumulative Developments Location Map*, of the Transportation Impact Analysis (TIA) prepared for the proposed project (which was reproduced as Figure 12, *Cumulative Developments Location Map*, in the IS/MND) include reasonable and foreseeable projects in the near term, which is consistent with guidelines to prepare traffic impact analyses in Riverside County. Therefore, all applicable near-term cumulative projects were included in the cumulative traffic analysis of the TIA, including the future commercial development to the south.

- R4-10 The comment regarding the potential future sale of alcohol within the planned commercial development south of the school site, across Koon Street, is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.
- R4-11 The comment regarding the type of land merger process is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.
- R4-12 The commenter made a general comment about the inappropriateness of the school site per the current Department of Education school siting standards. The comment is not directed to the technical adequacy of the IS/MND. The comments are acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration.
- R4-13 The comment is not directed to the technical adequacy of the IS/MND. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate County decision-makers for their review and consideration. See also response to Comment R4-1, above.

August 10, 2017  
Community Meeting  
on PUP No. 931

## Ross, Larry

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**From:** Jorge Estrada <jestrada@placeworks.com>  
**Sent:** Friday, August 18, 2017 1:29 PM  
**To:** Ross, Larry  
**Subject:** August 10th Community Outreach Meeting

Hi Larry,

On August 10, 2017, the school's director/principal, their legal counsel, PlaceWorks' traffic engineer, and two of the community representatives met at the offices of the Temecula Valley Charter School at 35755 Abelia Street in Winchester. The community issues of concern discussed at the meeting included:

- Access and circulation
- Public Safety
- Hours of operation
- Future expansion
- Existing house
- Grading, drainage, and water quality
- Fencing, screening and landscaping
- Noise and lighting
- Lighting

The project team made note of these issues of concern and will present responses to the surrounding neighbors at next week's community meeting, which will be held on Thursday, August 24 at 6:00 PM in the Multipurpose Room of the Temecula Valley Charter School.

Best,

**JORGE ESTRADA**  
Senior Associate

3 MacArthur Place, Suite 1100 | Santa Ana, California 92707  
714.966.9220 | [jestrada@placeworks.com](mailto:jestrada@placeworks.com) | [placeworks.com](http://placeworks.com)



August 23, 2017  
Community meeting  
on PUP NO.931



**From:** Lois Hastings  
**To:** [Kirk Gurling](#)  
**Subject:** Re: Response to your August 13th email  
**Date:** Thursday, August 17, 2017 4:11:32 PM

---

Hello Mr. Gurlick,

The more detailed plans are available here and should provide you more than sufficient information to review the development.

Civil

<https://wlcarchitects2.box.com/s/c44fblb2qormbq1dnxccpba9kilkharq>

Landscape

<https://wlcarchitects2.box.com/s/oxlgm3kjl3iklatbkg0xkhx66lmem0c>

Architectural

<https://wlcarchitects2.box.com/s/anijmtc4xyojgcylhmpdj4n1yx4fnyz>

These plans are based on the underlying reports we have also provided. Please let me know if you need anything else or have additional questions. We'll look forward to the community meeting on the 24<sup>th</sup>.

Sincerely,

Lois Hastings

On Thu, Aug 17, 2017 at 2:08 PM, Kirk Gurling <[gonetocostarica@gmail.com](mailto:gonetocostarica@gmail.com)> wrote:  
Good afternoon.

The digital plan that was sent each time is a site plan with limited information. I was able in each case to open the attachment. However it does not include the other digital plans we requested, such as grading, landscape, drainage, drainage improvement, hydrology & hydraulics, fencing or water quality plans. If the site plan sent is all that exists then evaluating the overall Charter School plan will be inadequate at best.

Sincerely, Kirk R. Gurling

On Thu, Aug 17, 2017 at 1:29 PM, Lois Hastings <[lhastings@tvcscougars.com](mailto:lhastings@tvcscougars.com)> wrote:  
Good afternoon,

This is the same attachment. Let me know if you are still unable to open it. It is the digital plan.

Thank you,  
Lois Hastings

On Tue, Aug 15, 2017 at 3:44 PM, Lois Hastings <[lhastings@tvscougars.com](mailto:lhastings@tvscougars.com)> wrote:

Good Afternoon!

Here is some information on Rich Hansberger and Fernando Sotelo and their roles in this process:

Fernando Sotelo is the traffic engineer who prepared the traffic study for our project. Mr. Sotelo works for Placeworks, a company engaged by TVCS to assist us with facilities planning.

Mr. Hansberger is our bond counsel in this transaction. His role is to help us secure tax-exempt bond financing for the construction project. He has worked with charter schools in California and Arizona for almost 20 years assisting with facilities development and tax-exempt bond financing.

The digital site plans are attached.

Have a wonderful evening!  
Sincerely,  
Lois Hastings

On Mon, Aug 14, 2017 at 3:10 PM, Lois Hastings <[lhastings@tvscougars.com](mailto:lhastings@tvscougars.com)> wrote:

Yes, thank you for this. I look forward to the next step. I sent you a couple of emails today. It will take some time for you to look through them.

Sincerely,  
Lois Hastings

On Mon, Aug 14, 2017 at 1:38 PM, Kirk Gurling <[gonetocostarica@gmail.com](mailto:gonetocostarica@gmail.com)> wrote:

Good afternoon Ms. Hastings.

I just received your latest email and have not had an opportunity to read it. You may have already addressed some of my questions and responses. Please read the attachment. Hopefully this moves us forward.

Thank you,  
Kirk R. Gurling

**Ross, Larry**

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**From:** Jorge Estrada <jestrada@placeworks.com>  
**Sent:** Friday, August 18, 2017 1:33 PM  
**To:** Ross, Larry  
**Subject:** August 24th Community Meeting  
**Attachments:** Community Outreach Mtg Flyer\_TVCS.PDF

Larry,

Attached is the flyer that was mailed out yesterday to surrounding residents regarding next week's community meeting.

Best,

**JORGE ESTRADA**  
Senior Associate

3 MacArthur Place, Suite 1100 | Santa Ana, California 92707  
714.966.9220 | [jestrada@placeworks.com](mailto:jestrada@placeworks.com) | [placeworks.com](http://placeworks.com)



# Temecula Valley Charter School

## Neighborhood Meeting

Temecula Valley Charter School invites you to attend an informational neighborhood meeting for the proposed charter school project in Winchester, which involves development of the project site with a charter school that will house approximately 600 students. At the meeting we will:

- Provide an overview of the proposed project and its various elements and components
- Provide basic information about the school and its use of the property
- Provide an opportunity to interact with residents of the community
- Answer questions about and listen to input on the project

**You are invited!**

**Thursday, August 24, 2017**

**6:00 p.m. to 7:00 p.m.**

**Temecula Valley Charter School**

**Multipurpose Room**

**35755 Abelia Street**

**Winchester, CA 92596**

For more information, please contact Lois Hastings, Executive Director/Principal at **951.294.6775** or **lhastings@tvscougars.com**.





# TEMECULA VALLEY CHARTER SCHOOL

34155 Winchester Rd

Proposed Site of Public Charter School Facility

Riverside County Planning PUP 931

Community Meeting Held August 24, 2017

## OVERVIEW

- Kindergarten through eight grade.
- Approximately 550 students.
- Temecula Valley Charter School has worked diligently for almost two years, investing almost \$1MM into the required CEQA and County Planning studies and Architectural design to prepare the project for approval.
- Temecula Valley Charter School will be an outstanding neighbor. The school is one of the oldest charter schools in the State, operating successfully for over 20 years. Their educational program is built on family and community involvement.
- Unlike any other proposed development of this site, the school operates for less than HALF the calendar year.



## TRAFFIC

- Access and Circulation
  - The roads leading up to the school will no longer be dirt roads. They will be fully improved County streets.
  - The school will have traffic monitors, just as they do now.
  - Access will be circular; which is the best design (most schools have two-way streets so parents make left/right turns disrupting traffic).
  - Drop-off and pick-up times are staggered by grade.
  - The school has an enormously long drop-off/pick-up lane inside its property.
  - The school is open less than half the school year.
  - The school is less than a third the size of student population than at its current location.



# TRAFFIC

- Dirt Road Access
- The school will prohibit parents from traveling on dirt roads.
- The school can ban the parent from driving to/from school, if necessary. Punishment works!
- Any violations can be reported to the school and will be dealt with promptly and effectively.

## TRAFFIC

- Emergency Access
  - Rolled curbs on Koon cul de sac as required by County.
- Parking
  - The school has ample parking.
- Traffic Control Signage
  - Two-way Stop sign at Pourroy and Koon
  - Stop signs will be provided on Koon Street and Flossie Way. Pourroy is free flowing.

# TRAFFIC

- Traffic Flow at Pourroy and Koon/Flossie
  - Traffic monitors will direct all traffic, ensuring flow through.
  - Koon street and the internal pick-up/drop-off areas are sufficiently long to ensure effective throughput.
  - Traffic study reveals minimal impact.

## DRAINAGE/GRADING

- There will be no obstruction of neighbors drainage patterns. This is simply not allowed by the County.
- The County Engineering Department is reviewing the site Hydrology and Grading plans to ensure no disruption. The school will be required to follow these approved plans.

## BUFFERING/NOISE

- The school is planned to be at the far east end of the property and the remaining natural knoll provides a natural buffer, shielding playground noise from the adjacent neighbors.
- The house is remaining on the property, so in essence there will still be a residential 'property' between the west end of the school and the nearest neighbor.
- The school will be completely fenced. This is primarily to protect school children from the neighbors...but it works the other way around.
- The school has highly effective procedures to prevent unauthorized entrance or exit from the property.
- The school is designed around a central courtyard thus confining most 'noise' to the center of the campus, and the parking lot is on the far east side, near the highway.

## BUFFERING/TRASH AND LIGHTING

- The school's current site is immaculate – for a reason. Zero tolerance! All violations can be reported to the school and will be handled effectively.
- Lighting impact is minimal. The school does not operate school at night. Lights are for security only.
- Evening programs will be less frequent; on average one time per month and generally ending at 7:30 PM.
- Evening programs are not attended by entire school.
- Special Events Once a Year
  - Show Choir lock in (overnight in MPR)
  - Middle School Dance (ends at 10 PM)

## BUFFERING

- The school will be a good neighbor.
- Many residential developments about public schools.
- The key is responding to any complaints of a violation promptly and effectively.

## OTHER CONCERNS

- Public Safety
  - No unauthorized access to school site.
  - Parent access off 79 would be near impossible and would be dealt with harshly (e.g., CHP).
- Hours/Days of Operation
  - 175 days, less than half a year
  - HOURS: Please refer to handout
- Future Expansion
  - None



## OPEN FORUM

- Let us know your questions and concerns.

Letters received at  
the August 2, 2017  
Planning Commission  
Hearing

Planning Commission  
August 2, 2017

Agenda Item No. 4.1 – Public Use Permit No. 931

Public Comments

**Law Offices of Abigail Smith**

1455 Frazee Road, Suite 500, San Diego, CA 92108

Abigail A. Smith, Esq.

Telephone: (951) 506-9925

Facsimile: (951) 506-9975

Email: [abby@socalceqa.com](mailto:abby@socalceqa.com)

***BY E-MAIL AND U.S. MAIL***

August 1, 2017

Riverside County Planning Commission  
c/o Ms. Elizabeth Sarabia, Planning Comm'n Secretary  
4080 Lemon Street, 12<sup>th</sup> Floor  
P.O. Box 1409  
Riverside, CA 92502  
[esarabia@rivco.org](mailto:esarabia@rivco.org)

Mr. Larry Ross  
Principal Planner  
County of Riverside Planning Dept.  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, CA 92502  
[Lross@rivco.org](mailto:Lross@rivco.org)

**Re: Planning Commission Hearing August 2, 2017, Item 4.1—Public Use Permit No. 931/Temecula Valley Charter School**

Dear Riverside County Planning Commissioners:

Please accept this letter on behalf of local residents, Residents For Intelligent Planning, regarding the proposed Temecula Valley Charter School/Public Use Permit No. 931. This project is scheduled for hearing before the Planning Commission on August 2, 2017 (Item 4.1).

First, we request that the Planning Commission continue the hearing to allow for additional time for public review of project documents and comment. The community was not consulted on this Project. The lack of public outreach has left the community scrambling to understand the scope and nature of the proposed project and its impacts. Second, if the Planning Commission will consider this item, we urge that the Commission deny the Project at this time and recommend that an Environmental Impact Report ("EIR") be prepared.

2 Riverside County Planning Commission  
Public Comments – Item 4.1

The Temecula Valley Charter School is a proposal for the construction and operation of a charter school serving 600 students for kindergarten through 8<sup>th</sup> grade. For the reasons outlined below, the Environmental Assessment (“EA”) is legally inadequate and an Environmental Impact Report (“EIR”) is required. The California Environmental Quality Act (“CEQA”) requires the preparation of an EIR for any project that *may* have significant adverse effects on the environment. (Public Resources Code § 21151.) “Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect.” (State CEQA Guidelines, §15064 (f)(1).) The Project meets these standards as discussed further below. Additionally, a mitigated negative declaration is only appropriate when revisions in the proposed project “would avoid the effects or mitigate the effects to a point where *clearly* no significant effects would occur, and [t]here is *no* substantial evidence, in light of the whole record before the agency, that the project as revised *may* have a significant effect on the environment.” (State CEQA Guidelines, § 15070 (b) [emphasis added].) The EA does not demonstrate that significant impacts are mitigated to a point where “clearly no significant effects would occur.”

### **Project Description**

Based on the available information there is apparently an inconsistency relative to the existing street or road that provides access to the existing home on the Project site. Will this road be eliminated as part of the Project? Does the Project intend to rely upon this road for emergency access or otherwise? The site plan indicates that the road may be retained. Moreover, it is indicated that the existing residential structures on-site will remain. The site plan indicates that one will be a “caretaker residence.” Does the applicant intend to develop this adjacent parcel more fully at some point? Consistent with CEQA’s mandates, the entirety of the Project and all phases must be described fully and accurately.

### **Air Quality**

The construction air quality study should be updated using the latest CalEEMod (*see*, <http://www.caleemod.com>).

Furthermore, we could not locate the CalEEMod report to support the conclusions of EA, p. 42 regarding construction emissions. This model report does not appear with the EA, though Appendix B purports to contain “Air Quality and Greenhouse Gas Background and Modeling Data”. Therefore, we are unable to review and comment on the assumptions, inputs, and ultimate conclusions of the construction air quality study. Even so, the “expectation” that the earthwork is balanced must be made a condition of the proposed project in order to guarantee that the assumptions of the air quality model are

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Public Comments – Item 4.1

accurate. The noise section suggests it is assumed that there will be little to no off-site/on road haul trips.

### **Water Quality and Flooding**

Conclusions about water quality impacts are based on a preliminary WQMP. The EA mentions that, “site specific features would be described in the site-specific WQMP” (p. 87). This represents deferred analysis contrary to CEQA. There is not evidence to support the conclusion that impacts are less than significant under thresholds a), d), and g). The EA also describes that the “proposed development of the Keller Crossing Specific Plan ... would include a 24-inch storm drain along Keller Road that ... would prevent off-site runoff from entering the school site” (p. 87). This is inadequate. The Project must mitigate its impacts and not rely on anticipated improvements by other projects.

The Project is apparently designed so that all storm water shall be contained underground. We urge the Planning Commission to ensure that this project has been fully reviewed by all water quality agencies prior to approval, including State agencies that monitor the Santa Margarita Water Shed and the San Diego River Watershed. There is major concern on the part of the community that flood and stormwater impacts have not been fully evaluated or mitigated. CEQA provides that impacts must be studied *before* a project is approved.

### **Land Use**

The Project area is described as a rural residential and agricultural area of French Valley. According to the EA, the immediate neighborhood consists of rural residences and farmland, and in fact a single family abuts the northern site boundary on the west. The current land use designation is Rural Residential; the current zoning is Rural Residential. The Project has potentially significant land use impacts due to conflicts with surrounding uses. These impacts are not mitigated because of the granting of a permit for the proposed use. The Project will bring a substantial number of vehicle trips, noise, and lighting effects to a rural area. This represents an adverse change to the environment within the meaning of CEQA. Further, we do not agree, as claimed by the EA, that “land use compatibility is no longer a CEQA issue” (p. 101). If the Project site were developed pursuant to the Rural Residential land use and zoning designations, these environmental effects would be much less; notably, there would be far fewer vehicle trips.

### **Noise**

The operational noise analysis is wholly inadequate as related to nearby and adjacent homes. The EA states that General Plan Policy N 2.3 establishes noise standards for stationary noise sources but then fails to discuss or evaluate noise levels due to the

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Project at nearby residential receptors. The analysis also fails to mention Policy N 4.1 that prohibits facility-related noise received by any sensitive use from exceeding the level of 65 dBA between 7 a.m. and 10 p.m. The EA discusses operational noise only in terms of roadway noise. There is no attempt to determine whether Project noise is significant in terms of nearby receptors, because either (1) the noise levels violate the General Plan noise standards or (2) there is a substantial, permanent increase in ambient noise (*i.e.*, the adopted thresholds of significance). The EA acknowledges that nearby sensitive receptors include the “multiple single-family residences between 200 and 500 feet north of the proposed project site and approximately 350 feet west of the proposed project site.”

The EA mentions that rooftop mechanical equipment would be “placed within appropriate sound enclosures or parapets” to minimize noise. But there is no attempt to quantify the noise levels of such equipment and evaluate operational noise due to the Project in relation to nearby receptors. Moreover, rooftop mechanical equipment is just one element of a school facility. The school facility can be expected to generate noise due to delivery trucks, school buses including idling of buses, car idling, other parking lot noise such as doors slamming, a public address system, and school bells *as well as* rooftop mechanical equipment. There is no attempt to quantify these noise sources and evaluate whether collectively they produce noise in excess of noise standards or other thresholds at sensitive receptors. The General Plan regulates noise so that noise is prohibited above 55 Leq daytime and 65 Lmax daytime. The Project must be evaluated in terms of these standards as to the nearby receptors and in terms of all operational noise sources.

Indeed, there is no attempt to evaluate Lmax noise levels, which are also regulated. In the context of the proposed project, the likely short-term noise events include car horns and other parking lot activities, loudspeakers/PA system, and school bells.

Furthermore, the noise analysis does not appear to disclose the existing CNEL at nearby receptors so that the reader cannot determine whether the Project will cause a measureable *increase* in existing noise conditions at these locations.

In terms of roadway noise, it does not appear that analysis was performed with respect to Flossie Way, Ruft Road or Pat Road (or any roadways east of Pourroy Road). These are all rural residential roadways. This omission must be corrected.

Nevertheless, the noise study indicates a significant impact, contrary to the EA’s conclusion, as to at least Pourroy Road, Keller Road, and Ruft Road. For instance, in 2018, there is a 12.5 dbA increase in roadway noise levels on Keller Road east of Winchester. The EA fails to explain how the Project’s contribution to this noise increase is a mere 0.2 dB so that impacts are less than significant. The EA dubiously notes that there are “major overall increases between existing conditions and future conditions but

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these are due to ambient growth and the cumulative contributions of other projects in the area.” The noise analysis does not disclose the other projects that would contribute to such a major noise increase *by year 2018*. Thus the EA indicates, at the very least, a “fair argument” of significant roadway noise impacts due to the Project.

The EA reveals that the “facades of the project buildings that would face SR-79” would experience traffic noise levels of approximately 69 dBA CNEL. We disagree that this is not a significant CEQA impact at least in terms of compatibility with the General Plan. Also, according to the EA, this failure to comply with the General Plan noise standards would “need to be addressed prior to the issue of building permits.” This statement amounts to deferred analysis and mitigation, and furthermore, does not resolve the Project’s conflict with the General Plan.

Construction noise is significant and unmitigated with respect to at least two nearby receptors. Case law interpreting CEQA provides that compliance with a regulatory standard such as the County’s construction ordinance does not necessarily eliminate the CEQA impact.

### Traffic

There is inadequate access to the Project where it relies solely on the newly created cul-de-sac street (Koon Street). There is indication that there will be an emergency access point on Highway 79 to satisfy the Fire Department who has yet to approve the PUP. Traffic and safety issues are unresolved.

The Project will generate 1,488 vehicle trips per day, and the EA indicates a significant impact at numerous intersections and roadways, yet there is no mitigation proposed for the impact. For instance, the EA concludes there are significant impacts with respect to the intersection of Pourroy Road at Pat Road and states that road improvements – *i.e.*, a traffic signal – would be necessary to address the intersection’s operational deficiencies (pp. 126-127). However, based on the purported application of “signal warrant criteria” (purportedly contained in Appendix H) the EA concludes that the signal warrant criteria would not be met for any intersection under existing and 2018 scenarios. The EA references Appendix H (the traffic study) but this study (p. 41) contains the same conclusory language as the EA. There is no analysis to support the bare conclusion of the EA that no signal is warranted. There is also a reference to the 2014 California Manual on Uniform Traffic Control Devices but that document is apparently not included with the study, and is not even referenced in the EA’s “References” section. Thus there is no explanation as to how the Project was determined to be exempt from requiring the construction of a traffic signal. Indeed, during the “AM peak hour” the intersection of Pourroy Road at Pat Road (currently unsignalized) degrades from LOS D to LOS F. This meets the adopted threshold of significance for Project impacts and *mitigation is required* (p. 126). In short, the Project must be conditioned to provide the necessary traffic



improvements to mitigate significant traffic impacts. Otherwise, reliance upon a mitigated negative declaration is legally improper.

The EA also omits information such as:

- the combined impact of the proposed school with the Harvest Steam Academy located at 31600 Pat Road (at Elliot Road). *See*, EA Figure 12; *see also*, Traffic Study, Appendix E. This elementary school is causing significant traffic impacts nearby. Thus Figure 12 does not represent “closely related past, present, and reasonably foreseeable probable future projects.” Nor does Figure 12 include “the Keller Crossing Specific Plan, which is just north of Keller Road and the school site” (p. 87);
- all roads north of the Project site, which is completely unrealistic. For instance, the intersections of Keller Road at Pourroy Road, and Ruft Road at Pourroy are excluded;
- a traffic scenario based on cumulative projects or growth beyond year 2018 such as 2025 or 2030. Limiting the analysis to year 2018 is simply presenting a *short-term* view of Project impacts; and
- the recommendations of the traffic study at p. 44.

Finally, it is not clear that the thresholds of significance listed at EA p. 116 are applicable to all of the roadways and intersections identified in the EA. For instance, Pat Road is a “two –lane local street.” Pat Road will receive 20% of the Project’s traffic according to Figure 11. Pourroy Road is a “Secondary Roadway and is currently two lanes” (p. 113). The vast majority of Project traffic is anticipated to use Pourroy Road according to the EA.

### **General Plan Inconsistency**

In addition to unmitigated CEQA impacts, the Project may also conflict with the County’s General Plan including:

- Policy N 1.3 which discourages schools or other residential uses in areas in excess of 65 CNEL  
(*see*, [http://planning.rctlma.org/Portals/0/genplan/general\\_plan\\_2016/elements/Ch07\\_Noise\\_120815.pdf?ver=2016-04-01-100805-193](http://planning.rctlma.org/Portals/0/genplan/general_plan_2016/elements/Ch07_Noise_120815.pdf?ver=2016-04-01-100805-193).);
- Policy N 1.5 stating that projects should “prevent and mitigate the adverse impacts of excessive noise exposure on the residents, employees, visitors and noise-sensitive uses of Riverside County”; and
- Policy N 1.3 specifically stating that any land use that is exposed to levels higher than 65 CNEL will require noise attenuation measures.

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The EA asserts based on case law that analysis of the existing environment on the project is no longer a requirement of CEQA. Yet, here, the project before you involves school children and thus greater concerns are in play.

**Conclusion**

As a result of these flaws and omissions, we believe the Environmental Assessment is legally inadequate and that an EIR is required. Furthermore, we respectfully ask that you continue this item to a future hearing date to honor the desire of the community to have additional time to fully review the project.

Sincerely,

*Abigail Smith*

Abigail Smith, Esq.

## Hildebrand, John

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**From:** Sarabia, Elizabeth  
**Sent:** Tuesday, August 01, 2017 4:14 PM  
**To:** Hildebrand, John  
**Subject:** FW: ITEM 4.1 PUP00931 TEMECULA VALLEY CHARTER SCHOOL

**From:** rick croy [mailto:rickcroy22@gmail.com]  
**Sent:** Tuesday, August 01, 2017 4:02 PM  
**To:** Ross, Larry <LROSS@RIVCO.ORG>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Victorian-White, Rosalee <RVICTORIA@RIVCO.ORG>  
**Subject:** ITEM 4.1 PUP00931 TEMECULA VALLEY CHARTER SCHOOL

Mr. Ross,

We wish to express our opposition to this change in land use on these parcels for several reasons.

1. Circulation

How can this School, with a potential 600 students coming and going, be adequately serviced by one street which is a dead end Cul de sac? It doesn't seem safe, logical, or even feasible to expect this two lane road to service the need.

2. Fire

In light of the above, isn't a secondary entrance and egress REQUIRED by Fire?

3. Planning

This area is a WELL ESTABLISHED rural residential area with unpaved roads and limited access. You can expect many people flying down unimproved Pouroy Rd and Keller which is a completely unsafe condition.

4. Community outreach

While we understand that Schools may be located in any area, we find it offensive that ZERO community outreach was employed by the school's proponents.

5. Alcohol

Since the parcel south of the proposed school is future commercial/ market type area, will Alcohol sales be permitted so close to a school?

This may have legal ramifications for the County if approved

Thank you and we wish to have our letter included in the Public Record

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Thank you  
Rick and Kelly Croy

## Hildebrand, John

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**From:** Ross, Larry  
**Sent:** Tuesday, August 01, 2017 5:23 PM  
**To:** Hildebrand, John; Leach, Charissa; Brady, Russell  
**Subject:** Fwd: OUR NEIGHBOR HOOD / TEMECULA VALLEY CHARTER SCHOO.

Larry Ross  
Principal Planner  
Riverside County Planning Department  
[4080 Lemon Street, 12th Floor](#)  
[PO Box 1409](#)  
[Riverside, CA 92502](#)

Begin forwarded message:

**From:** <[theredeemed1too@gmail.com](mailto:theredeemed1too@gmail.com)>  
**Date:** August 1, 2017 at 4:31:07 PM PDT  
**To:** "[lross@rivco.org](mailto:lross@rivco.org)" <[lross@rivco.org](mailto:lross@rivco.org)>  
**Subject:** OUR NEIGHBOR HOOD / TEMECULA VALLEY CHARTER SCHOO.

I SHARE THE EASEMENT WITH THE ROAD THAT WILL BE USED TO GAIN INTRANCE TO THE PROPERTY .  
I AM APPALLED BY THE NUMBER OF LIES I WAS TOLD WHEN I ASKED SURVEYER THAT CAME OUT TO  
THAT PROPERTY DURING THE PAST TWO YEARS. THE COULD ANSWER NO QUESTIONS AND NOT ONCE  
DID ANYONE MENTION A SCHOOL.

SUCH DISRESPECT, SUCH BLANTANT DISREGARD FOR OUR NEIGHBORHOOD.

I'M SURE THAT SOMEONE JOBS DISCRPTION IS TO CONTACT NEIGHBORING RESIDENTS WITH THE  
INFORMATION ABOUT CHANGES THAT DIRECTLY AFFECT HOMES IN MY AREA. A  
THIS IS NOT THE WAY TO TREAT PEOPLE THAT PAY YOUR SALARY..... AND ARE LAW ABIDING CITIZENS,  
TAX PAYERS.

THERE IS A 48 PG REPORT ON LINE FROM THE PLANNING COMMITTEE , I WOULD LIKE TO GET A COPY  
OF IT.

SOMEBODY IS NOT DOING THEIR JOB.  
I'D LIKE TO HAVE OUTREACH WITH THE COUNTY TO EXPLAIN THINGS PROPERLY.  
PERHAPS THE LOCAL NEWS PAPER COULD ASK MORE DEFINITE QUESTIONS AS TO WHY "CONDITIONS  
OF APPROVAL" IS ALREADY BEEN MADE AVAILABLE TO THE PUBLIC AND WE THE NEIGHBORHOOD  
FOLKS HAVE BEEN GIVEN A MARE 10 DAYS TO SUBMITT TO YOUR RULING,.

WHAT ABOUT BUFFERS FOR PROPERTY OWNERS THAT ARE DIRECTLY AFFECTED???  
WE HAVE ANIMALS, CARS WILL MOST LIKELY BE PARKED IN FRONT OF MY HOME,

WHAT ABOUT SIGNAL AND SAFETY IMPROVEMENTS. WILL BUSES USE POURROY RD FOR ARRIVAL AND PICKUP, IF THE ANSWER IS NO, THAT'S A LIE BECAUSE BUSES USE POURROY RD NOW FOR THE MAGNA SCHOOL, I HAVE REPORTED SEVERAL BUSES FOR SPEEDING WITH KIDS ON THE BUS. 70 MILES PER HR

ANY STUDIES ON THE ADDED NOISE TO OUR COMMUNITY??

AIR QUALITY, DRAINAGE ISSUES,, ANY KIND OF TRAFFIC CONTROL /PARKING ON POURROY AND KELLER ROAD????

I'M SURE THESE ARE ALL QUESTIONS WE WOULD HAVE BEEN ABLE TO ASK HAD WE BEEN GIVEN THE PROPER NOTIFICATION.

I'VE PRAYED ABOUT THE SITUATION AND I'VE ASKED MY GOD TO INTERVENE ON THE PLANS OF THE WICKED IN THIS SITUATION,.

I BELIEVE A CONTINUANCE WILL BE ALLOWED.....

WE WERE ALL BLESSED BY GOD TO LIVE THIS RURAL LIFESTYLE,. WE ARE NOT OPPOSED TO PROGRESS.

BUT TO BE TREATED LIKE LESS THAN HUMAN BY OUR OWN COUNTRY IS SIMPLY NOT ACCEPTABLE. THIS IS THE UNITED STATES OF AMERICA.

NOT SOME FOREIGN COUNTRY THAT WALKS ON ITS CITIZENS, FOR THE ALMIGHTY \$\$\$\$\$\$\$\$\$\$.

NOT TO MENTION INCREASE IN CRIME,  
WHAT ABOUT PEOPLE THAT RIDE THEIR HORSES DAILY, KIDS THAT KNOW NOTHING ABOUT NATURE ARE PRETTY CRUEL,  
WHY A "LOT MERGER" AND NOT A "LOT LINE ADJUSTMENT"???"

WHAT ABOUT REGULATIONS REGARDING DAYS AND HOURS OF USE RELATIVE TO NOISE, LIGHTING TRAFFIC PARKING ETC.

I HAVE FARM ANIMALS, I WELCOME THE WALL TO BLOCK OFF VISION OF MY PROPERTY, IN ORDER TO KEEP KIDS FROM THROWING THINGS OVER ONTO MY PROPERTY.

WHEN YOU DON'T DO THINGS RIGHT TO BEGIN WITH THIS IS WHAT YOU GET.....

I WAS NOT CREATED TO WORRY, I WAS NOT CREATED TO FEAR, THEREFORE I'VE TURNED IT TOTALLY OVER TO MY GOD. HE'S ALREADY WORKED IT OUT.

SINCERELY  
RITA FLENOID.  
34220 POURROY RD  
WINCHESTER, CA 92596

Sent from [Mail](#) for Windows 10

Letters received after  
the August 2, 2017  
Planning Commission  
Hearing

Planning Commission

Riverside County Planning Department

Attention Larry Ross

lross@rivco.org

Post Office Box 1409,

Riverside, California 92502-1409

RE: Temecula Valley Charter School

PUP00931

Dear Commissioners;

I am writing to express my concerns and objections to the proposed Public Use Permit Application and the County of Riverside approval of the Temecula Valley Charter School referenced above.

#### TRAFFIC CIRCULATION AND ACCESS PROBLEMS AND GRIDLOCK

The neighborhood in which the Charter School project is located is a long established residential neighborhood with a limited but presently barely adequate street system. However, the streets in the neighborhood are not paved and are already a limitation on the safety of the neighborhood because they are not paved. Previous development in the neighborhood and the surrounding area are taxing the roads and making the roads less adequate and less safe.

The construction of the nearby Harvest Hill Steam Academy in 2015 on Pat Road at the intersection of Elliot has increased traffic dramatically over Pat Road, Pourroy Road from Pat Road where it intersects with Abelia Street and the Abelia Street intersection with Winchester Road (hereinafter Highway 79). Harvest Hill Steam Academy was not, according to the Riverside County Transportation Department, reviewed and approved by the Planning

Department or the Planning Commission of Riverside County. Harvest Hill Steam Academy and the impacts associated thereby was not included in the traffic study or the Conditions for Approval for the Temecula Valley Charter School PUP00931. This is an obvious error and is a ground for my objection to this project, PUP00931.

The Harvest Hill Steam Academy is also a poorly planned project and is within close distance to PUP00931. Google Maps indicates that the two address are a mile apart but the new access to the PUP00931 from the new intersection of the new Koon Street and Pourroy Road and the Harvest Hill Steam Academy is much less, .6 of a mile according to Google Maps and much less as the crow flies or in actual distance.

In the traffic study of 00931 prepared by Placeworks and reviewed by the County Planning Department improvements to address the new demands caused by 00931, Placeworks recommended substantial improvements to the roads serving the site from the South of the site. The Planning Department has not recommended or conditioned that all the recommended improvements be required for Approval. This is very misguided and I object to the lack of incorporation of the specific and detailed improvements recommended by Placeworks and ignored by the County to the roads serving the above referenced project from the South. These two Schools will share Pat Road, a section of Pourroy Road, the intersection of Abelia and Highway 79 and Ruft Road. Ruft Road is an unimproved dirt road which connects Pourroy Road and Elliot Road.

There is a misconception incorporated in the Traffic Study, the Planning and the Conditions for Approval and the Staff Report and Recommendation for Approval for PUP00931. That misconception is that no person travelling to the Temecula Valley Charter School will come from the North. All the planners are aware of this misconception because they evaluated the Northern access when they studied the Northern intersection of Highway 79 and Keller Road which was recently improved and signalized in 2015.

The mistakes made in the development of the Harvest Hill Steam Academy are informative about the development of PUP 00931 and many of the same mistakes and ill-conceived plans are being duplicated.

In both projects there is an irresponsible neglect of the rural neighborhoods to the North of the school sites and it is reasonable to expect the same negative impacts found in the case of the existing Harvest Hills Steam Academy (hereinafter HHSA). In the case of HHSA the school, incredibly is bounded on three sides by rural dirt roads and has bounded by only one paved road, Pat Road. The predictable result is that the many persons travelling to HHSA are completely congesting Elliot Road to the South of the school and Pat Road in front of the



school. There have been occasions where large school buses with children aboard have travelled on the dirt roads, (specifically on Elliot Road to the North) and have become stuck up to the axle during the heavy rains last winter and had to be evacuated and removed with heavy towing equipment. There are regularly cars and vehicles travelling to the school down Keller Road and Elliot from the North of HHSA and travelling too fast for the conditions and, in the rainy weather, severely rutting and disordering the dirt roads.

PUP00931 suffers from this same defective sort of planning. The access to the school which abuts Highway 79, is from a present dirt road, Pourroy, and an eighteen hundred foot new road, Koon Street, which will be constructed over property not owned by the developers of PUP 00931 but instead dedicated by the developers of a failed commercial project to the South of the PUP00931. The improvements off the site and off present private property are too little to support the burdens which will be imposed on the neighborhood. The PUP00931 site will be approached from the South, according to the planners. This would envision the traffic and students arriving on Highway 79 and Pourroy to access Koon Street or arriving via Pat Road and Pourroy Road. But the proponents and the Planning Department anticipate 600 trips for each cycle at the PUP00931 and clearly this volume will force and encourage some persons to travel the extra .4 of a mile to the next intersection, Keller Road and Highway 79. There will obviously be chaotic congestion and traffic circulation problems.

There are a long list of other problems with this project and basis upon which I object. They are;

1. INAPPROPRIATENESS OF THE SCHOOL SITE PER THE CALIFORNIA DEPARTMENT OF EDUCATION SCHOOL SITE SELECTION AND APPROVAL GUIDE.
2. HIGHWAY 79 POLICY AREA, HIGHWAY 79 AS AN EXPRESSWAY, INADEQUACY OF HIGHWAY 79 TO SUPPORT THE PROPOSED 00931 AND OTHER PROJECTS ALREADY APPROVED NEAR AND CONTIGUOUS TO 00931. CALTRANS NEEDS TO BE CONSULTED ON THE IMPACT OF PROJECTS ON THE HIGHWAY 79 EXPRESSWAY CONCEPT AND THE EXPRESSWAYS ABILITY TO REDUCE GRIDLOCK IN LIGHT OF THE PROPOSED DEVELOPMENT.
3. LACK OF STUDY OF APPROVED AND IMPLIED PROJECTS USING KOON STREET WEST OF HIGHWAY 79.

4. THE LACK OF CLARITY ABOUT WHETHER AN EMERGENCY FIRE ACCESS WILL BE ALLOWED ON HIGHWAY 79, THE IMPROVEMENTS TO 79 IF ALLOWED, THE IMPACT OF SUCH AN ACCESS TO THE HIGHWAY 79 OBJECTIVES.
5. BUFFERING BETWEEN THE EXISTING NEIGHBORHOOD AND 00931-NOISE CONCERNS, AIR QUALITY CONCERNS
6. THE SAFETY OF CHILDREN WALKING TO THE PROPOSED 00931 SCHOOL SITE AND THE LACK OF WALLS OR RESTRAINTS TO PREVENT PEDESTRIANS FROM TRYING TO RUN ACROSS HIGHWAY 79 TO GAIN ACCESS TO THE SCHOOL
7. FIRE AND SAFETY ACCESS TO THE SITE OF 00931 AND THE PROPOSED HIGHWAY 79 EMERGENCY FIRE ACCESS UTILIZING A PREEXISTING PAVED DRIVEWAY AT 34155 WINCHESTER ROAD.
8. THE INADEQUACY OF THE FLOOD WATER OR STORM WATER PLAN FOR 00931 AND THE PREEXISTING FLOOD WATER PROBLEM IN THE NEIGHBORHOOD EXACERBATED BY THE RECENT EXPANSION AND DEVELOPMENT OF HIGHWAY 79.

THE AREA HAS A SERIOUS FLOOD WATER/STORM WATER PROBLEM. PRESENTLY WATER IS COLLECTING AND LAKEING ON BOTH SIDES OF HIGHWAY 79 AT THE 00931 SITE. THE TRANSPORTATION DEPARTMENT HAS NO EFFECTIVE WAY TO CONTROL THE FLOW OF WATER INTO THE NEARBY REGIONAL WATER SHED SYSTEM WHICH IS ITSELF OVERBURDENED. THE STATE AGENCIES SHOULD BE CONSULTED REGARDING THIS PROJECT AND PROPER PERMITS AND REVIEW REQUESTED AND REQUIRED.

THE FOLLOWING AGENCIES AND THEIR EXPERTISE RELATIVE TO THIS PROJECT SHOULD BE SOUGHT,

CAL TRANS DISTRICT 8 IN SAN BERNADINO

THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

THE SAN DIEGO REGIONAL WATER CONTROL DISTRICT AND THE SANTA MARGARITA

For all the reasons cited above I object to PUP00931 and also to the cursory planning and to the lack of notice and out reach to the community in the evaluation of this project and also for a litany of other reasons which will be expressed by the community at hearing and in writing.

Dennis F. Tuffin

Agenda Item No.: 4.1  
Area Plan: Southwest  
Zoning Area: Rancho California  
Supervisory District: Third  
Project Planner: Larry Ross  
Planning Commission: August 2, 2017

Public Use Permit No. 931  
Environmental Assessment No. 42963  
Applicant: 34155 Winchester Rd, LLC  
Engineer/Representative: PlaceWorks

  
Charissa Leach P.E.  
Assistant TLMA Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION:

Public Use Permit No. 931 proposes the construction and operation of a charter school serving 600 students for kindergarten through 8<sup>th</sup> grade. Total building area is approximately 45,000 square feet. An existing single family home and garage will remain onsite.

### PROJECT LOCATION:

Northwest of Highway 79, east of Pourroy Road, and south of Keller Road

### BACKGROUND:

The Temecula Valley Charter School was founded in 1994, under the name Temecula Learning Center. The school has been operating at its current location, 35755 Abelia Street, in French Valley for many years. The current charter school site is owned by the Temecula Valley School District, and because of operational needs of the Temecula Valley School District asked the Temecula Valley Charter School to relocate. The proposed Public Use Permit No. 931 is for the relocation of the existing school, staff and students.

### SUMMARY OF FINDINGS:

- |  |  |
|--|--|
| 1. Existing General Plan Land Use (Ex. #5):    | Rural: Rural Residential (RR)  |
| 2. Surrounding General Plan Land Use (Ex. #5): | Rural: Rural Residential (R:RR) to the north and west, and Community Development: Commercial Retail (CD:CR) to the south and east. |
| 3. Existing Zoning (Ex. #2):                   | Rural Residential (R-R)  |
| 4. Surrounding Zoning (Ex. #2):                | Rural Residential (R-R) to the north and west, General Commercial (C-1/C-P) to the south, and Specific Plan to the east.           |
| 5. Existing Land Use (Ex. #1):                 | Single Family Residential  |
| 6. Surrounding Land Use (Ex. #1):              | Single Family Residential to the north, east and west, vacant to the south.  |
| 7. Project Data:                               | Total Acreage: 14.59   |

8. Environmental Concerns:

See attached environmental assessment

**RECOMMENDATIONS:**

**ADOPT** a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42963**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

**APPROVE** **PUBLIC USE PERMIT NO. 931**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

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

1. The project site is designated Rural: Rural Residential (R:RR) on the Southwest Area Plan.
2. The proposed use, a charter school is consistent with the Rural: Rural Residential (RR) designation. The RR designation allows for governmental uses, the charter school is a governmental use.
3. The project site is within the Highway 79 Policy Area of the Southwest Area Plan. The Highway 79 Policy Area requires a 9 percent reduction from the midpoint of the density range for a given General Plan designation for residential land division. Since the proposed project is not a residential subdivision, it is not subject to the Highway 79 Policy area requirements.
4. The project site is surrounded by properties which are designated Rural: Rural Residential (R:RR) to the north and west, and Community Development: Commercial Retail (CD:CR) to the south and east..
5. The zoning for the subject site is Rural Residential (R-R).
6. The proposed use, a charter school, is consistent with the development standards set forth in the Rural Residential (R-R) zone:

"One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building exceed seventy-five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance."

The tallest building in the project is 28 feet in height, therefore the project does not exceed the height requirement of the zone.

"Lot Area. One-half acre, with a minimum average width of 80 feet, including the area to the center of adjacent streets, shall be the minimum size of any lot except as follows:

- (i) Public utilities, 20,000 square feet with a minimum average lot width and depth of 100 feet."

The project currently has two lots, but the project is conditioned to be merged into one lot. The current lot sizes of each lot is approximately 7 acres, thus exceeding the half acre requirement.

The first lot currently has a width of 513 feet. The second lot has a width of 300 feet that expands to 767 feet in width, giving it an average width of 533.5 feet. Both lots in their current configuration meet minimum average 80 foot lot width, and with the parcel merger the new lot will have an average lot width of 944.5 feet which also meets the required minimum average 80 foot lot width.

"Automobile storage space shall be provided as required by Section 18.12. of this ordinance."

Under section 18.12, elementary schools are required to be parked at "Whichever is greater: 1 space/classroom, OR 1 space/3 seats in the auditorium or multi-purpose room. " The project has a multipurpose room with 290 seats, which when divided by 3 as stated above, the required parking would be 97 parking spaces. The project has provided 98 parking spaces.

7. Pursuant to Section 18.29 of Ordinance No. 348, the proposed charter school is permitted in the Rural Residential (R-R) zone with an approved public use permit. Section 18.29 provides that that educational institutions may be permitted in any zoning classification provided a public use permit is granted.
8. Pursuant to Section 18.29d of Ordinance No. 348, "A public use permit shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community. Any permit that is granted shall be subject to such conditions as shall be necessary to protect the health, safety or general welfare of the community"

The proposed school has been designed to insure the safety of both the children that attend the school as well as the public at large. The school meets Fire code requirements and the Transportation requirements for such a facility. In addition, a school meets the needs of the community by providing schooling to the children that reside in the Temecula Valley School District. The charter school further assists the School District in its mission to educate the children located in the district by taking pressure off of the district's limited resources and giving the community at large a choice as to an alternate form of education within the district.

9. In accordance with Section 18.12 of Ordinance No. 348 the required parking for this facility is 93 parking spaces. The proposed charter school will include 96 parking spaces.
10. The project site is surrounded by properties which are zoned Rural Residential (R-R) to the north and west, General Commercial (C-1/C-P) to the south, and Specific Plan to the east.
11. Single family residential uses have been constructed and are operating in the project vicinity.
12. The project site is located within the City of Murrieta sphere of influence and as such a copy of the project was transmitted to the City of Murrieta. As of writing of this staff report, no response has been received from the City of Murrieta.
13. This project is located within Criteria Area 5275 of the Western Riverside County Multiple Species Habitat Conservation Plan. The project went through the HANS process and the project was transmitted to Joint Project Review on June 20, 2017 by the Regional Conservation Authority. Conservation within this Cell will range from 10%-20% of the Cell focusing in the southern portion of the Cell. The project site, however, is located in the northwestern part of the Cell. Further, the proposed Constrained Linkage 8 is located approximately 1,400 feet south of the project site. The land between the project site and the linkage is in agricultural use and is crossed by SR-79. The proposed project would not impact the assembly or wildlife movement function of Constrained

Linkage 18. As a result, the project is not required to provide land for conservation and it fulfills the requirements of Criteria Cell 5275 and Constrained Linkage 18.

14. The project is located within the Stephens Kangaroo Rat Fee Area or Core Reserve Area. The project has been conditioned (60.PLANNING.11) that prior to the issuance of a grading permit, the applicant shall comply with the provisions of the Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance.
15. Notifications about this project were sent to the Native American tribes that requested to be noticed pursuant to AB 52. These include the Pechanga Band of Luiseno Indians, Soboba Band of Luiseño Indians, Ramona Band of Cahuilla Indians, Colorado River Indian Tribes and the Rincon Band of Luiseño Indians. Requests for consultation were received from Pechanga and Soboba. The remaining tribes did not request consultation on this project. Pechanga and Soboba did not identify any Tribal Cultural Resources in the project area. Pechanga and Soboba expressed concern that subsurface resources may be present and requested that a tribal monitor be present during grading activities(60.PLANNING 3). Consultation was concluded with both Pechanga and Soboba on April 19, 2017.
16. Environmental Assessment No. 42963 identified the following potentially significant impacts:
  - a. Cultural Resources
  - b. Geology/Soils

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, conditions of approval, and attached letters. No other significant impacts were identified.

### **CONCLUSIONS:**

1. The proposed project is in conformance with the Rural: Rural Residential Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Rural Residential (R-R) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

### **INFORMATIONAL ITEMS:**

1. As of this writing, no letters, in support or opposition have been received.
2. The project site **is not** located within:
  - a. A 100-year flood plain, an area drainage plan, or dam inundation area;

- b. California Gnatcatcher, Quino Checkerspot Butterfly habitat;
  - c. A high fire area; or
  - d. Recreation and Parks District boundary.
- 3. The project site is located within:
  - a. The city of Murrieta sphere of influence;
  - b. The Stephens Kangaroo Rat Fee Area; and
  - c. A low liquefaction potential area;
- 4. The subject site is currently designated as Assessor's Parcel Numbers 476-010-013 and 476-010-059.

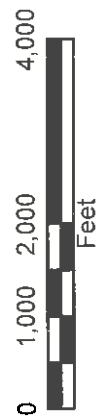


**PUP00931**

Date Drawn: 05/03/2017  
Vicinity Map



Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of River Jefe adopted a new General Plan, providing new land use designations for unincorporated Riverside County. Plans, pending new land use designations for unincorporated Riverside County periods. The new General Plan will contain different type of land use designations for water conservation. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-5200 (Western County) or in Fullerton at (714)961-4277 (Eastern County) or Website <http://www.riverjefe.net>



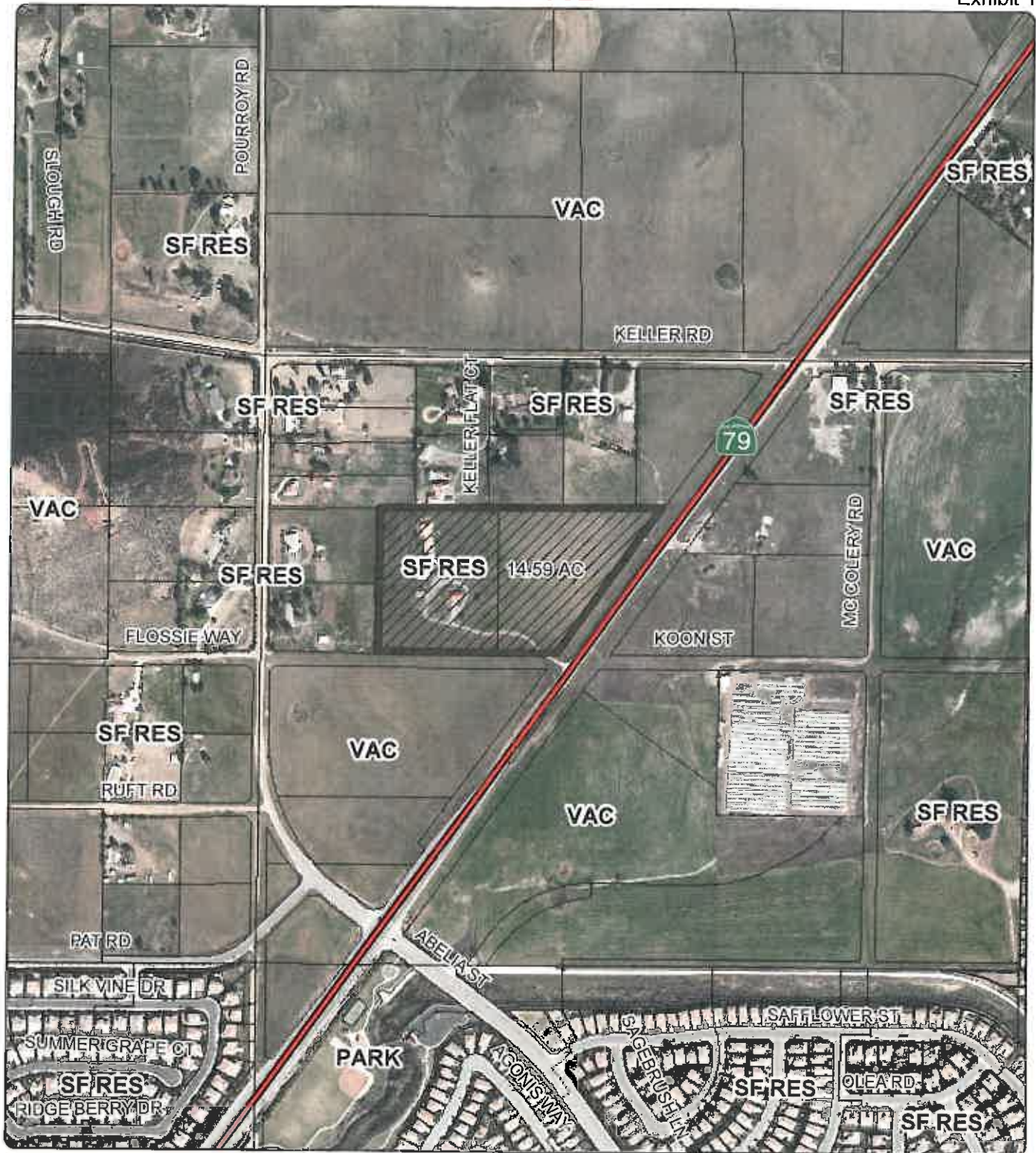
# RIVERSIDE COUNTY PLANNING DEPARTMENT

PUP00931

LAND USE

Supervisor: Washington  
District 3

Date Drawn: 05/03/2017  
Exhibit 1



Zoning Area: Rancho California

Author: Vinnie Nguyen

**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rctdms.org>

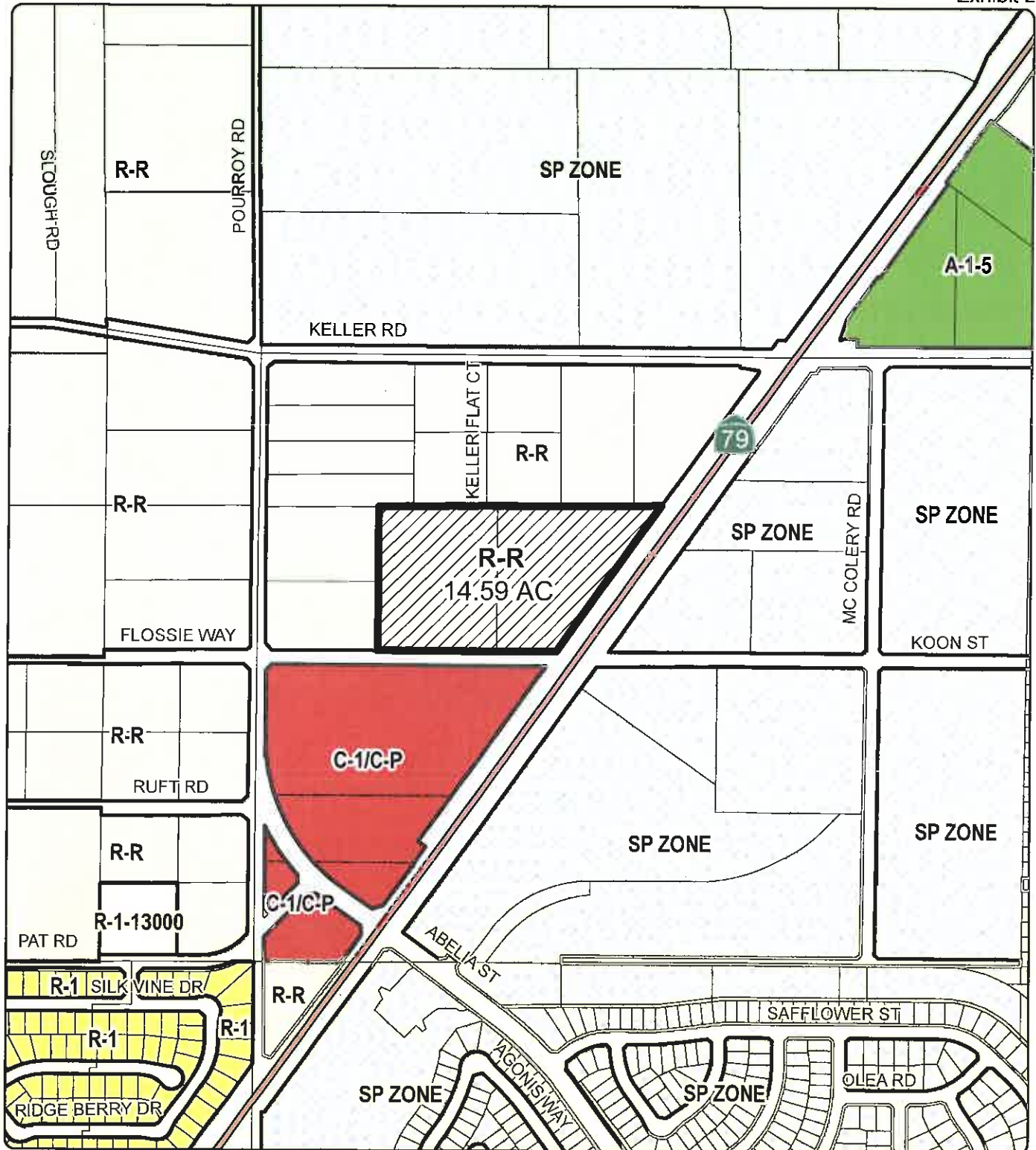
# RIVERSIDE COUNTY PLANNING DEPARTMENT

PUP00931

Supervisor: Washington  
District 3

Date Drawn: 05/03/2017  
Exhibit 2

## EXISTING ZONING



Zoning Area: Rancho California

Author: Vinnie Nguyen

**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rctma.org>



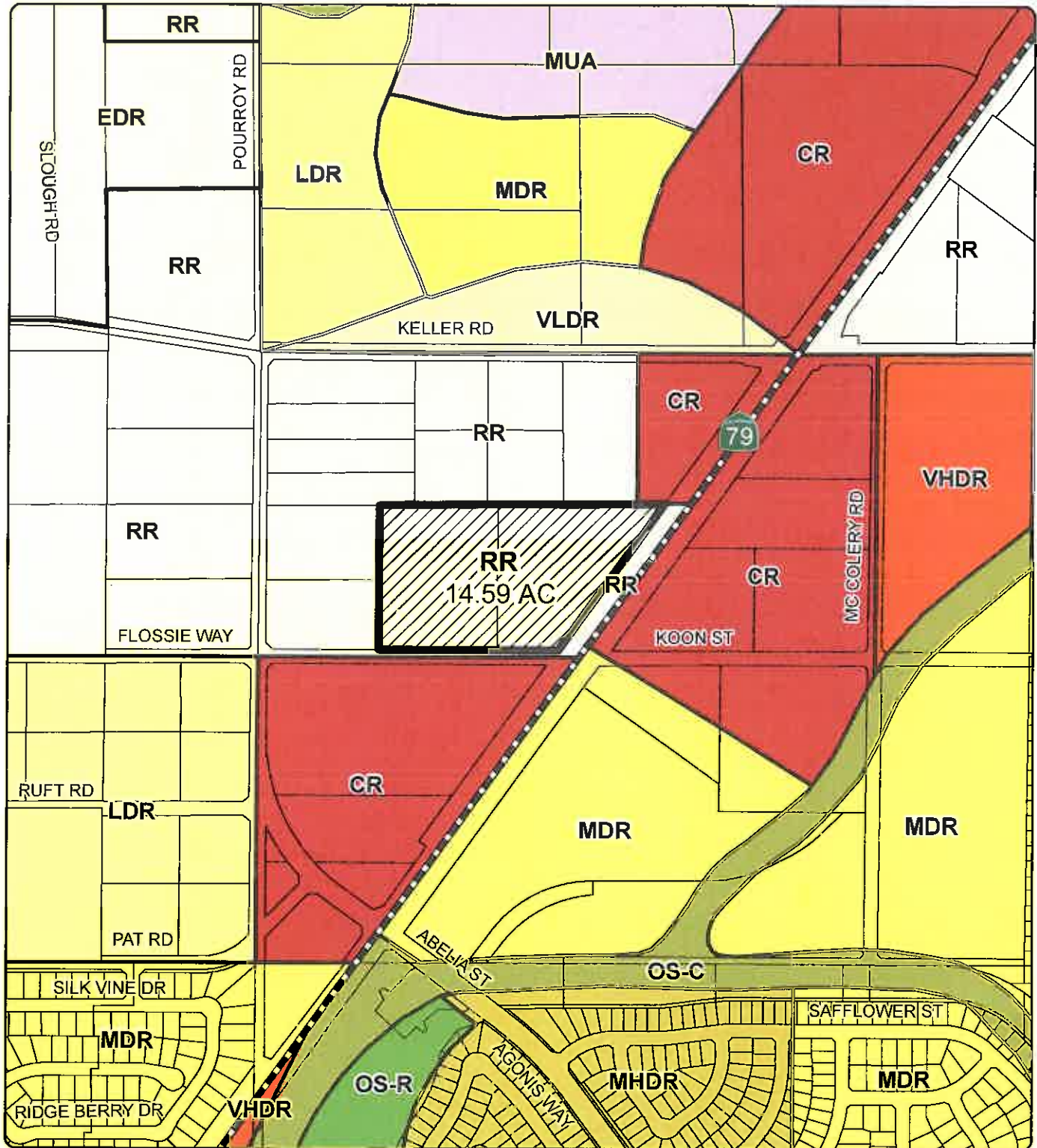
# RIVERSIDE COUNTY PLANNING DEPARTMENT

PUP00931

## EXISTING GENERAL PLAN

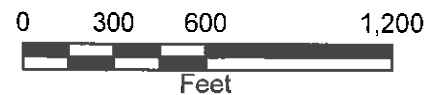
Supervisor: Washington  
District 3

Date Drawn: 05/03/2017  
Exhibit 5



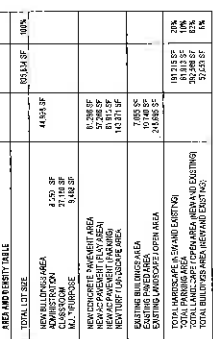
Zoning Area: Rancho California

Author: Vinnie Nguyen



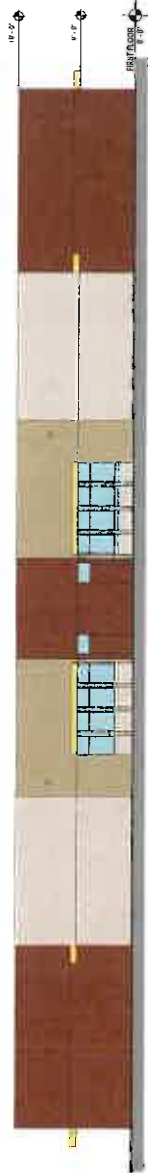
**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)865-8277 (Eastern County) or Website: <http://planning.rcdmsa.org>

PRAYING  
NUMBER:  
**PA1.1**



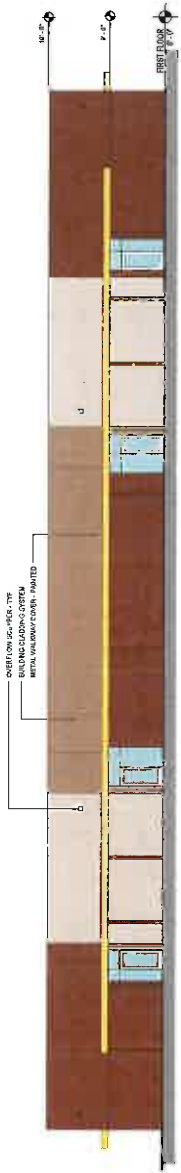
a report of the National Academy of Sciences, is reported in the United States, and the results of the study are being used by the U.S. Environmental Protection Agency (EPA) to develop a new set of standards for the chemical. The study was conducted by a team of scientists from the University of California, Berkeley, and the University of Texas at Austin. The study found that the chemical is highly toxic to aquatic life, and that it can cause reproductive failure in fish. The study also found that the chemical is highly persistent in the environment, and that it can be found in water bodies throughout the world. The study was funded by the National Science Foundation and the U.S. Environmental Protection Agency.

REFER TO DETAIL 3A FOR TYPICAL NOTES



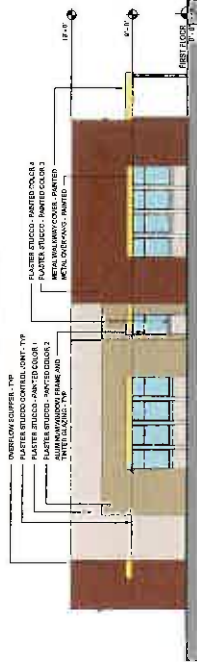
CLASSROOM BUILDING C2 - NORTH ELEVATION  
1/8" = 1'-0"

REFER TO DETAIL 3A FOR TYPICAL NOTES



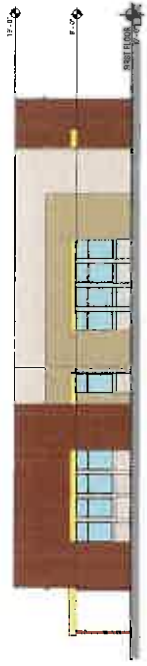
CLASSROOM BUILDING C2 - SOUTH ELEVATION  
1/8" = 1'-0"

REFER TO DETAIL 3A FOR TYPICAL NOTES



CLASSROOM BUILDING C2 - WEST ELEVATION  
1/8" = 1'-0"

REFER TO DETAIL 3A FOR TYPICAL NOTES



CLASSROOM BUILDING C2 - EAST ELEVATION  
1/8" = 1'-0"

**WIC ARCHITECTS**  
CLIENT: PUPUCED - PAVILION DRIVE  
SOUTHERN CALIFORNIA  
1810 S. GARDEN STREET, SUITE 100  
RANCHO CAJON, CA 91759-0729  
TEL: 951-337-0069  
WWW.WICARCHITECTS.COM

EXHIBIT B4

PUBLIC USE PERMIT  
NEW K8 CAMPUS  
TEMECULA VALLEY CHARTER SCHOOL  
34155 WINCHESTER ROAD, WINCHESTER CA  
PUP 00931



CONSULTANT  
DATE: 10/15/19  
PROJECT: NEW K8 CAMPUS  
DRAWN BY: J. L. LEE  
CHECKED BY: J. L. LEE  
DATE: 10/15/19

NO. DATE BY DESCRIPTION  
1 10/15/19 JLL REVISIONS

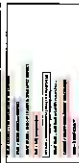
NO.	DATE	BY	DESCRIPTION
1	10/15/19	JLL	REVISIONS

DATE: 10/15/19  
SCALE: 1/8" = 1'-0"  
PROJECT NUMBER: 1015100

BUILDING C2  
ELEVATIONS

PAC5.2

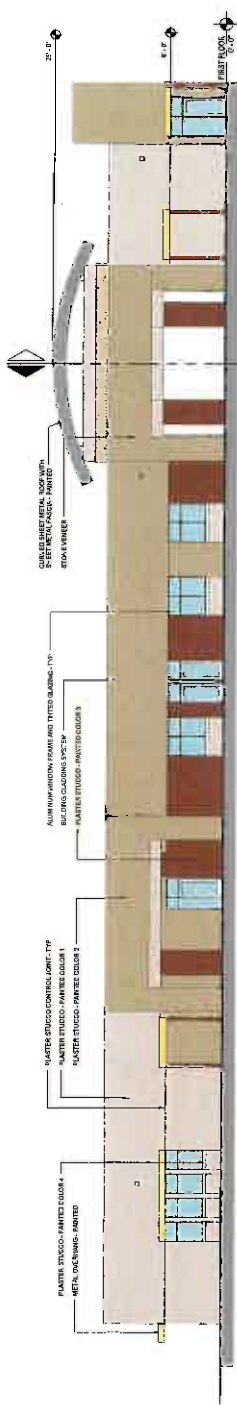


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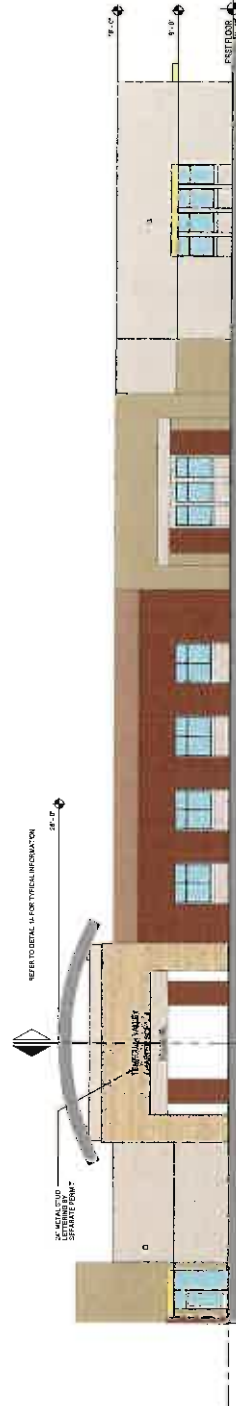
DRAWN: Author	CHECKED: Checker
DATE: 09/09/10	SCALE: 1/8" = 1'-0"
PROJECT NUMBER: 1615100	

## BUILDING A ELEVATIONS

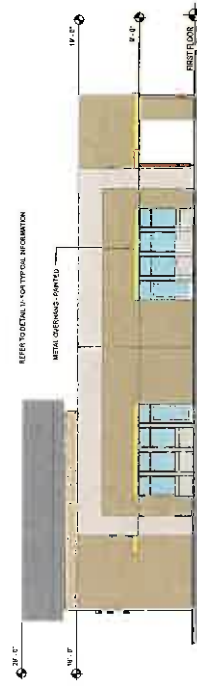
## PAA5.1



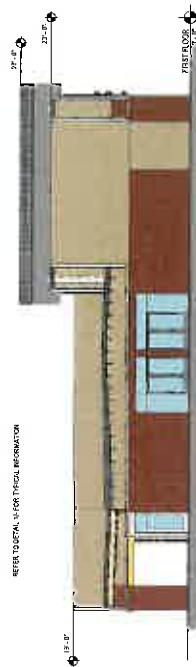
ADMINISTRATION BUILDING - NORTH ELEVATION



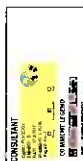
ADMINISTRATION BUILDING - SOUTH ELEVATION 2



ADMINISTRATION BUILDING - EAST ELEVATION 3

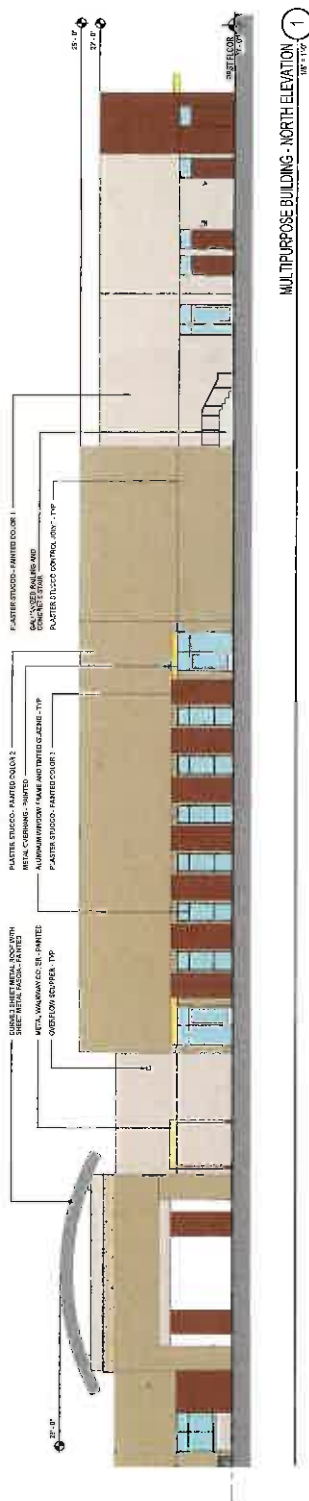


ADMINISTRATIVE BUILDING - WEST ELEVATION

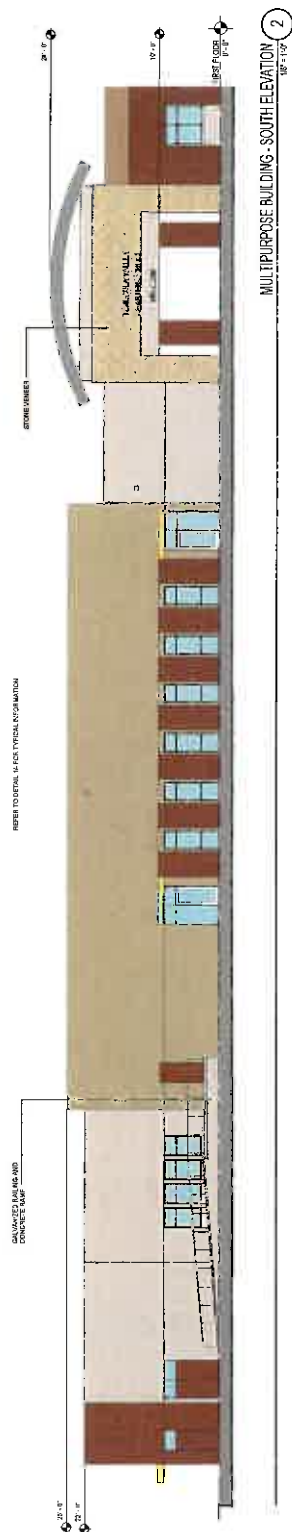
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**BUILDING B  
ELEVATIONS**

**DRAWING  
NUMBER:**  
**PAB5.1**

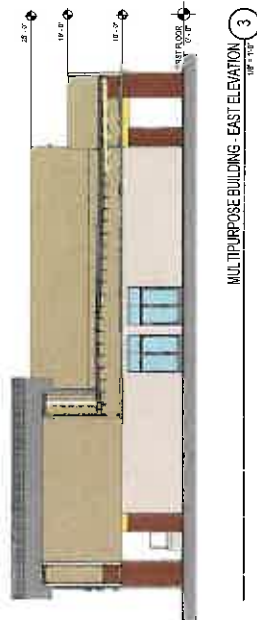


MULTIPURPOSE BUILDING - NORTH ELEVATION 1  
1/8" = 1'-0"



MULTIPURPOSE BUILDING - SOUTH ELEVATION 2  
1/8" = 1'-0"

REFER TO DETAIL 11 FOR TYPICAL INFORMATION



MULTIPURPOSE BUILDING - EAST ELEVATION 3  
1/8" = 1'-0"



MULTIPURPOSE BUILDING - WEST ELEVATION

**ARCHITECTS**  
**MIC**  
 CLIENT: COUNTY OF SAN DIEGO  
 SOUTHERN CALIFORNIA  
 HIGHWAY 56 PROJECT  
 RANCHO CALAMUCHA  
 CALIFORNIA 92079  
 TEL: 951-847-0085  
 WWW.MICARCHITECTS.COM

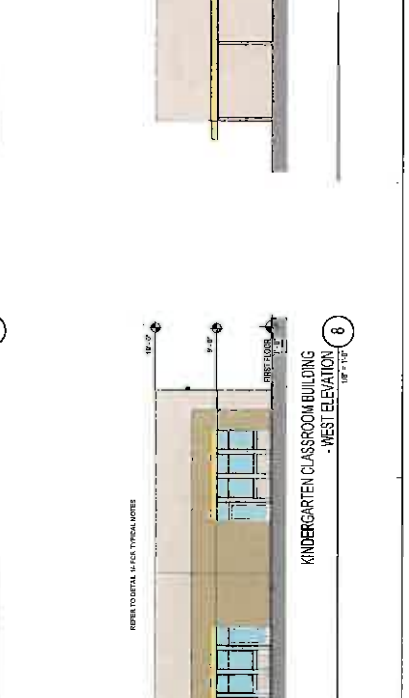
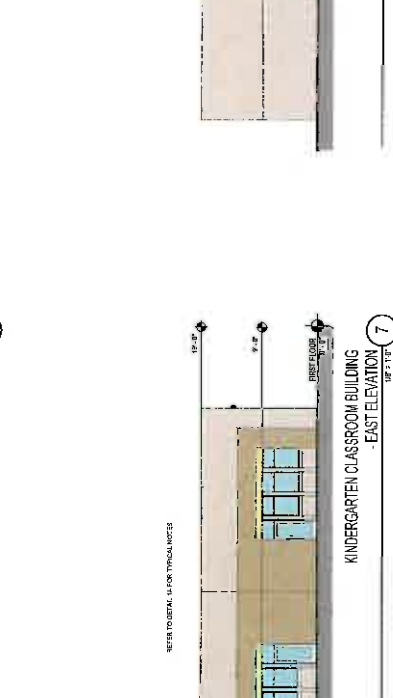
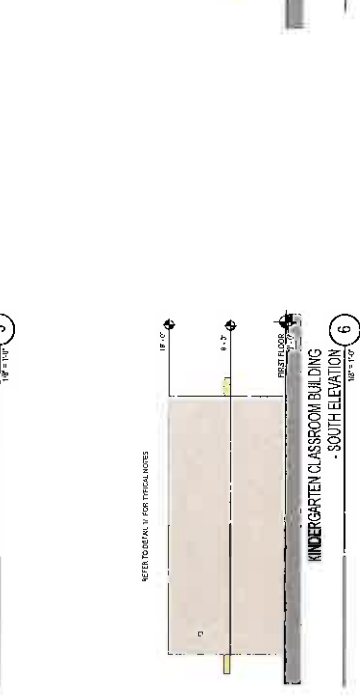
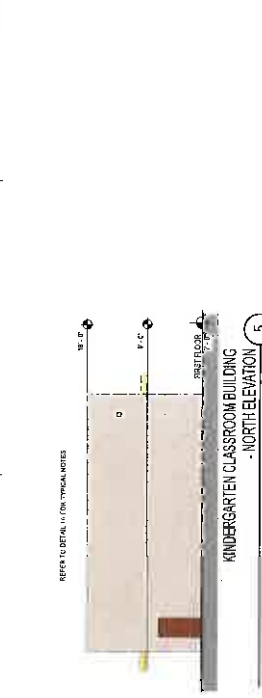
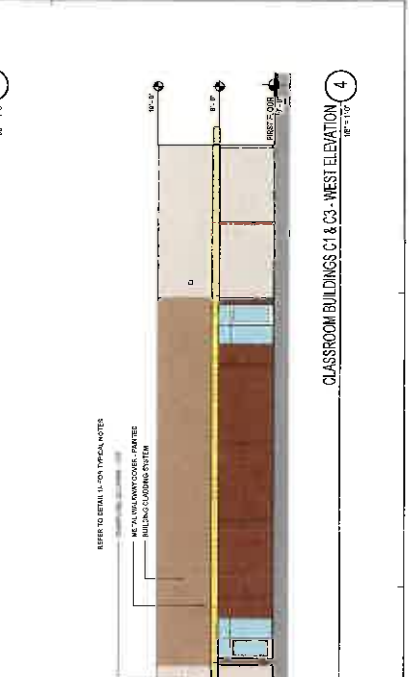
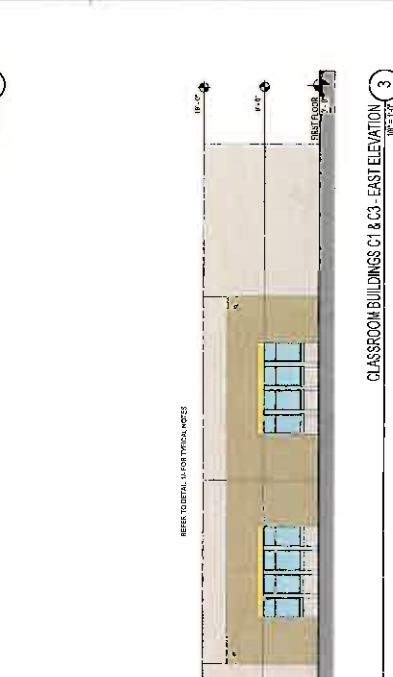
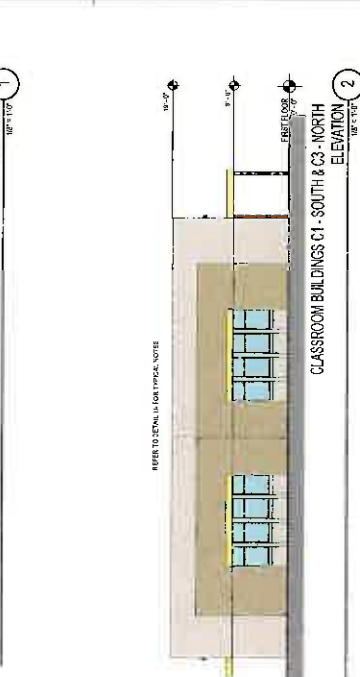
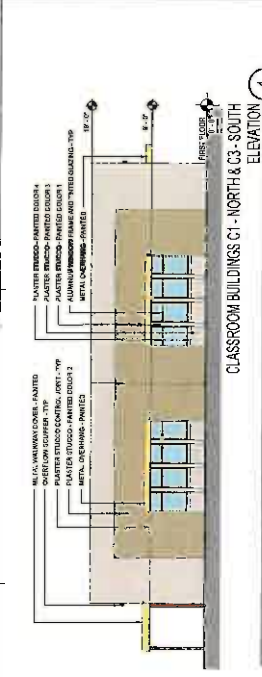
**EXHIBIT B3**  
**PUBLIC USE PERMIT**  
**NEW K8 CAMPUS**  
**TEMECULA VALLEY CHARTER SCHOOL**  
 34155 WINCHESTER ROAD, WINCHESTER CA

**CONSULTANT**  
 DAVID M. MARES  
 CIVIL ENGINEER  
 LICENSE NO. 50512  
 EXPIRATION DATE 12/31/2025  
 COMPANY: MIC ARCHITECTS  
 10000 JENSEN DRIVE, SUITE 100  
 TEMECULA, CA 92592  
 TEL: 951-847-0085

**DATE: 08/15/2024**  
**CHECKED: CHANAN**  
**DATE: 08/15/2024**  
**SCALE: 1/8" = 1'-0"**  
**PROJECT NUMBER: 1815000**

**BUILDINGS C1, C3 AND D**  
**ELEVATIONS**  
**PAC5.1**  
 DRAWING NUMBER

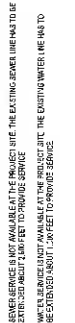
**1**  
**CLASSROOM BUILDINGS C1 - NORTH & C3 - SOUTH ELEVATION**  
 1/8" = 1'-0"



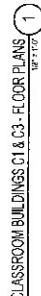
**2**  
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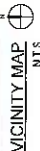
**3**  
**CLASSROOM BUILDINGS C1 & C3 - EAST ELEVATION**  
 1/8" = 1'-0"







KINDERGARTEN CLASSROOM BUILDING D - FLOOR PLAN 2  
1/8" = 1'-0"



VICINITY MAP  
NTS

<p><b>LAND OWNER / APPLICANT:</b>          JAMES WACHSTER RUL LLC          133745 ABELA STREET          ROCKERS DE GAR256</p>	<p><b>CONTRACT</b></p>	<p><b>LOIS HASTINGS</b>          HASTINGS@TWINSO 42 CH LIS</p>	<p><b>COM' AGT</b></p>	<p><b>SUSANTO ACQUISTO</b>          susanto@twinsocn</p>
<p><b>ARCHITECT:</b>          NC ARCHITECTS INC          5100 ROCHESTER AVE          RANCHO CUCAMONCA, CA 91228          (951)347-4000</p>				

**Project Description:** NEW ENTRY POINT (NEW) CHARTER SCHOOL CAMPUS ON A PARTIALLY DEVELOPED SITE.  
THERE ARE 11 EXISTING STRUCTURES (HOUSE, BASKETBALL COURT AND AC PAVED DRIVE) ON SITE. THE NEW DEVELOPMENT WILL CONSIST OF ADMINISTRATION, COURTS, TURF AND CLASSROOM BUILDINGS INCLUDING PAVED COURTYARD, HARDTOP COURTS, TURF FIELD AND AC PAVED PARKING.  
APPROX. 61,805 SQUARE FEET, 11.97 ACRES (GROSS AREA).

[illegible]

AND LAND ZONING: SINGLE-FAMILY, %RURAL RESIDENTIAL ZONE  
 CATHOLIC AND ZONING: CHARTER SCHOOL, %RURAL RESIDENTIAL ZONE  
 PROPOSED LAND-USE AND ZONING: CHARTER SCHOOL, %RURAL RESIDENTIAL ZONE  
 ADJACENT ZONING DESIGNATION:  
 10' H/10' W 31' H/10' W  
 10' H/10' W 31' H/10' W

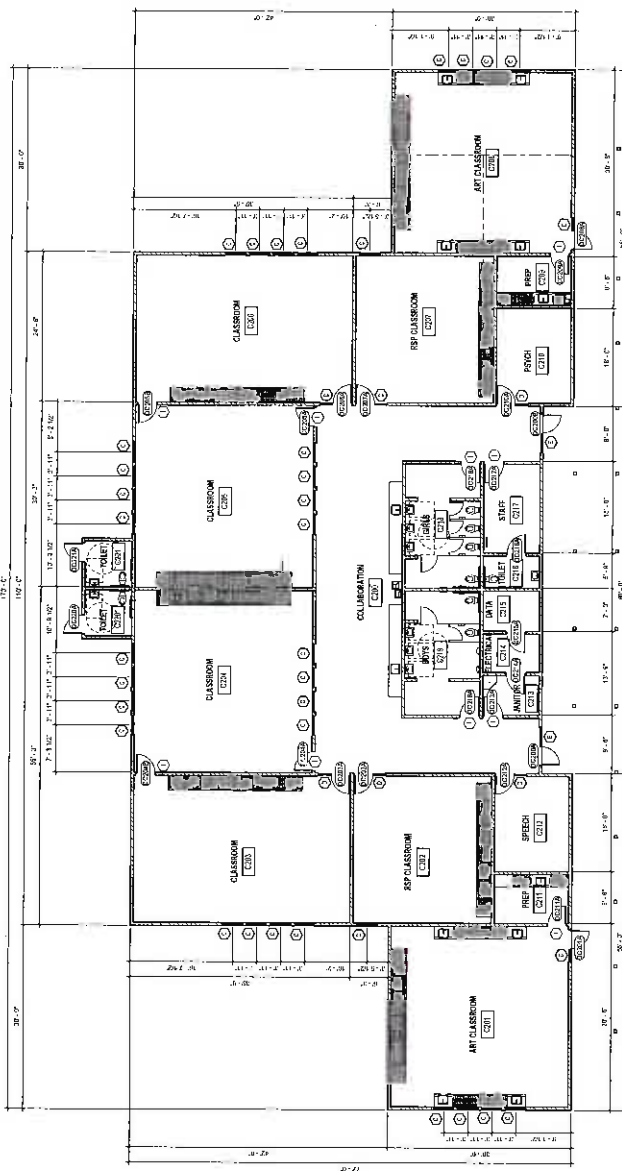
# ER THE RIVERSIDE COUNTY PARCEL REPORTS

HE PROPERTY IS NOT WITHIN A SPECIAL PLAN  
THE PROPERTY IS NOT WITHIN A COUNTY SERVICE AREA  
HE PROPERTY IS OUTSIDE FLOODPLAIN  
HE PROPERTY IS NOT IN A FAULT ZONE  
HE PROPERTY HAS A LUTING FOR SEISMIC POTENTIAL

PROPERTY SURVEYORS AND SCHOOL DISTRICT

CHICOL DISTRICT	HEMET UNIFIED SCHOOL DISTRICT
WATER/SEWER	EASTERN MUNICIPAL WATER DISTRICT (EMAD)
ELECTRICAL	SCS
TELEPHONE	PROUTER
GAS	SO CAL GAS (SMPRA)
TABLE:	TIME WARNER

SEWER SERVICE IS NOT AVAILABLE AT THE PROJECT SITE. THE EXISTING SEWER LINE HAS TO BE EXTENDED ABOUT 1.60 FEET TO PROVIDE SERVICE.



WILSON L. 25 NOV 61

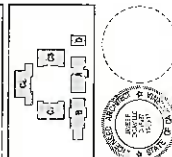
CLASSROOM BUILDING C2 - FLOOR PLAN

$$\frac{1}{10} = 0.1$$

**WIC**  
SOUTHERN CALIFORNIA  
8763 ROCHESTER AVENUE, SUITE 100  
RANCHO CUCAMONGA  
CALIFORNIA 91730-0729  
TEL 909-997-2902

**PUBLIC USE PERMIT**  
**NEW K8 CAMPUS**  
**TEMECULA VALLEY CHARTER SCHOOL**  
34155 WINCHESTER ROAD, WINCHESTER CA

PUP 00931

[illegible]

© 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678,

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RAWN: Author	CHECKED: Checker
DATE: 12/03/96	SCALE: As indicated
PROJECT NUMBER: 1615-00	

**BUILDING C2  
FLOOR PLAN**

EXAMING NUMBER:	<b>PAC2.2</b>
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ARCHITECTS

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TEL: 909-587-0069  
[www.wicarchitects.com](http://www.wicarchitects.com)

**PUBLIC USE PERMIT**  
**NEW K8 CAMPUS**  
**TEMECULA VALLEY CHARTER SCHOOL**  
34155 WINCHESTER ROAD, WINCHESTER CA

A 3x3 grid with numbers 1 through 9. The numbers are arranged in a circular pattern: 1 is at the top, 2 is at the top-right, 3 is at the right, 4 is at the bottom-right, 5 is at the bottom, 6 is at the bottom-left, 7 is at the left, 8 is at the top-left, and 9 is at the top.



1401

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DRAWN: AJL/nor	CHECKED: Checker
DATE: 10/06/16	SCALE:
PROJECT NUMBER: 1615100	

**DRAWING  
NUMBER:**





EXHIBIT D

**PUBLIC USE PERMIT**  
**NEW K8 CAMPUS**  
**TEMECULA VALLEY CHARTER SCHOOL**  
34155 WINCHESTER ROAD, WINCHESTER CA



1500

CONSULTANT[illegible]

DRAWN: Author	CHECKED: Checker
DATE: 10/07/16	SCALE: 1" = 80'-0"
SHEET NUMBER: 1615-00	

**GROUND LEVEL  
SITE PHOTOS**

DRAWING  
NUMBER:  
**PS5.1**

Riverside County Ordinance 94B Landscape Water Use Calculations

Project Type: Commercial  
(Insert Project Name, Description)

Any plan for crop, lawn, or other vegetation is subject to the minimum water use requirements of the California Water Code, Section 81000, and the California Water Code, Section 81001. The minimum water use requirements for any plan for crop, lawn, or other vegetation shall be the minimum water use requirements for the most water consuming use of the land.

1. Landscape Annual Water Requirements

Annual Water Use (AWU) = 1.00 to 1.50 ft<sup>3</sup>/yr  
AWU = 1.00 to 1.50 ft<sup>3</sup>/yr

2. Estimated Annual Water Use

AWU = 1.00 to 1.50 ft<sup>3</sup>/yr

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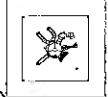
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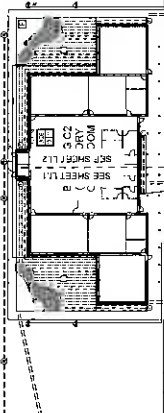
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PARCEL 3  
P.M.B. 8060-61



(B) 1 STORY  
TO REMAIN



KOON STREET

PRIVATE RIGHT OF WAY

WINCHESTER ROAD

SEE SHEET 12

SEE SHEET 11

SEE SHEET 10

SEE SHEET 9

SEE SHEET 8

SEE SHEET 7

SEE SHEET 6

SEE SHEET 5

SEE SHEET 4

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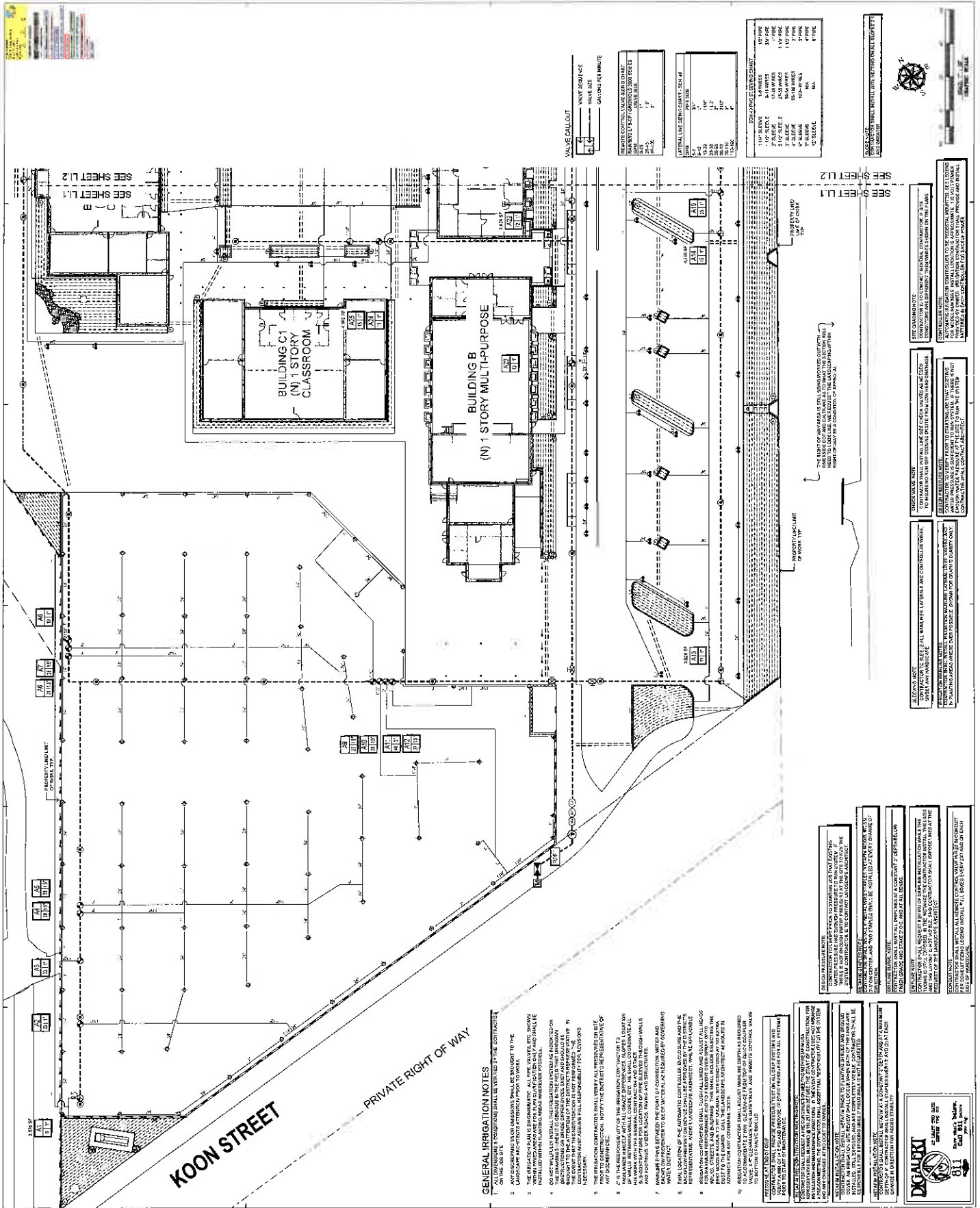
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PROJECT NUMBER: 161510D	

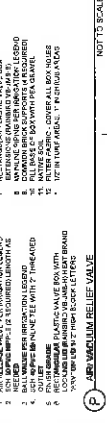
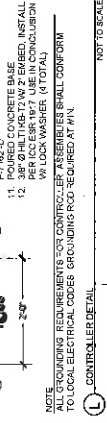
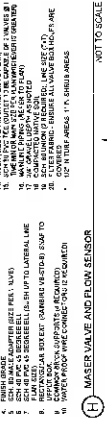
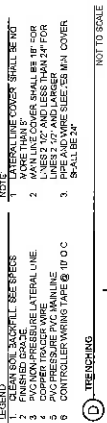
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IRRIGATION PLAN  
SEGMENT 1

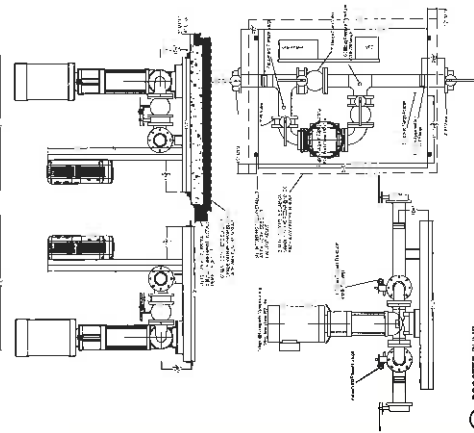
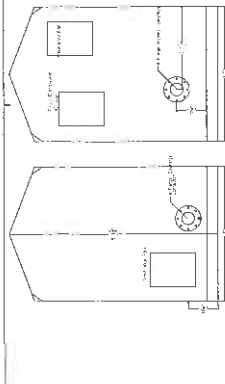
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NUMBER:  
**LI.1**





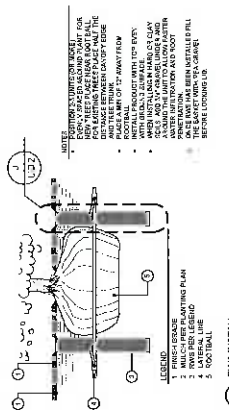






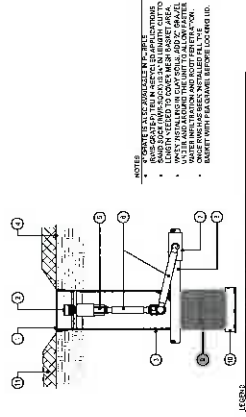
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NOT TO SCALE



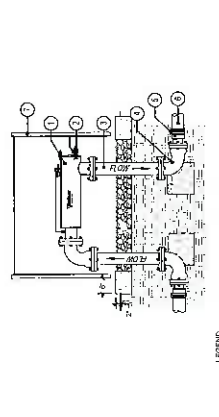
I PIPE DETAIL

NOT TO SCALE



J PIPE SLEEVE

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K SCREEN FILTER

NOT TO SCALE

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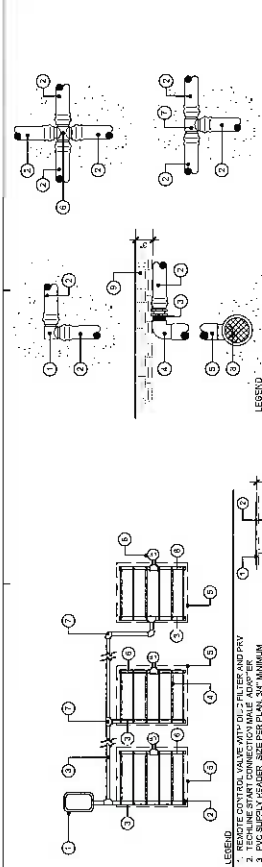


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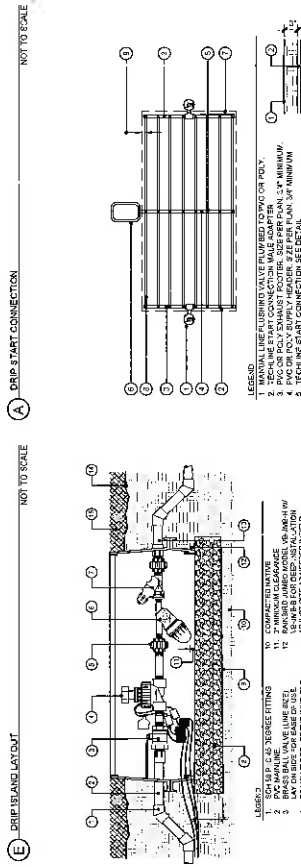
P

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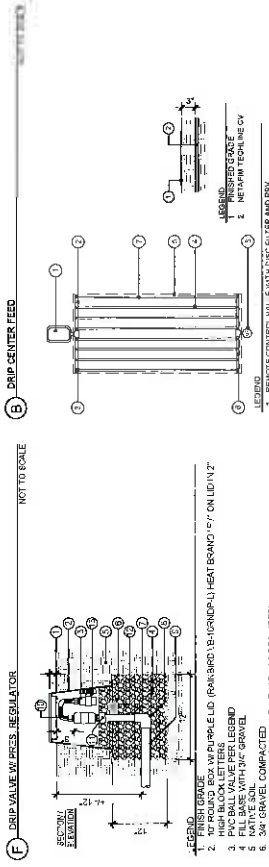
A DRIP START CONNECTION

NOT TO SCALE



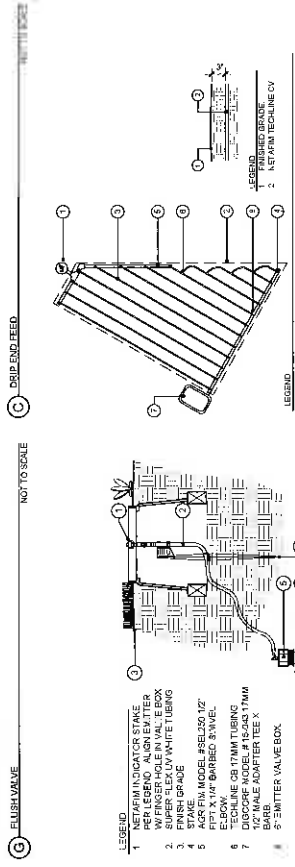
B DRIP ISLE LAYOUT

NOT TO SCALE



C DRIP CENTER FEED

NOT TO SCALE



D DRIP END FEED

NOT TO SCALE

E

NOT TO SCALE

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NEW K8 CAMPUS

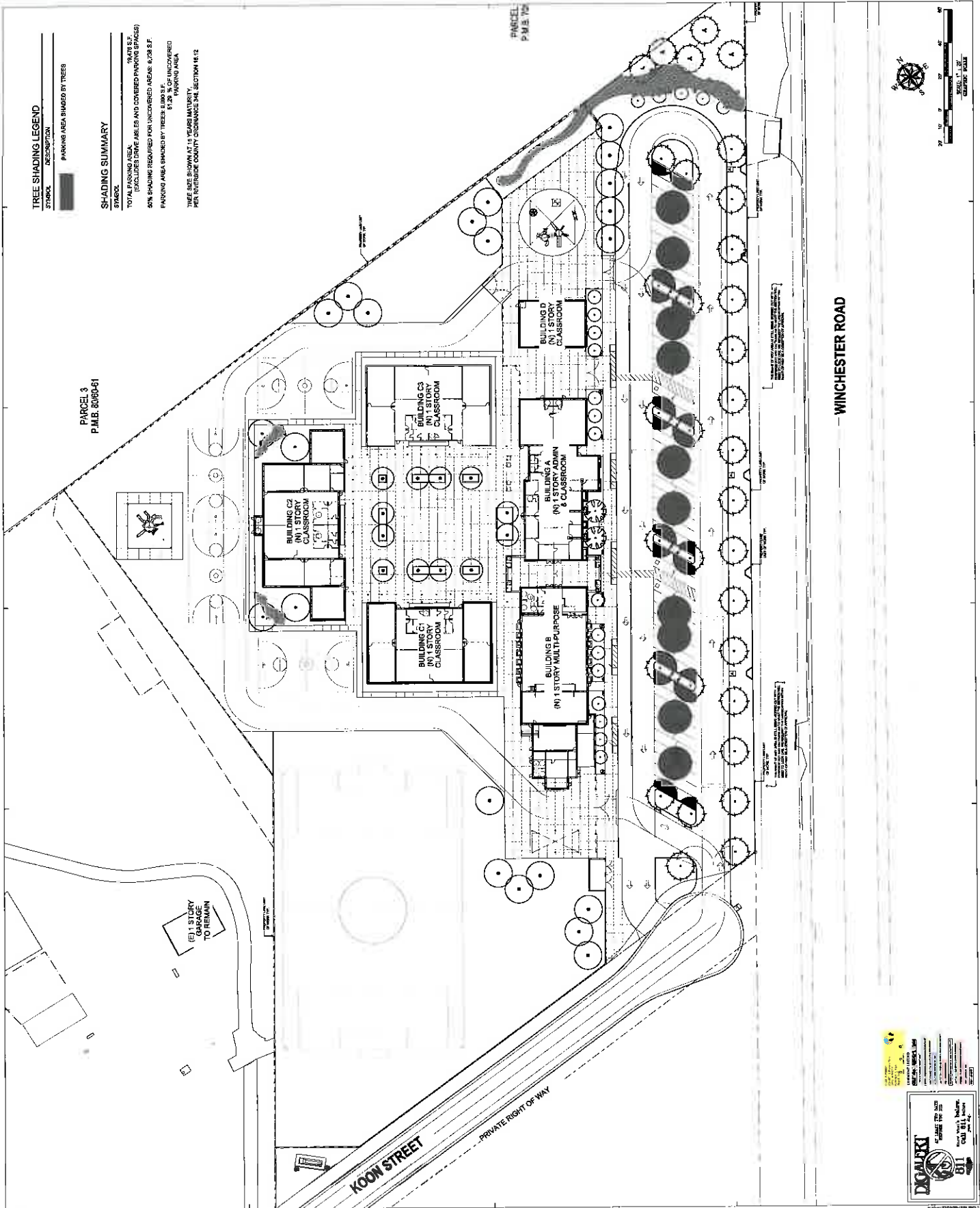
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Civil Engineer  
State of California  
No. 12345  
Exp. 12/31/2025

Professional Engineer Seal  
Mechanical Engineer  
State of California  
No. 67890  
Exp. 12/31/2025

NO.	DATE	BY	DESCRIPTION
1	10/01/17	JW	ISSUED FOR PERMIT
2	10/01/17	JW	REVISED PER COMMENTS
3	10/01/17	JW	REVISED PER COMMENTS
4	10/01/17	JW	REVISED PER COMMENTS
5	10/01/17	JW	REVISED PER COMMENTS
6	10/01/17	JW	REVISED PER COMMENTS
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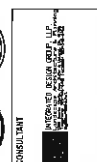
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DRAWING NUMBER: LID.2







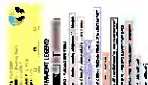




NO	DATE	BY	DESCRIPTION
REVISIONS			
DRAWN: JV		CHECKED: SMP	
DATE: 04/07/17		SCALE: 1" = 20'-0"	
PROJECT NUMBER: 1815100			

**LANDSCAPE  
PLANTING PLAN  
SEGMENT 1**

LP.1



DRAIN PIPE LEGEND				
5 GAL	15 GAL	24" BOX	30" BOX	48" BOX
1	1	2	2	5

**DIGALERT**

AT LEAST TWO HOURS  
BEFORE YOU GO

Know what's below.  
Call 811, before  
you dig.

**811**



## PLANTING NOTES

- [illegible]

### PERCOLATION TEST

[illegible]

**OPTION #1 SHOULD THE WATER IN/OUT OF THE PERCOLATION TEST FITS AT A NORMAL RATE INDICATING GOOD PERCOLATION (LESS THAN 12 HOURS) THEN TREE DETAIL PLOT-600 AS A SHRUB PLANTING DETAIL PLOT-600 SHALL BE OFFERED.**

OPTION #2 IN THE EVENT ANY AMOUNT OF WATER IS LEFT STANDING IN THE TEST PIT (PER THE ABOVE REQUIRE) 12 HOURS AFTER INITIATING THE PENETRATION TEST, THEN THE TREE DETAIL AND THE SHRUB DETAIL SHALL BE MODIFIED TO INCLUDE A 4" PERFORATED PIPE

AT LEAST TWO INCHES  
BEYOND THE TOP SOIL

Know what's below.  
Call 811 before you dig.

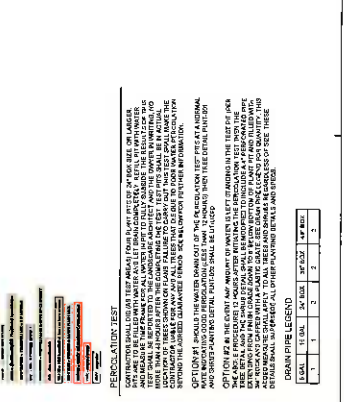
DRAIN PIPE LEGEND			
3 GAL	15 GAL	7" BOX	30" BOX
			60" BOX











Drain Pipe Legend

1 GAL	1 1/2 GAL	2 1/2 GAL	3 1/2 GAL	4 1/2 GAL
1	1	2	2	2



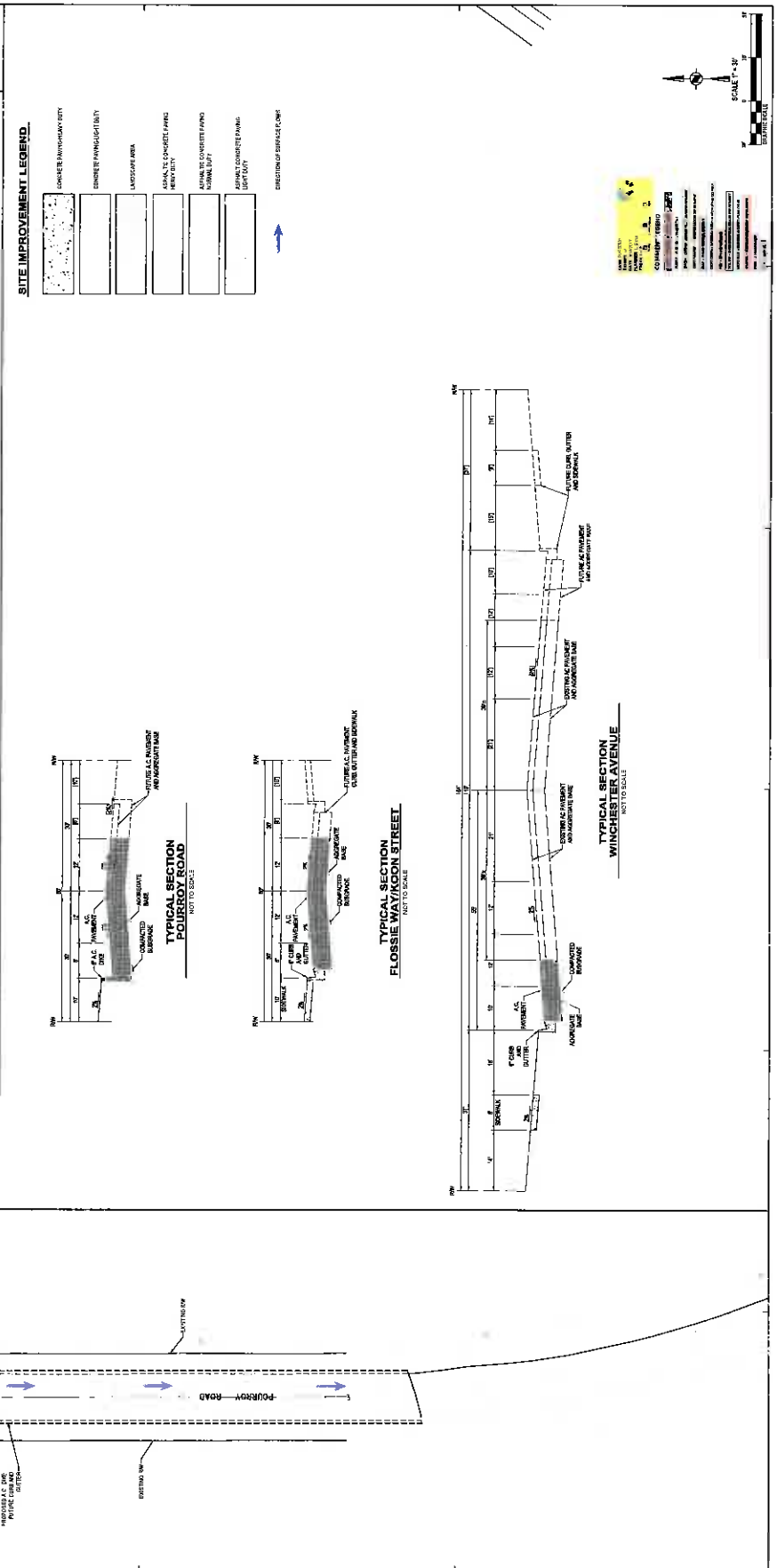


SEE SHEET C105



DRAWING  
NUMBER

**DRAWING NUMBER**  
**C2.01**









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10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1                      USE - PROJECT DESCRIPTION                      RECOMMND

The use hereby permitted is construct and operate a charter school serving 600 students for kindergarten through 8th grade. Total building area is approximately 45,000 square feet. The existing residential structures on the property will remain.

10. EVERY. 2                      USE - HOLD HARMLESS                      RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PUBLIC USE PERMIT; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the PUBLIC USE PERMIT, including, but not limited to, decisions made in response to California Public Records Act requests.

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

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

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10. GENERAL CONDITIONS

10. EVERY. 3                      USE - DEFINITIONS                      RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Public Use Permit No. 931 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Public Use Permit No. 931, Exhibit A, sheets 1 to 4, dated 4-14-2017.

APPROVED EXHIBITS B AND C = Public Use Permit No. 931, Exhibit B and C, sheets 1-11, dated 4-14-17.

APPROVED EXHIBIT L (IRRIGATION PLAN) = Public Use permit No. 931, Exhibit L (Irrigation Plan), sheets 1-5, dated 4-14-17.

APPROVED EXHIBIT L (PLANING PLAN) = Public Use permit No. 931, Exhibit L (Planting Plan), sheets 1-6, dated 4-14-17.

10. EVERY. 4                      USE - 90 DAYS TO PROTEST                      RECOMMND

The project developer 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 this approval or conditional approval of this project.

BS GRADE DEPARTMENT

10.BS GRADE. 1                      USE - GENERAL INTRODUCTION                      RECOMMND

Improvements 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 Department Grading Division conditions of approval.

10.BS GRADE. 3                      USE - 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 and Safety Department.



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10. GENERAL CONDITIONS

10.BS GRADE. 4                      USE - 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. 6                      USE - NPDES INSPECTIONS

RECOMMND

Construction activities including clearing, stockpiling, grading or excavation of land which disturbs less than 1 acre and requires a grading permit or construction Building permit shall provide for effective control of erosion, sediment and all other pollutants year-round. The permit holder shall be responsible for the installation and monitoring of effective erosion and sediment controls. Such controls will be evaluated by the Department of Building and Safety periodically and prior to permit Final to verify compliance with industry recognized erosion control measures.

Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs 1 acre or more or on-sites which are part of a larger common plan of development which disturbs less than 1 acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. You are required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Department of Building and Safety upon request.

Year-round, Best Management Practices (BMP's) shall be maintained and be in place for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Stabilized Construction Entrances and project perimeter linear barriers are required year round. Removal BMP's (those BMP's which must be temporarily removed during construction activities) shall be in place at the end of each working day.

Monitoring for erosion and sediment control is required and shall be performed by the QSD or QSP as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan is required when there is a 50% or

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10. GENERAL CONDITIONS

10.BS GRADE. 6                      USE - NPDES INSPECTIONS (cont.)                      RECOMMND

greater forecast of rain within the 48 hours, by the National Weather Service or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (<http://www.srh.noaa.gov/forecast>) and must accompany monitoring reports and sampling test data. A Rain gauge is required on site. The Department of Building and Safety will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

10.BS GRADE. 7                      USE - EROSION 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 1, to May 31.

10.BS GRADE. 8                      USE - DUST CONTROL                      RECOMMND

All necessary measures to control dust shall be implemented by the developer during grading. A PM10 plan may be required at the time a grading permit is issued.

10.BS GRADE. 9                      USE - 2:1 MAX SLOPE RATIO                      RECOMMND

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

10.BS GRADE. 11                      USE - MINIMUM DRNAGE GRADE                      RECOMMND

Minimum drainage grade shall be 1% except on portland cement concrete where .35% shall be the minimum.

10.BS GRADE. 13                      USE - SLOPE SETBACKS                      RECOMMND

Observe slope setbacks from buildings & property lines per the California Building Code as amended by Ordinance 457.

10.BS GRADE. 18                      USE - OFFST. PAVED PKG                      RECOMMND

All offstreet parking areas which are conditioned to be paved shall conform to Ordinance 457 base and paving design and inspection requirements.

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10. GENERAL CONDITIONS

10.BS GRADE. 20                      USE - RETAINING WALLS                      RECOMMND

Lots which propose retaining walls will require separate permits. They shall be obtained prior to the issuance of any other building permits - unless otherwise approved by the Building and Safety Director. The walls shall be designed by a Registered Civil Engineer - unless they conform to the County Standard Retaining Wall designs shown on the Building and Safety Department form 284-197.

10.BS GRADE. 23                      USE - MANUFACTURED SLOPES                      RECOMMND

Plant and irrigate all manufactured slopes equal to or greater than 3 feet in vertical height with drought tolerant grass or ground cover; slopes 15 feet or greater in vertical height shall also be planted with drought tolerant shrubs or trees in accordance with the requirements of Ordinance 457.

10.BS GRADE. 24                      USE - FINISH GRADE                      RECOMMND

Finish grade shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with the California Building Code and Ordinance 457.

E HEALTH DEPARTMENT

10.E HEALTH. 1                      USE - NOISE ASSESSMENT'                      RECOMMND

The County's General Plan Land Use Compatibility for Community Noise Exposure table indicates that noise environments below 70 CNEL are considered acceptable / conditionally acceptable. The project is proposed to be built along Highway 79. Highway 79 in this area is considered an "expressway". The County's General Plan Noise Element Data shows that the unmitigated 70 CNEL contour for expressways extend approximately 380 feet from the centerline of the roadway.

We require the consultant analyze the noise impact of the surrounding roadways on the project. He/she must use our standard traffic mix and level "C" build out traffic volumes for the analysis. The consultant must show what areas of the campus fall within the 70 CNEL contour and, if applicable, determine any mitigation measures necessary to comply with the General Plan's requirements.

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10. GENERAL CONDITIONS

10.E HEALTH. 2 USE - ECP COMMENTS

RECOMMND

If contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

10.E HEALTH. 3 USE - WATER AND SEWER SERVICE

RECOMMND

PUP00931 is proposing potable water service and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of the developer to ensure that all requirements to obtain potable water service and sanitary sewer service are met with the appropriate purveyor(s) as well as all other applicable agencies.

There is an existing onsite wastewater treatment system (OWTS) and well on property that serves the existing mobile home only. Any proposal of use of a well or OWTS may require additional evaluation which may include review of the entitlement.

FIRE DEPARTMENT

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

INEFFECT

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. 2 USE -#23-MIN REQ FIRE FLOW

INEFFECT

Minimum required fire flow shall be 1500 GPM for a 2 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 2013 CBC and Building(s) having a fire sprinkler system.

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

INEFFECT

Super fire hydrants (6"x4"x 2-2 1/2") shall be located not more than 400 feet from any portion of the buildings as measured along approved vehicular travel ways.

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10. GENERAL CONDITIONS

10.FIRE. 4 USE-#89-RAPID HAZMAT BOX

INEFFECT

Rapid entry emergency key storage(KNOX)box shall be installed on the outside of the main building. Plans shall be submitted to the Riverside County Fire Department for approval prior to installation.

10.FIRE. 5 USE-#88A-AUTO/MAN GATES

INEFFECT

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.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 USE FLOOD HAZARD REPORT

RECOMMND

Bluebeam Session ID: 972-654-172  
Public Use Permit (PUP) 00931 is a proposal to construct a school on 14.6-acre site in the French Valley area. The site is located on the northwest corner of Koon Street and Highway 79/Winchester Road. The site is Parcels 3 and 4 of Parcel Map 19448.

The site is subject to stormwater runoff from a tributary drainage area of approximately 290-acres from the north with the bulk of the runoff entering the site in a defined watercourse at the northeasterly corner. This runoff ponds at the southeasterly corner before leaving the site through a culvert under Winchester Road. The ponding area is delineated on the environmental constraint sheet (ECS) that accompanied recorded Parcel Map 19448. This ponding area must be kept clear of all buildings, obstructions and any compacted fill in order to perpetuate the drainage path. The proposed improvements for the parking area within this ponding area must be kept at grade. The proposed drainage plan for the site must design an adequate collection facility to provide flood protection for the proposed buildings and safely convey the runoff to the culvert. This may require the proposed buildings to be constructed with a finished floor elevated a minimum of 12 inches above the water surface elevation in combination with adequate

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10. GENERAL CONDITIONS

10.FLOOD RI. 1 USE FLOOD HAZARD REPORT (cont.)

RECOMMND

collection/conveyance drainage infrastructure.

No grading or improvements are proposed in the western portion of the site. The grading of the project shall be designed in a manner that perpetuates the existing natural drainage patterns and conditions with respect to tributary drainage areas, outlet points and outlet conditions. Development of this property shall be coordinated with the development of adjacent properties to ensure that watercourses remain unobstructed and stormwaters are not diverted from one watershed to another.

This project is not associated with any existing or proposed District maintained facilities, therefore the Transportation Department will have the responsibility to process the review and approval of any hydrology or drainage studies including the preliminary and final Water Quality Management Plan (WQMP). The development of this site would generate an increase in peak flow rates that could adversely impact the downstream property owners. No additional mitigation for increased runoff should be required if compliance with the Santa Margarita Region Hydromodification Management Plan (SMR-HMP) requirements in the WQMP are met.

It should be noted that this site is located within the bounds of the Murrieta Creek/Warm Springs Valley Area Drainage Plan (ADP) for which drainage fees have been established by the Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to the issuance of permits for this project. Although the current fee for this ADP is \$677 per acre, the fee due will be based on the fee in effect at the time of payment. The fee is payable to the Flood Control District by cashier's check or money order only. The District will not accept personal or company checks. The drainage fee is required to be paid prior to the issuance of the grading permits or issuance of the building permits if grading permits are not issued.

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10. GENERAL CONDITIONS

PLANNING DEPARTMENT

10.PLANNING. 1 USE - PDA05021R1 ACCEPTED

RECOMMND

County Archaeological Report (PDA) No. 5021 submitted for this project (PUP00931) was prepared by Jeanette McKenna and is entitled: "A Phase I Cultural Resources Investigation for the Temecula Valley Charter School, located in the Winchester Area of the French Valley, Riverside County, California" dated October 25, 2016. This report was not accepted by the County Archaeologist and report comments (request for revisions) were requested and sent to the consultant.

Revised County Archaeological Report (PDA) No. 5021r1 submitted for this same project, prepared by the same aforementioned company and individual and bearing the same title, is dated November 07, 2016. This report was received on and accepted by the County Archaeologist on November 22, 2016.

PDA 5021r1 concludes: No evidence of prehistoric or archaeological resources nor historic archaeological resources were identified. The project has a low to moderate level of sensitivity for subsurface resources. PDA 5021r1 recommends: On-call archaeologist to conduct spot checking.

These documents are herein incorporated as a part of the record for project.

10.PLANNING. 2 USE - IF HUMAN REMAINS FOUND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes:

Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, 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 by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most

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10. GENERAL CONDITIONS

10.PLANNING. 2                      USE - IF HUMAN REMAINS FOUND (cont.)                      RECOMMND

Likely Descendant". The Most Likely Descendant shall then make recommendations and engage in consultation with 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 Archaeologist.

10.PLANNING. 3                      USE - UNANTICIPATED RESOURCES                      RECOMMND

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

If during ground disturbance activities, unanticipated cultural resources\* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist\*\*, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

\* A cultural resource site is defined, for this condition, as being a feature and/or 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 sacred or cultural importance.

\*\* If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the value/importance of the



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10. GENERAL CONDITIONS

10.PLANNING. 3                      USE - UNANTICIPATED RESOURCES (cont.)                      RECOMMND

cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

10.PLANNING. 4                      USE - GEO02530 ACCEPTED                      RECOMMND

A report prepared by Inland Foundation Engineering, Inc. entitled "Geotechnical Investigation, Proposed Charter School Site, 34155 Winchester Road, French Valley Area, California", and dated September 9, 2016 was submitted to the County Geologist for this project (PUP00931). In addition, the consultant has submitted the following:

"Response to County Review Comments, PUP00931, Preliminary Geotechnical Report - Proposed Charter School Site, 34155 Winchester Road, French Valley Area, Riverside County, California," dated December 2, 2016.

This report concluded:

1)The primary geologic hazard is severe ground shaking from earthquakes originating on nearby faults.

2)Since there are no faults that are known to traverse the site, the potential for ground rupture is considered to be low.

3)The results of our analysis indicate that the potential for liquefaction and seismically induced settlement is negligible.

4)There do not appear to be any permanent or transient secondary seismic hazards that would affect the proposed school.

5)Estimated total static settlement, based on footings founded on firm soils, should be less than 1 inch.

This report recommended:

1)All surfaces to receive compacted fill should be subjected to compaction testing prior to processing.

2)Testing should indicate a relative compaction of at least 85 percent within the unprocessed native soils.

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10. GENERAL CONDITIONS

10.PLANNING. 4                      USE - GEO02530 ACCEPTED (cont.)

RECOMMND

3) If roots or other deleterious materials are encountered or if the relative compaction fails to meet the acceptance criteria, additional over-excavation will be required until satisfactory conditions are encountered.

4) Building areas for the charter school should be over-excavated to a minimum depth of 24 inches below existing grades, or to the depth necessary to provide at least 12 inches of compacted fill below footing bottoms, whichever is deeper.

5) The over-excavated area should extend outside of the exterior footing lines for a distance of at least five feet.

This report satisfies the requirement for a geotechnical report in accordance with the General Plan. Final Planning Department approval of this report is hereby granted for PUP00931. Additional comments and/or conditions may be imposed by the Building and Safety Department upon their review of grading and/or building plans.

10.PLANNING. 5                      USE - PDP01558 ACCEPTED

RECOMMND

County Paleontological Report (PDP) No. 1558, submitted for this case (PUP00931) was prepared by Paleo Solutions and is entitled: "Paleontological Technical Study: Temecula Valley Charter School Project, Riverside County, California", dated February 24, 2017.

PDP01558 concluded:

Surface grading or shallow excavations entirely within Holocene young alluvial deposits in the Project area are unlikely to uncover significant fossil vertebrate remains. However, older deposits may be present immediately below a thin veneer of Holocene soils or alluvium. Therefore, grading and other earthmoving activities may potentially result in significant direct impacts to paleontological resources throughout the entirety of the Project area.

PDP01558 recommended:

Construction excavations which disturb Pleistocene-age sediments should be monitored by a professional paleontologist in order to reduce potential adverse impacts

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10. GENERAL CONDITIONS

10.PLANNING. 5                      USE - PDP01558 ACCEPTED (cont.)                      RECOMMND

on scientifically important paleontological resources to a less than significant level. Prior to construction, a paleontological resources impact mitigation plan (PRMMP) should be prepared.

PDP01558 satisfies the requirement for a Paleontological Resource Assessment for CEQA purposes. PDP01558 is hereby accepted for PUP00931. A PRIMP shall be required prior to issuance of a grading permit for this project.

10.PLANNING. 6                      USE - COMPLY WITH ORD./CODES                      RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A, unless otherwise amended by these conditions of approval.

10.PLANNING. 7                      USE - FEES FOR REVIEW                      RECOMMND

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

10.PLANNING. 8                      USE - LIGHTING HOODED/DIRECTED                      RECOMMND

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING. 9                      USE - COLORS & MATERIALS                      RECOMMND

Building colors and materials shall be in substantial conformance with those shown on APPROVED EXHIBIT B.

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10. GENERAL CONDITIONS

10.PLANNING. 14                   USE - NO OUTDOOR ADVERTISING                   RECOMMND

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

10.PLANNING. 20                   USE - RECLAIMED WATER                   RECOMMND

The permit holder shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site.

10.PLANNING. 27                   USE - CAUSES FOR REVOCATION                   RECOMMND

In the event the use hereby permitted under this permit,  
a) is found to be in violation of the terms and conditions of this permit,  
b) is found to have been obtained by fraud or perjured testimony, or  
c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

10.PLANNING. 28                   USE - CEASED OPERATIONS                   RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 32                   USE - MT PALOMAR LIGHTING AREA                   RECOMMND

Within the Mt. Palomar Special Lighting Area, as defined in Ordinance No. 655, low pressure sodium vapor lighting or overhead high pressure sodium vapor lighting with shields or cutoff luminaires, shall be utilized.

10.PLANNING. 33                   USE - ORD 810 O S FEE (1)                   RECOMMND

In accordance with Riverside County Ordinance No. 810, to assist in providing revenue to acquire and preserve open space and habitat, an Open Space Mitigation Fee shall be paid for each development project or portion of an expanded development project to be constructed in Western Riverside County. The amount of the fee for commercial or industrial development shall be calculated on the basis of "Project Area," which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the

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10. GENERAL CONDITIONS

10.PLANNING. 33                   USE - ORD 810 O S FEE (1) (cont.)                   RECOMMND

project development.

Any area identified as "NO USE PROPOSED" on the APPROVED EXHIBIT shall not be included in the Project Area.

10.PLANNING. 34                   USE - PERMIT SIGNS                   RECOMMND

No signs are approved pursuant to this project approval. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only) of Ordinance No. 348.

10.PLANNING. 36                   USE - 3RD & 5TH DIST DSGN STDS                   RECOMMND

The permit holder shall comply with the "DESIGN STANDARDS & GUIDELINES, THIRD AND FIFTH SUPERVISORIAL DISTRICTS, COUNTY OF RIVERSIDE, adopted by the Board of Supervisors, July 17, 2001.

10.PLANNING. 37                   USE - BUSINESS LICENSING                   RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at [www.rctlma.org.buslic](http://www.rctlma.org.buslic).

TRANS DEPARTMENT

10.TRANS. 1                   USE - STD INTRO (ORD 461)                   RECOMMND

With respect to the conditions of approval for the referenced tentative exhibit, the landowner shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Riverside County Road Improvement Standards (Ordinance 461). It is understood that the exhibit 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 exhibit to be resubmitted for further consideration. This ordinance and all conditions of approval are essential

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10.TRANS. 1                      USE - STD INTRO (ORD 461) (cont.)                      RECOMMND

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. 2                      USE - COUNTY WEB SITE                      RECOMMND

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site:  
<http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

10.TRANS. 3                      USE - LC LANDSCAPE REQUIREMENT                      RECOMMND

The developer/ permit holder shall:

1)Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;

2)Ensure all landscaping is provided with California Friendly landscaping and a weather based irrigation controller(s) as defined by County Ordinance No. 859;

3)Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and,

4)Be responsible for maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the twelve (12) month inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

To ensure ongoing maintenance, the developer/ permit holder or any successor in interest shall:

1)Connect to a reclaimed water supply for landscape irrigation purposes when reclaimed water is made available.

2)Ensure that landscaping, irrigation and maintenance systems comply with the Riverside County Guide to California Friendly Landscaping, and Ordinance No. 859.

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10.TRANS. 3                      USE - LC LANDSCAPE REQUIREMENT (cont.)                      RECOMMND

3) Ensure that all landscaping is healthy, free of weeds, disease and pests.

10.TRANS. 4                      USE-CREDIT/REIMBURSEMENT 4 IMP                      RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link:  
<http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works-Bidding-Requirements>.

10.TRANS. 5                      USE - TUMF CREDIT AGREEMENT                      RECOMMND

If the applicant/developer is constructing a "TUMF" facility as a condition of approval for this project and will be seeking "TUMF" credits and/or reimbursements for the "TUMF" improvements built with this project, the applicant shall enter into a "TUMF Improvement and Credit Agreement" with the Transportation Department prior to the first building permit issuance as directed by the Director of Transportation. Please contact (951) 955-6800 for additional information.

10.TRANS. 6                      USE - 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 development proposals to maintain a Level of Service 'C', except that Level of Service 'D' shall apply to all development

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10. GENERAL CONDITIONS

10.TRANS. 6 USE - TS/CONDITIONS (cont.)

RECOMMND

proposals located within any of the following Area Plans:  
Eastvale, Jurupa, Highgrove, Reche Canyon/Badlands,  
Lakeview/Nuevo, Sun City/Menifee Valley, Harvest  
Valley/Winchester, Southwest Area, The Pass, San Jacinto  
Valley, Western Coachella Valley and those Community  
Development Areas of the Elsinore, Lake Mathews/Woodcrest,  
Mead Valley and Temescal Canyon Area Plans.

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

Winchester Road (NS) at:  
Keller Road (EW)  
Pourroy Road-Abelia Street  
Whisper Heights Parkway-Pourroy Road  
Jean Nicholas Road-Skyview Road  
Max Gillis Blvd-Thompson Road  
Benton Road

Pourroy Road (NS) at:  
Pat Road (EW)  
Skyview Road (EW)  
Thompson Road (EW)

Elliot Road (NS) at:  
Jean Nicholas 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.

10.TRANS. 7 USE - TS/RECOMMENDATIONS

RECOMMND

The following recommendations are taken from the project's  
traffic study.

- Prior to the opening of the project, the school shall  
work with the Riverside County to identify on-site  
traffic signing and striping to be implemented in  
conjunction with detailed construction plans for the  
project. These shall be in conformance with design



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10. GENERAL CONDITIONS

10.TRANS. 7                      USE - TS/RECOMMENDATIONS (cont.)                      RECOMMND

standards from the California Manual of Uniform Traffic Control Devices for Streets and Highways (CA MUTCD) and Riverside County standards.

- The school and the Riverside County should periodically review traffic operations in the vicinity of the project once the project is constructed to ensure that traffic operations are satisfactory.
- The charter school shall work with the County of Riverside and implement operational mitigation measures such as additional time restrictions, markings, signage, modifications to loading procedures and education for parents and students to improve traffic follow, if necessary.

WASTE DEPARTMENT

10.WASTE. 1                      USE - HAZARDOUS MATERIALS                      RECOMMND

Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division.

10.WASTE. 4                      USE - LANDSCAPE PRACTICES                      RECOMMND

Use mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries.

Reduce the amount of green waste generated in common landscaped areas through grass recycling (where lawn clippings from a mulching type mower are left on lawn), or through on-site composting of green waste, or through the separation of green waste from other waste types to send to a composting facility.

Xeriscape and/or use drought tolerant/low maintenance vegetation in all landscaped areas of the project.

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10. GENERAL CONDITIONS

10.WASTE. 5

USE - AB 341

RECOMMND

AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

-Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.

-Subscribe to a recycling service with waste hauler.

-Provide recycling service to tenants (if commercial or multi-family complex).

-Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information, please visit:

[www.rivcwm.org/opencms/recycling/recycling\\_and\\_compost\\_business.html#mandatory](http://www.rivcwm.org/opencms/recycling/recycling_and_compost_business.html#mandatory)

10.WASTE. 6

USE - AB 1826

RECOMMND

AB 1826 (effective April 1, 2016) requires businesses that generate 8 cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

-Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.

-Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

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20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 7 USE - EXPIRATION DATE-USE CASE

RECOMMND

This approved permit shall be used within eight (8) years from the approval date; otherwise, the permit shall be null and void. The term used shall mean the beginning of construction pursuant to a validly issued building permit for the use authorized by this approval. Prior to the expiration of the 8 years, the permittee/applicant may request an extension of time to use the permit. The extension of time may be approved by the Assistant TLMA Director upon a determination that a valid reason exists for the permittee not using the permit within the required period. If an extension is approved, the total time allowed for use of the permit shall not exceed ten (10) years.

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1 USE - 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 [www.swrcb.ca.gov](http://www.swrcb.ca.gov).

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.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 2                      USE - GRADING SECURITY                      RECOMMND

Grading in excess of 199 cubic yards will require a performance security to be posted with the Building and Safety Department.

60.BS GRADE. 3                      USE - 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.

A separate stockpile permit is required for the import site. It shall be authorized in conjunction with an approved construction project and shall comply with the requirements of Ordinance 457.

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 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 may be required.

60.BS GRADE. 4                      USE - GEOTECH/SOILS RPTS                      RECOMMND

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department 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. 6                      USE - DRAINAGE DESIGN Q100                      RECOMMND

All drainage facilities shall be designed n accordance with the Riverside County Flood Control & Water District's or Coachella Valley Water 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.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 7                      USE - OFFSITE GRDG 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. 8                      USE - NOTARIZED OFFSITE LTR                      RECOMMND

A notarized letter of permission from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

60.BS GRADE. 11                      USE - APPROVED WQMP                      RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall submit to the Building & Safety Department Engineering Division evidence that the project - specific Water Quality Management Plan (WQMP) has been approved by the Riverside County Flood Control District or Riverside County Transportation Department and that all approved water quality treatment control BMPs have been included on the grading plan.

60.BS GRADE. 12                      USE - PRE-CONSTRUCTION MTG                      RECOMMND

Upon receiving grading plan approval and prior to the issuance of a grading permit, the applicant is required to schedule a pre-construction meeting with the Building and Safety Department Environmental Compliance Division.

60.BS GRADE. 13                      USE- BMP CONST NPDES PERMIT                      RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 14 USE - SWPPP REVIEW

RECOMMND

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

EPD DEPARTMENT

60.EPD. 1 EPD - 30-DAY BURROWING OWL

RECOMMND

Pursuant to Objectives 6 & 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), 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 who holds a Memorandum of Understanding with the County. The survey results shall be provided in writing to the Environmental Programs Department. If the grading permit is not obtained within 30 days of the survey, a new survey shall be required.

If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. Burrowing Owl relocation shall only be allowed to take place outside of the burrowing owl nesting season (nesting season is March 1 through August 31) and is required to be performed by a qualified biologist familiar with relocation methods. The County Environmental Programs Department shall be consulted to determine appropriate type of relocation (active or passive) and potential translocation sites. Burrowing Owl Protection and Relocation Plans and Biological Monitoring Plans are required to be reviewed and approved by the California Department of Fish and Wildlife.

60.EPD. 2 EPD - NESTING BIRD SURVEY

RECOMMND

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 1st through August 31st. If habitat or structures that support nesting birds must be cleared

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60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 2

EPD - NESTING BIRD SURVEY (cont.)

RECOMMND

during the nesting season, a preconstruction nesting bird survey shall be conducted.

The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit.

Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review.

FLOOD RI DEPARTMENT

60.FLOOD RI. 1

USE MITCHARGE

RECOMMND

The County Board of Supervisors has adopted the Murrieta Creek/Warm Springs Valley Area Drainage Plan (ADP) for the purpose of collecting drainage fees. This project may require earlier construction of downstream ADP facilities. To mitigate this effect, the District recommends that this project be required to pay a flood mitigation fee. The mitigation fee should be based upon the fee structures set for land divisions having comparable anticipated impermeable surface areas.

Public Use Permit 00931 is located within the limits of the Murrieta Creek/Warm Springs Valley Area Drainage Plan for

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60. PRIOR TO GRADING PRMT ISSUANCE

60.FLOOD RI. 1 USE MITCHARGE (cont.)

RECOMMND

which drainage fees have been adopted to help mitigate the impacts of this development. The mitigation charge for this proposal shall equal the prevailing Area Drainage Plan fee rate multiplied by the area of the new development. This new development has a total of 6.0 acres subject to the fee. The charge is payable to the Flood Control District by cashier's check or money order only, and shall be paid after final approval of the staff report/conditions of approval by the Board of Supervisors and prior to issuance of permits.

PLANNING DEPARTMENT

60.PLANNING. 1 USE - PALEO PRIMP/MONITOR

RECOMMND

County Paleontological Report (PDP) No. 1558, prepared by Paleo Solutions concluded the project's potential to impact significant paleontological resources is high. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1.The applicant shall retain a qualified paleontologist approved by the County of Riverside to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).

2.The project paleontologist retained shall review the approved development plan and grading plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for review and approval prior to issuance of a Grading Permit.

Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:

1.Description of the proposed site and planned grading operations.

2.Description of the level of monitoring required for all earth-moving activities in the project area.



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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1                      USE - PALEO PRIMP/MONITOR (cont.)

RECOMMND

3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.

4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.

5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.

6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.

7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.

8. Procedures and protocol for collecting and processing of samples and specimens.

9. Fossil identification and curation procedures to be employed.

10. Identification of the permanent repository to receive any recovered fossil material. \*Pursuant the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.

11. All pertinent exhibits, maps and references.

12. Procedures for reporting of findings.

13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1                      USE - PALEO PRIMP/MONITOR (cont.) (cont.)                      RECOMMND

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. Professional Geologist), as appropriate. One original signed copy of the report(s) shall be submitted to the office of the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, the Plan Check staff, the Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County  
(SABER)

60.PLANNING. 2                      USE - ARCHAEOLOGIST/MONITOR                      RECOMMND

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program. A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 3

USE - NATIVE AMERICAN MONITOR

RECOMMND

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with and retain a Native American Monitor from the appropriate tribe.

The Native American Monitor 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 and trenching,. In conjunction with the Archaeological Monitor, the Native American 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.

The developer/permit applicant shall submit a fully executed copy of the contract to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.

60.PLANNING. 4

USE - CULTURAL SENSITIVITY

RECOMMND

The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

60.PLANNING. 11

USE - SKR FEE CONDITION

RECOMMND

Prior to the issuance of a grading permit, the applicant shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. he amount

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 11 USE - SKR FEE CONDITION (cont.)

RECOMMND

of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 14.59 acres (gross) in accordance with APPROVED EXHIBIT NO. A. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

60.PLANNING. 14 USE - FEE STATUS

RECOMMND

Prior to the issuance of grading permits for Public Use Permit No. 931, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

TRANS DEPARTMENT

60.TRANS. 1 USE-CREDIT/REIMBURSEMENT 4 IMP

RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link:  
<http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works-Bidding-Requirements>.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 2                      USE - PRIOR TO ROAD CONSTRUCT                      RECOMMND

Prior to road construction, survey monuments including centerline monuments, tie points, property corners and benchmarks shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.

60.TRANS. 3                      USE - FILE L&LMD APPLICATION                      RECOMMND

File an application with the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, for required annexation per condition of approval 80.TRANS.6 and 90.TRANS.8.

If you have any questions or for the processing fee amount, please call the L&LMD Section at (951) 955-6748.

60.TRANS. 4                      USE - SUBMIT GRADING PLAN                      RECOMMND

When you submit a grading plan to the Department of Building and Safety, two sets of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit.

Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee.

Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA

Standard plan check turnaround time is 10 working days.

60.TRANS. 5                      USE - FINAL WQMP                      RECOMMND

Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. R9-2010-0016 to the Transportation Department for review

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60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 5

USE - FINAL WQMP (cont.)

RECOMMND

and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: [www.rcflood.org/npdes](http://www.rcflood.org/npdes). The project is located in the Santa Margarita watershed. For any questions, please contact (951) 712-5494.

The Final WQMP shall address the following comments that were provided as part of the approval of the Preliminary WQMP:

1. Please confirm the Proposed Volume shown on Table D.5 would detain storm flows for the HCOC requirements.
2. The Project shall propose LID practices prior to treat flows from impervious areas prior to discharging into the proposed underground storage. For example areas shown as asphalt around the basketball courts, that are shown to be asphalt concrete on Sheet C2.02 of the conceptual grading and drainage plan, would have to be landscaped to provide biotreatment prior to draining into inlets. Otherwise, the underground storage chamber concept will not be approved.
3. The Project shall provide clean out ability for all outlet control structures and prior to entering into the underground chambers.
4. Please provide a robust justification, such as right-of-way limitations, traffic operations for the parking area, etc (just not related to costs) for using a BMP that is not in the LID Design Handbook on the BMP Design Volume sheets for areas D/2 and D/3 (underground storage). The justification shall include benefits proposed by the project. If the project complies with comment #4 of this memo, there shall be narrative stating something to the effect that vegetated buffer strip areas are providing treatment in conjunction with the detention effects of the underground chambers.
5. Please note, per page 45 of the WQMP guidance document, "The first three types of DMAs: Self-Treating, Self-Retaining, and draining to Self-Retaining, are ways to account for successful implementation of the LID Principles discussed in

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60.TRANS. 5

USE - FINAL WQMP (cont.) (cont.)

RECOMMND

Step 1. Areas addressed by LID Principles are self-managing and do not require any further management measures.ö

a. No BMP design details are needed for DMA A/1.

6. For Table D.3, please remove the check marks for Alternative Compliance (which would require State Regional Board approval). The Bioretention BMP areas should be marked in Column 3, and the Underground Storage Chamber (if providing detention effects) should be marked as Biotreatment.
7. Complete the WQMP template appropriately.
8. Complete the Hydrology Control BMP sizing using the SMRHM or other continuous simulation (SWMM, HSPF, etc.) model to look at the entire rainfall record and ensure both flow rates and duration meet the HCOC/Hydromodification requirements.
9. Complete Section E.5 for Sediment Supply. This is a MS4 Permit requirement and shall be completed.
10. Please reference the County's Storm Water Ordinance No. 754 on the Owner's Certification Page.
11. Section A states the impervious area is 231,125 sq.ft., while Table C.1 and Table D.4 add up to 277,204 sq.ft.
12. Table C.1 mention the DMA name A/1, D/1, etc. to be clear what areas are being discussed.
13. Per table C.5 Bioretention and a Chamber System will be used for Treatment.
  - a. It is required to show all BMPs on the WQMP Site plan (map showing DMA's). Typical cross sections, outlet sizes, and all related design details. The Grading and Construction Drawings shall be functionally equivalent to the WQMP site map. Adequate detail is required on the WQMP site map to confirm requirements are being met. Bioretention and underground chambers shall be shown on the WQMP site map and all related construction drawings. The WQMP Site map should include all information related to the WQMP.
14. Complete Section D.2 for Harvest and Use Assessment and check all boxes that apply.
15. The WQMP site map needs to include (and color) the entire drainage area tributary to each flow path. The WQMP site map shows only the buildings as DMA's, which would not be acceptable. The DMA shall include all tributary areas. The sizing shall match.
16. Flow paths at the east boundary appear to drain

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60.TRANS. 5

USE - FINAL WQMP (cont.) (cont.) (cont.)

RECOMMND

around the project site, which can be acceptable but the sizing needs to be verified. If a block wall is not approved by the County, the project will be required to show the cross section of the facility that will route upstream flows around the project. In the final hydrology report (also required prior to building or grading permit), the sizing including hydraulics shall be provided for all storm runoff conveying facilities.

17. Please update the CULTEC design details. The Breakdown of Storage Provided shows 10072.2 cu.ft. However, Table D.5 mentions 14,182 cu.ft. Also it appears the Bioretention Facility Design Procedure sheet for D/1 is included twice.
18. (Added based on submitted SMRHM) More explicit details are needed to confirm the sizing of the CULTEC devices correspond to the SMRHM analysis provided. The County recommends narrative and exhibits to show what parts of the CULTEC device vs. the BioRetention will account for the HCOC mitigation, outlet sizes, etc. The dimensions for the SMRHM appear to be approximately 50,800 FT<sup>3</sup>. The final HCOC mitigation designs needs to be reflected appropriately on the WQMP site plan, construction drawings, WQMP design worksheets, and LID BMP sizing tables. However, the P-WQMP report provides a good faith effort, and the BMP sizes could feasibly work with changing BMP dimensions.
19. A signed copy of a BMP maintenance agreement must be provided in Appendix 9. A template is online at:  
<http://rctlma.org/Portals/7/documents/pamphlets/app12.pdf>.
  - a. With the BMP agreement, please provide an exhibit of the BMPs and access areas for the BMP agreement.
20. In addition to the BMP maintenance agreement, a site specific Maintenance Plan shall need to be prepared that meets the minimum requirements found on page 94 to 97 of the WQMP Guidance document.
21. 2 hardcopy documents with original owner certifications. Each owner's certification must include a certified notary certification. Date of owner's certification shall not predate the date the actual document was prepared.
  - a. Approval documents shall also include RCE wet-stamp and signature on each hardcopy document.



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60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 5                      USE - FINAL WQMP (cont.) (cont.) (cont.) (conRECOMMND

- b. Each hardcopy binder shall include a CD that contains the entire document in PDF format, including exhibits and certifications.

60.TRANS. 6                      USE - WQMP ACCESS MAINT ESMNT                      RECOMMND

Prior to issuance of a grading permit, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are provided. This requirement is for both onsite and offsite property.

70. PRIOR TO GRADING FINAL INSPECT

EPD DEPARTMENT

70.EPD. 1                      EPD - NESTING BIRD REPORT                      RECOMMND

Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review.

PLANNING DEPARTMENT

70.PLANNING. 1                      USE - PHASE IV CULTURAL RPT.                      RECOMMND

Upon completion of the implementation phase, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.

70.PLANNING. 2                      USE - ARTIFACT DISPOSITION                      RECOMMND

The landowner(s) shall relinquish ownership of all cultural resources, (with the exception of sacred items, burial goods, and Human Remains) and Provide evidence to the

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70. PRIOR TO GRADING FINAL INSPECT

70.PLANNING. 2 USE - ARTIFACT DISPOSITION (cont.)

RECOMMND

satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been handled through one of the following methods.

1.A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be included in the Phase IV Report.

2.Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

3.If more than one Native American Group is involved with the project and cannot come to an agreement between themselves as to the disposition of cultural resources, the landowner(s) shall then proceed with curation of the cultural resources at the Western Science Center.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 USE - NO B/PMT W/O G/PMT

RECOMMND

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

80.BS GRADE. 2 USE - ROUGH GRADE APPROVAL

RECOMMND

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed

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80. PRIOR TO BLDG PRMT ISSUANCE

80.BS GRADE. 2                      USE - ROUGH GRADE APPROVAL (cont.)

RECOMMND

grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

1.Submitting a "Wet Signed" copy of the Soils Compaction Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.

2.Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.

3.Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.

4.Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage to stabilize the site prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

E HEALTH DEPARTMENT

80.E HEALTH. 1                      USE - FOOD PLANS REQD

RECOMMND

Properly submit plans to District Environmental Services for the review and permitting of the food facility.

A total of 3 complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with current State and Local regulations.

Please contact the Murrieta Office at (951)461-0284 for any additional questions about Food Plan Check submittal requirements.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.E HEALTH. 2 USE - NOISE STUDY

RECOMMND

The County's General Plan Land Use Compatibility for Community Noise Exposure table indicates that noise environments below 70 CNEL are considered acceptable / conditionally acceptable. The project is proposed to be built along Highway 79. Highway 79 in this area is considered an "expressway". The County's General Plan Noise Element Data shows that the unmitigated 70 CNEL contour for expressways extend approximately 380 feet from the centerline of the roadway.

We require the consultant analyze the noise impact of the surrounding roadways on the project. He/she must use our standard traffic mix and level "C" build out traffic volumes for the analysis. The consultant must show what areas of the campus fall within the 70 CNEL contour and, if applicable, determine any mitigation measures necessary to comply with the General Plan's requirements.

80.E HEALTH. 3 USE - WATR/SEWR WILL SERVE

RECOMMND

Provide current documentation to show that water and sewer service is being established for this project. Per applicant, Due Diligence meetings have taken place with EMWD. Prior to building permit issuance, Plan of Service Summary must be submitted to show that water and sewer connections are established for this site.

FIRE DEPARTMENT

80.FIRE. 1 USE -#51-WATER CERTIFICATION

INEFFECT

The applicant or developer shall be responsible to submit written certification from the water company noting the location of the existing fire hydrants and that the existing water system is capable of delivering 1500 GPM fire flow for a 2 hour duration at 20 PSI residual operating pressure. If a water system currently does not exist, the applicant or developer shall be responsible to provide written certification that financial arrangements have been made to provide them.

80.FIRE. 2 USE-#4-WATER PLANS

INEFFECT

The applicant or developer shall separately submit two copies of the water system plans to the Fire Department for review and approval. Plans shall provide the fire hydrant

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80. PRIOR TO BLDG PRMT ISSUANCE

80.FIRE. 2                      USE-#4-WATER PLANS (cont.)                      INEFFECT

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."

FLOOD RI DEPARTMENT

80.FLOOD RI. 1                      USE MITCHARGE                      RECOMMND

The County Board of Supervisors has adopted the Murrieta Creek/Warm Springs Valley Area Drainage Plan (ADP) for the purpose of collecting drainage fees. This project may require earlier construction of downstream ADP facilities. to mitigate this effect, the District recommends that this project be required to pay a flood mitigation fee. The mitigation fee should be based upon the fee structures set for land divisions having comparable anticipated impermeable surface areas.

Public Use Permit 00931 is located within the limits of the Murrieta Creek/Warm Springs Valley Area Drainage Plan for which drainage fees have been adopted to help mitigate the impacts of this development. The mitigation charge for this proposal shall equal the prevailing Area Drainage Plan fee rate multiplied by the area of the new development. This new development has a total of 6.0 acres subject to the fee. The charge is payable to the Flood Control District by cashier's check or money order only, and shall be paid after final approval of the staff report/conditions of approval by the Board of Supervisors and prior to issuance of permits.

PLANNING DEPARTMENT

80.PLANNING. 3                      USE - CONFORM TO ELEVATIONS                      RECOMMND

Elevations of all buildings and structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT B.

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80.PLANNING. 4                   USE - CONFORM TO FLOOR PLANS                   RECOMMND

Floor plans shall be in substantial conformance with that shown on APPROVED EXHIBIT C.

80.PLANNING. 11                USE - PLANS SHOWING BIKE RACKS                   RECOMMND

Bike rack spaces or bike lockers shall be shown on the project's parking and landscaping plan submitted to the Planning Department for approval.

80.PLANNING. 12                USE - PARCEL MERGR REQD                   RECOMMND

Prior to the issuance of a building permit, a Certificate of Parcel Merger shall be reviewed and approved by the Planning Department. The Parcel Merger shall merge Assessor Parcel Nos. 476-010-013 and 476-010-059. The permit holder shall submit proof of recordation of the parcel merger to the Planning department within six (6) months of Planning Department approval. The proposed parcel shall comply with the development standard of the Rural Residential (R-R) zone.

80.PLANNING. 17                USE - SCHOOL MITIGATION                   RECOMMND

Impacts to the Temecula Valley Unified School District shall be mitigated in accordance with California State law.

80.PLANNING. 18                USE - LIGHTING PLANS                   RECOMMND

All parking lot lights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Riverside County Ordinance No. 655 and the Riverside County Comprehensive General Plan.

80.PLANNING. 19                USE - FEE STATUS                   RECOMMND

Prior to issuance of building permits for Public Use Permit No. 931, the Planning Department shall determine the status of the deposit based fees for project. If the case fees are in a negative state, the permit holder shall pay the outstanding balance.

80.PLANNING. 20                USE - UNPERMITTED MOBILEHOME                   RECOMMND

Prior to building permit issuance the unpermitted mobile home located on project site shall be removed.

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80. PRIOR TO BLDG PRMT ISSUANCE

SURVEY DEPARTMENT

80.SURVEY. 1                      USE - ACCESS RESTRICTION

RECOMMND

By the project's design, access on Winchester Road (SH-79) shall be restricted. The project proponent shall apply under a separate application with the County Surveyor to restrict access on Winchester Road (SH-79).

80.SURVEY. 2                      USE - R-O-W DEDICATION

RECOMMND

Sufficient public street right-of-way along Winchester Road (SH-79) shall be conveyed for public use to provide for a 92 foot half-width right-of-way per Standard No. 83, Ordinance 461.

Sufficient public street right-of-way along Koon Street (along project boundary) shall be conveyed for public use to provide for a 37 foot half-width right-of-way per Standard No. 103, Ordinance 461.

TRANS DEPARTMENT

80.TRANS. 2                      USE - LC LANDSCAPE PLOT PLAN

RECOMMND

Prior to issuance of building permits, the developer/permit holder shall file a Landscaping Minor Plot Plan Application to the Riverside County Transportation Department for review and approval along with the current fee. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

- 1)Landscape and irrigation working drawings "stamped" by a California certified landscape architect;
- 2)Weather based controllers and necessary components to eliminate water waste;
- 3)A copy of the "stamped" approved grading plans; and,
- 4)Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

- 1)Identification of all common/open space areas;
- 2)Natural open space areas and those regulated/conserved by

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80.TRANS. 2                      USE - LC LANDSCAPE PLOT PLAN (cont.)                      RECOMMND

the prevailing MSHCP;  
3)Shading plans for projects that include parking lots/areas;  
4)The use of canopy trees (24" box or greater) within the parking areas;  
5)Landscaping plans for slopes exceeding 3 feet in height;  
6)Landscaping and irrigation plans associated with entry monuments. All monument locations and dimensions shall be provided on the plan; and/or,  
7)If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

NOTE:

1)Landscaping plans for areas within the road right-of-way shall be submitted for review and approval by the Transportation Department only.  
2)When the Landscaping Plot Plan is located within a special district such as Valley-Wide Recreation and Park District, Jurupa Community Services District, Coachella Valley Water District, a County Service Area (CSA) or other maintenance district, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Transportation Department that the subject District has approved said plans.

As part of the plan check review process and request for condition clearance, the developer/permit holder shall show proof of the approved landscaping plot plan by providing the Plot Plan number. The Transportation department shall verify the landscape route is approved and the Plot Plan is in TENTAPPR status. Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Transportation Department shall clear this condition.

80.TRANS. 3                      USE - LC LANDSCAPE SECURITIES                      RECOMMND

Prior to the issuance of building permits, the developer/permit holder shall submit an estimate to replace plantings, irrigation systems, ornamental landscape elements, walls and/or fences, in amounts to be approved by the Riverside County Transportation Department, Landscape Division. Once the Transportation Department has approved the estimate, the developer/permit holder shall submit the estimate to the Riverside County Department of Building and Safety who will then provide the developer/permit holder



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80.TRANS. 3                      USE - LC LANDSCAPE SECURITIES (cont.)                      RECOMMND

with the requisite forms. The required forms shall be completed and submitted to Building and Safety for processing and review in conjunction with County Counsel. Upon determination of compliance, the Department of Building and Safety shall clear this condition.

NOTE:

A cash security shall be required when the estimated cost is \$2,500.00 or less. It is highly encouraged to allow adequate time to ensure that securities are in place. The performance security shall be released following a successful completion of the One Year Post-Establishment Inspection, and the inspection report confirms that the planting and irrigation components are thriving and in good working order consistent with the approved landscaping plans.

80.TRANS. 4                      USE - LC LNDSCPNG PROJ SPECIFC                      RECOMMND

In addition to the requirements of the Landscape and Irrigation Plan submittal, the following project specific conditions shall be imposed on construction level plans:

1.Approved Landscape Concept Plan (LCP) planting plan and landscape water budget calculations do not comply with Ordinance 859.3. Final planting and irrigation need to be adjusted to meet water budgets. The correct ETo allowance must be used for both non-turf areas (allowance 0.45) and the Special Landscape (recreational turf, allowance 1.0) and shall be provided in separate calculations. The combined EAWU must not exceed the combined MAWA. Plant water use categories must match WUCOLS categories.

2.Show and label all retaining walls on plans.

3.All slope areas must be shown to match grading plans and be planted and irrigated to meet the minimum standards for Building and Safety erosion control standards, Ordinance 457.

4.All trees planted within six feet of hardscape shall be installed with a root barrier. Root barrier shall not encircle the tree root ball but shall be located at edge of hardscape and extend beyond the center of the tree a minimum of five feet in each direction.

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80.TRANS. 4                      USE - LC LNDSCPNG PROJ SPECIFC (cont.)                      RECOMMND

5.DG in planter areas should not be stabilized.

6.Show and label 6" concrete mow curb between areas maintained by more than one entity.

80.TRANS. 5                      USE - CALTRANS ENCRCHMNT PRMT                      RECOMMND

Prior to issuance of a building permit or any use allowed by this permit, and prior to doing any work within the State highway right-of-way, clearance and/or an encroachment permit must be obtained by the applicant from the District 08 Office of the State Department of Transportation in San Bernardino.

80.TRANS. 6                      USE - ANNEX L&LMD/OTHER DIST                      RECOMMND

Prior to the issuance of a building permit, 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 by contacting the Transportation Department at (951)955-6767, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division. Said annexation should include the following:

- (1) Landscaping along Winchester Road (SH-79).
- (2) Streetlights.
- (3) Graffiti abatement of walls and other permanent structure.
- (4) Street sweeping.

For street lighting, the project 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.

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80.TRANS. 6                      USE - ANNEX L&LMD/OTHER DIST (cont.)                      RECOMMND

(3) (2) sets of street lighting plans approved by  
Transportation Department.

(4) "Streetlight Authorization" form from SCE or other  
electric provider.

80.TRANS. 7                      USE- LIGHTING PLAN                      RECOMMND

A separate streetlight plan is required for this project.  
Street lighting shall be designed in accordance with County  
Ordinance 460 and Streetlight Specification Chart found in  
Specification Section 22 of Ordinance 461. For projects  
within SCE boundaries use County of Riverside Ordinance  
461, Standard No. 1000 or No. 1001.

80.TRANS. 8                      USE - LANDSCAPING/TRAIL                      RECOMMND

Landscaping within public road right-of-way shall comply  
with Transportation Department standards, Ordinance 461,  
Comprehensive Landscaping Guidelines & Standards, and  
Ordinance 859 and shall require approval by the  
Transportation Department.

Landscaping plans shall be designed within Winchester Road  
(SH-79) and Koon Street and submitted to the Transportation  
Department. Landscaping plans shall be submitted on  
standard County plan sheet format (24" x 36"). Landscaping  
plans shall be submitted with the street improvement plans.

80.TRANS. 9                      USE - TUMF CREDIT AGREEMENT                      RECOMMND

If the applicant/developer is constructing a "TUMF"  
facility as a condition of approval for this project and  
will be seeking "TUMF" credits and/or reimbursements for  
the "TUMF" improvements built with this project, the  
applicant shall enter into a "TUMF Improvement and Credit  
Agreement" with the Transportation Department prior to the  
first building permit issuance as directed by the Director  
of Transportation. Please contact (951) 955-6800 for  
additional information.

80.TRANS. 10                      USE - 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

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80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 10 USE - UTILITY PLAN (cont.)

RECOMMND

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.

80.TRANS. 11 USE - IMPLEMENT WQMP

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

80.TRANS. 12 USE - ESTBLH WQMP MAINT ENTITY

RECOMMND

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department\_ for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

WASTE DEPARTMENT

80.WASTE. 1 USE - WASTE RECYCLE PLAN (WRP)

RECOMMND

Prior to building permit issuance, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources 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. During project construction, the project site shall have, at a minimum, two (2) bins:

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80.WASTE. 1                      USE - WASTE RECYCLE PLAN (WRP) (cont.)                      RECOMMND

one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

80.WASTE. 2                      USE - RECYCLNG COLLECTION PLAN                      RECOMMND

Prior to issuance of a building permit, the applicant shall submit three (3) copies of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources, and shall show the location of and access to the collection area for recyclable materials, along with its dimensions and construction detail, including elevation/farade, construction materials and signage. The plot plan shall clearly indicate how the trash and recycling enclosures shall be accessed by the hauler.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1                      USE - WQMP BMP INSPECTION                      RECOMMND

Prior to final building inspection, the applicant shall obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications. The Building and Safety Department must inspect and approve the completed WQMP treatment control BMPs for your project before a building final can be obtained.

90.BS GRADE. 2                      USE - WQMP BMP CERT REQ'D                      RECOMMND

Prior to final building inspection, the applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered

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90.BS GRADE. 2                      USE - WQMP BMP CERT REQ'D (cont.)                      RECOMMND

Civil Engineer certifying that the project - specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.

90.BS GRADE. 3                      USE - BMP GPS COORDINATES                      RECOMMND

Prior to final building inspection, the applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.

90.BS GRADE. 4                      USE - BMP REGISTRATION                      RECOMMND

Prior to final building inspection, the applicant/owner shall register the project - specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

90.BS GRADE. 5                      USE - REQ'D GRADING INSP'S                      RECOMMND

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

- 1.Sub-grade inspection prior to base placement.
- 2.Base inspection prior to paving.
- 3.Precise grade inspection of entire permit area.

- a.Inspection of Final Paving
- b.Precise Grade Inspection
- c.Inspection of completed onsite storm drain facilities
- d.Inspection of the WQMP treatment control BMPs

90.BS GRADE. 6                      USE - PRECISE GRDG APPROVAL                      RECOMMND

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

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90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 6                      USE - PRECISE GRDG APPROVAL (cont.)

RECOMMND

1.Requesting and obtaining approval of all required grading inspections.

2.Submitting a "Wet Signed" copy of the Soils Compaction Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.

3.Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.

4.Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

5.Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.

6.Submitting a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the Water Quality Management Plan treatment control BMPs have been installed in accordance with the approved WQMP.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

90.BS GRADE. 7                      USE - WQMP ANNUAL INSP FEE

RECOMMND

Prior to final building inspection, the applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

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90. PRIOR TO BLDG FINAL INSPECTION

E HEALTH DEPARTMENT

90.E HEALTH. 1 USE - HAZMAT CONTACT/REVIEW

RECOMMND

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

FIRE DEPARTMENT

90.FIRE. 1 USE-#45-FIRE LANES

INEFFECT

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. Access shall be provided to within 150' of all exterior portions of the buildings.

90.FIRE. 2 USE-#12A-SPRINKLER SYSTEM

INEFFECT

Install a complete fire sprinkler system per NFPA 13 2013 edition in all buildings 3600 sq.ft. or greater. 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 250 feet of a hydrant, and a minimum of 40 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. 3 USE-#35-VOICE FIRE ALARM

INEFFECT

Applicant or developer shall be responsible to install a manual and automatic pre-recorded VOICE Fire Alarm System. Plans must be submitted to the Fire Department for approval prior to installation.



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90.FIRE. 4 USE-#83-AUTO/MAN FIRE ALARM

NOTAPPLY

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

INEFFECT

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" (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

INEFFECT

A U.L. 300 hood duct fire extinguishing system must be installed over cooking equipment. Wet chemical extinguishing system must provide automatic shutdown of all electrical and gas 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. 3 USE - PARKING PAVING MATERIAL

RECOMMND

A minimum of ninety-three (93) parking spaces shall be provided as shown on the APPROVED EXHIBIT A, unless otherwise approved by the Planning Department. The parking area shall be surfaced with asphaltic concrete or concrete to current standards as approved by the Department of Building and Safety.

90.PLANNING. 4 USE - ACCESSIBLE PARKING

RECOMMND

A minimum of four (4) accessible parking space[s] for persons with disabilities shall be provided as shown on

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 4 USE - ACCESSIBLE PARKING (cont.)

RECOMMND

APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk. A sign shall also be posted in a conspicuous place, at each entrance to the off-street parking facility, not less than 17 inches by 22 inches, clearly and conspicuously stating the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at \_\_\_\_ or by telephoning \_\_\_\_."

In addition to the above requirements, the surface of each parking space shall have a surface identification sign duplicating the symbol of accessibility in blue paint of at least 3 square feet in size.

90.PLANNING. 10 USE - INSTALL BIKE RACKS

RECOMMND

A bicycle rack with a minimum of 7 spaces shall be provided in convenient locations to facilitate bicycle access to the project.

90.PLANNING. 11 USE - UTILITIES UNDERGROUND

RECOMMND

All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

90.PLANNING. 12 USE - CURBS ALONG PLANTERS

RECOMMND

A six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent

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90.PLANNING. 12                      USE - CURBS ALONG PLANTERS (cont.)                      RECOMMND

to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

90.PLANNING. 15                      USE - TRASH ENCLOSURES                      RECOMMND

A trash enclosure shall be located as shown on the APPROVED EXHIBIT A(southwest of shade structure no. 1), and shall be constructed prior to the issuance of occupancy permits. The enclosure(s) shall be a minimum of six (6) feet in height and shall be made with masonry block and a solid gate which screens the bins from external view. In addition, the trash enclosure shall have a solid roof/cover that will prevent rain from entering the enclosure. Additional enclosed area for collection of recyclable materials shall be located within, near or adjacent to each trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent (50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the Riverside County Waste Management Department. All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin.

90.PLANNING. 23                      USE - SKR FEE CONDITION                      RECOMMND

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection, whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance.

The amount of the fee required to be paid may vary, depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 14.59 acres (gross) in accordance with APPROVED EXHIBIT A. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded,

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90.PLANNING. 23 USE - SKR FEE CONDITION (cont.)

RECOMMND

this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 27 USE - ORD 810 O S FEE (2)

RECOMMND

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection prior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP), whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval. The Project Area for Public Use Permit No. 931 is calculated to be 14.59 net acres. In the event Riverside County Ordinance No. 810 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 810 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 28 USE - 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 installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent

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90.PLANNING. 28                   USE - ORD NO. 659 (DIF) (cont.)

RECOMMND

road right-of-way to the limits of the project development. The Project Area for Public Use Permit No. 931 has been calculated to be 14.59 net acres.

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.

90.PLANNING. 29                   USE - ROOF EQUIPMENT SHIELDING

RECOMMND

Roof-mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval.

TRANS DEPARTMENT

90.TRANS. 1                   USE - LC LNDSCP INSPECT DEPOST

RECOMMND

Prior to building permit final inspection, the developer/permit holder shall file an Inspection Request Form and deposit sufficient funds to cover the costs of the Pre-Installation, the Installation, and One Year Post-Establishment landscape inspections. In the event that an open landscape case is not available, then the applicant shall open a FEE ONLY case to conduct inspections. The deposit required for landscape inspections shall be determined by the Riverside County Landscape Division. The Transportation Department shall clear this condition upon determination of compliance.

90.TRANS. 2                   USE - LNDSCPE INSPCTN RQRMNTS

RECOMMND

The permit holder's (or on-site representative) landscape architect is responsible for preparing the landscaping and irrigation plans and shall arrange for an installation inspection with the Transportation Department at least five (5) working days prior to the installation of any landscape or irrigation components.

Upon successful completion of the installation inspection, the applicant will arrange for a 6th-month installation inspection at least five (5) working days prior to the final building inspection or issuance of the occupancy

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90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 2                      USE - LANDSCAPE INSPECTION REQUIREMENTS (cont.)                      RECOMMEND

permit, whichever occurs first, and comply with the Transportation Department's (80.TRANS) condition entitled "USE-LANDSCAPING SECURITY" and (90.TRANS) condition entitled "LANDSCAPE INSPECTION DEPOSIT." Upon successful completion of the installation inspection, the County Transportation Department's landscape inspector and the permit holder's landscape architect (or on-site representative) shall execute a Landscape Certificate of Completion that shall be submitted to the Transportation Department and the Department of Building and Safety. The Transportation Department shall clear this condition upon determination of compliance.

90.TRANS. 3                      USE - LC COMPLY W/ LANDSCAPE/ IRR                      RECOMMEND

The developer/permit holder shall coordinate with their designated landscape representative and the Riverside County Transportation Department's landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Transportation Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Riverside County Transportation Department's landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. Upon determination of compliance, the Transportation Department shall clear this condition.

90.TRANS. 4                      USE-STREETLIGHT AUTHORIZATION                      RECOMMEND

Prior to OCCUPANCY, the project proponent shall submit to Transportation Department Permits the following:

1. "Streetlight Authorization" form approved by L&LMD No. 89-1-C Administrator.
2. Letter establishing interim energy account from SCE or other electric provider.

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90.TRANS. 5 USE - STREETLIGHTS INSTALL

RECOMMND

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinances 460 and 461.

Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed.

It shall be the responsibility of the developer to ensure that streetlights are energized along the streets associated with this development where the developer is seeking Building Final Inspection (Occupancy).

90.TRANS. 6 USE - OFF-SITE ACCESS

RECOMMND

The project proponent shall provide/acquire sufficient public off-site rights-of-way to provide for paved access road to a paved and maintained road. Said access road shall be constructed with 32' of AC pavement within a 60' dedicated right-of-way in accordance with County Standard No. 106, Section A (32'/60'), at a grade and alignment approved by the Transportation Department. The project proponent shall provide the appropriate environmental clearances for said off-site improvements prior to recordation or the signature of any street improvement plans.

NOTE: Said off-site access road shall be the southerly extension of Pourroy Road from Koon Street to a paved County maintained Pourroy Road.

90.TRANS. 7 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.

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90.TRANS. 8 USE - ANNEX L&LMD/OTHER DIST

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 any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division for continuous maintenance within public road rights-of-way, in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859. Said annexation should include the following:

- (1) Landscaping along Winchester Road (SH-79) and Koon Street.
- (2) Streetlights.
- (3) Graffiti abatement of walls and other permanent structures.
- (4) Street sweeping.

90.TRANS. 9 USE - 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 limit of construction 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.

NOTE: Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: <http://rctlma.org/trans/General-Information/Pamphlets-Brochures>

90.TRANS. 10 USE - LANDSCAPING

RECOMMND

Landscaping within public road right-of-way shall comply with Transportation Department standards and Ordinance 461 and shall require approval by the Transportation Department. Landscaping shall be improved within Winchester Road (SH-79) and Koon Street.

Assurance of continuous maintenance is required by



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90.TRANS. 10                      USE - LANDSCAPING (cont.)                      RECOMMND

processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division; or if desired the developer may file an application for annexation into Landscaping and Lighting Maintenance District No. 89-1-Consolidated by contacting the Transportation Department at (951) 955-6767.

90.TRANS. 11                      USE - CONSTRUCT RAMP                      RECOMMND

Ramps shall be constructed on the northeast corner of Pourroy Road and Koon Street intersection per Standard No. 403, sheets 1 through 7 of Ordinance 461.

90.TRANS. 12                      USE - LANDSCAPING                      RECOMMND

The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, (or within easements adjacent to the public rights-of-way), in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859.

Landscaping will be improved within Winchester Road (SH-79) and Koon Street.

90.TRANS. 13                      USE - SIGNING & STRIPING                      RECOMMND

A signing and striping plan is required for this project. The project proponent shall be responsible for any additional paving and/or striping removal caused by the striping plan or as approved by the Director of Transportation.

90.TRANS. 14                      USE - 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.

90.TRANS. 15                      USE-EXISTING CALTRANS MAINT.                      RECOMMND

Winchester Road (SR-79) along project boundary is a paved "CALTRANS" maintained road designated EXPRESSWAY and shall be improved with 8" concrete curb and gutter, located 55' from centerline to curb line, 8" curbed landscape median, and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by CALTRANS

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90.TRANS. 15                      USE-EXISTING CALTRANS MAINT. (cont.)                      RECOMMND

within the 92 foot half-width dedicated right-of-way in accordance with County Standard No. 83, Ordinance 461. (55'/92')

NOTE: 1. An 8' concrete sidewalk 15' from curb line shall be constructed within the 37' parkway per Standard No. 404, Ordinance 461.

2. A curbed landscape median shall be constructed at the centerline per Standard No. 83, Ordinance 461.

3. A transition AC pavement lane shall be constructed to the north and south project boundaries per 60 mph speed limit.

4. Street improvement plans along Winchester Road (SH-79) shall be submitted to CALTRANS for review and approval.

90.TRANS. 16                      USE - PART-WIDTH IMPROVEMENT                      RECOMMND

Koon Street (from west project boundary to cul-de-sac along project boundary) is designated COLLECTOR STREET and shall be improved with 43' part-width AC pavement (22' on the project side and 21' on the other side of the centerline), 6" concrete curb, gutter, and sidewalk (north side), within the 67' part-width (37' project side and 30' on the other side of the centerline) dedicated part-width right-of-way in accordance with County Standard No. 103, Section "A", Ordinance 461 and as determined by the Director of Transportation.

NOTE: 1. An 11' concrete sidewalk (along the north side and around the cul-de-sac bulb) shall be constructed adjacent to the curb line within the 15' parkway.

2. The driveways shall be constructed in accordance with Standard No. 207-A, Ordinance 461.

3. Gate(s) shall be constructed 35' radial from the flow line/curb line.

4. Centerline intersection of driveway on Koon Street shall be 90 degrees, plus or minus 5 degrees, with a minimum 50' tangent, measured from flow line/curb face or as approved by the Director of

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90.TRANS. 16                      USE - PART-WIDTH IMPROVEMENT (cont.)                      RECOMMND

Transportation.

5. Koon Street, Pourroy Road, and all parkway improvement plans shall be submitted to the County Transportation Department for review and approval.

6. A 12' painted median shall be striped at the centerline.

90.TRANS. 17                      USE - DEDICATIONS                      RECOMMND

Koon Street from Pourroy Road to west project boundary (outside project boundary) is designated COLLECOR STREET and shall be improved with 43' part-width AC pavement (22' on the north side and 21' on the south side of centerline), 6" concrete curb, gutter, and sidewalk (north side) within the 60' (30' on the north and 30' on the south side) full-width dedicated right-of-way in accordance with County Standard No. 103, Section "A", Ordinance 461, and as approved by the Director of Transportation. (Modified for increased sidewalk from 5' to 7' and reduced full-width right-of-way from 74' to 60'.)

Notes: 1. A 7' concrete sidewalk shall be constructed adjacent the curb line within the 8' parkway.

2. A 12' painted median shall be striped at the centerline.

90.TRANS. 18                      USE - WQMP COMPLETION                      RECOMMND

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, registering BMPs with the Transportation Department's Business Registration Division, and ensure that the requirements for inspection and cleaning the BMPs are established.

90.TRANS. 19                      USE - WQMP REGISTRATION                      RECOMMND

Prior to Building Final Inspection, the applicant will be required to register BMPs with the Transportation Department's, as applicable, Business Registration Division.

07/18/17  
13:57

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 62

PUBLIC USE PERMIT Case #: PUP00931

Parcel: 476-010-059

90. PRIOR TO BLDG FINAL INSPECTION

WASTE DEPARTMENT

90.WASTE. 1 USE - WASTE REPORTING FORM

RECOMMND

Prior to building final inspection, evidence (i.e., receipts or other types of verification) to demonstrate project compliance with the approved Waste Reporting Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

90.WASTE. 2 USE - RECYCLNG COLLECTION AREA

RECOMMND

Prior to final building inspection, the applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plan, as approved and stamped by the Riverside County Department of Waste Resources, and as verified by the Riverside County Building and Safety Department through site inspection.

**LAND DEVELOPMENT COMMITTEE (LDC)  
INITIAL CASE TRANSMITTAL  
RIVERSIDE COUNTY PLANNING DEPARTMENT – RIVERSIDE  
PO Box 1409  
Riverside, 92502-1409**

DATE: November 18, 2016

**TO:**

Riv. Co. Transportation Dept.  
Riv. Co. Environmental Health Dept.  
Riv. Co. Fire Department (Riv. Office)  
Riv. Co. Building & Safety – Grading  
Riv. Co. Building & Safety – Plan Check  
P.D. Environmental Programs Division  
P.D. Geology Section  
Riv. Co. Trans. Dept. – Landscape Section  
P.D. Archaeology Section

Riv. Co. Surveyor  
Riverside Transit Agency  
Riv. Co. Sheriff's Dept.  
Riv. Co. Waste Resources Management Dept.  
Valley-Wide Recreation & Parks District  
Winchester Municipal Advisory Council (MAC)  
Board of Supervisors - Supervisor: Washington  
Planning Commissioner: Ruthanne Taylor  
Berger

City of Murrieta Sphere of Influence  
Temecula Valley Unified School District  
Eastern Municipal Water District (EMWD)  
Southern California Edison Co. (SCE)  
City of Temecula  
City of Menifee

**Public Use Permit NO. 931** – EA 42963 – Applicant: Lois Hastings – Representative: Placeworks – Third Supervisorial District – Southwest Area Plan – Highway 79 Policy Area – Rancho California Zoning Area – Zoning: Rural Residential (R-R) – Location: Northwest of Highway 79, east of Pourroy Road, and south of Keller Road – **REQUEST:** PUP00931 proposes to construct and operate a charter school serving 600 students for kindergarten through 8<sup>th</sup> grade. Total building area is approximately 45,000 square feet. The existing residential structures on the property will remain – APN: 476-010-013, 476-010-059 – Related Case: N/A **BBID: 972-654-172 UPROJ: PUP00931**

**LDC staff members and other listed Riverside County Agencies, Departments and Districts staff:**

A Bluebeam invitation has been emailed to appropriate staff members so they can view and markup the map(s) and/or exhibit(s) for the above-described project. Please have your markups completed and draft conditions in the Land Management System (LMS) on or before the indicated LDC date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the LMS routing on or before the above date. This case is scheduled for a **LDC meeting on December 1, 2016**. Once the route is complete, and the approval screen is approved with or without corrections, the project can be scheduled for a public hearing.

**Other listed entities/individuals:**

Please note that the Planning Department has gone paperless and is no longer providing physical copies of the submitted map(s) and/or exhibit(s) for review. However, we still want your comments. You can view the project maps and exhibits by going to the following webpage and selecting the LDC date listed above. <http://planning.rctlma.org/DevelopmentProcess/LDCAgendas/2016LDCAgendas.aspx> By clicking the appropriate LDC date, you will download a copy of the LDC agenda with the exhibits attached. Please provide any comments, questions and recommendations to the Planning Department on or before the above referenced date.

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PLEASE PRINT NAME AND TITLE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

*If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.*

**Go Paperless!**

If you would prefer to receive these transmittals electronically, please send an email, with the subject line "LDC CONTACT" to Felicia Sierra at [FSIERRA@rctlma.org](mailto:FSIERRA@rctlma.org). Please make sure you include the name of your organization, and the email address where you would like to receive future transmittals.

Any questions regarding this project should be directed to Larry Ross, Project Planner, at (951) 955-9294 or e-mail at [LROSS@rctlma.org](mailto:LROSS@rctlma.org) / MAILSTOP #: 1070

Public Hearing Path:      Administrative Action: ☐      DH: ☐      PC: ☒      BOS: ☐

COMMENTS:

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PLEASE PRINT NAME AND TITLE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

*If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.*

**Ross, Larry**

---

**From:** Jorge Estrada <jestrada@placeworks.com>  
**Sent:** Friday, July 07, 2017 10:25 AM  
**To:** Heather.Pert  
**Cc:** Ross, Larry; karin\_cleary-rose@fws.gov; Carly.Beck@wildlife.ca.gov; Joanna.Gibson@wildlife.ca.gov; james\_thiede@fws.gov  
**Subject:** RE: Temecula Valley Charter School - request for CEQA documents

Good morning Heather,

On behalf of Larry Ross (Project Planner at the County of Riverside), please find below a link to the public draft IS/MND and related technical appendices. Please submit all/any comments you may have on the CEQA document directly to Larry Ross.

<http://download.placeworks.com/ENVIRO/TemeculaValleyCharterSchool/PublicDraftMND.zip>


Best regards,

**JORGE ESTRADA**  
Senior Associate

3 MacArthur Place, Suite 1100 | Santa Ana, California 92707  
714.966.9220 | jestrada@placeworks.com | placeworks.com

**From:** Pert, Heather@Wildlife [<mailto:Heather.Pert@wildlife.ca.gov>]

**Sent:** Thursday, July 06, 2017 6:24 PM

 **PLACEWORKS** **To:** Ross, Larry <[LROSS@RIVCO.ORG](mailto:LROSS@RIVCO.ORG)>  
**Cc:** Karin Cleary-Rose <[karin\\_cleary-rose@fws.gov](mailto:karin_cleary-rose@fws.gov)>; Beck, Carly@Wildlife <[Carly.Beck@wildlife.ca.gov](mailto:Carly.Beck@wildlife.ca.gov)>; Gibson, Joanna@Wildlife <[Joanna.Gibson@wildlife.ca.gov](mailto:Joanna.Gibson@wildlife.ca.gov)>; Jim Thiede <[james\\_thiede@fws.gov](mailto:james_thiede@fws.gov)>

**Subject:** Temecula Valley Charter School - request for CEQA documents

Hello Larry,

We are writing to request that CEQA documents for the Temecula Valley Charter School are circulated to the California Department of Fish and Wildlife (Department) and the U.S. Fish and Wildlife Service (Service), mailing addresses provided below. The Department acts as trustee and responsible agency for fish and wildlife resources for this project – not only through the Western Riverside County Multiple Species Habitat Conservation Plan but also because based on aerial review of the project site the project may need to submit a Lake and Streambed Alteration notification. Per Section 15205(b)(2) of the 2012 California Environmental Quality Act CEQA Guidelines, Draft EIRs and negative declarations prepared by a public agency where a state agency is a responsible agency, trustee agency, or otherwise has jurisdiction by law with respect to the project shall be submitted to the State Clearinghouse for review by state agencies ([http://resources.ca.gov/ceqa/flowchart/lead\\_agency\\_notice\\_ND.html](http://resources.ca.gov/ceqa/flowchart/lead_agency_notice_ND.html)), it does not have to be identified of regional significance.

The question of when the Department receives CEQA documents has been a statewide issue before and in response the Department sent out the attached letter clarifying the Department's role in the CEQA process.

We are requesting that the Service and Department are included on the CEQA circulation list for this project.

Thank you for your assistance in this matter,

Sincerely,  
Heather

*Heather A. Pert*, PhD  
Senior Environmental Scientist  
Inland Deserts Region  
California Department of Fish and Wildlife  
3602 Inland Empire Blvd  
Ontario, CA 91764-4918  
858-395-9692

Karin Cleary-Rose

Inland Division Chief  
U.S. Fish and Wildlife Service  
777 East Tahquitz Canyon Way, Suite 208  
Palm Springs, CA 92220  
(760) 322 2070 ext 406 - Please note new extension.

### Confidentiality Disclaimer

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure.

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[County of Riverside California](#)





DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>  
Habitat Conservation Planning Branch  
1416 Ninth Street, Suite 1260  
Sacramento, California 95814  
(916) 653-4875



February 10, 2009

Dear Sir or Madam:

Subject: Circulation of CEQA Documents through the State Clearinghouse

The Habitat Conservation Planning Branch of the Department of Fish and Game (DFG) is concerned that many state and local lead agencies are not circulating their environmental documents through the State Clearinghouse at the Governor's Office of Planning and Research (OPR) as required by the California Environmental Quality Act (CEQA).<sup>1</sup> DFG is also concerned that many state and local lead agencies are not providing various notices to DFG during required CEQA review, or consulting with DFG specifically as California's trustee agency for fish and wildlife resources. This letter serves as an important reminder that CEQA's circulation, notice, and consultation requirements play a critical role in DFG's trustee mandate to conserve the State's fish and wildlife resources for all the people of California.<sup>2</sup>

In general, CEQA requires lead agencies to submit draft environmental impact reports (EIR), proposed negative declarations (ND), and proposed mitigated negative declarations (MND) to the State Clearinghouse at OPR when:

- A state agency is the lead agency, a responsible agency, or a trustee agency;
- A state agency otherwise has jurisdiction by law with respect to the project; or
- The proposed project is of statewide, regional, or areawide significance.

(Pub. Resources Code, § 21082.1, subd. (c)(4); CEQA Guidelines, §§ 15205, subd. (b), 15206, subd. (b)(1)-(7).)<sup>3</sup>

Submitting CEQA documents to OPR as required by law helps to ensure responsible and trustee agency input from DFG during lead agency environmental review.<sup>4</sup>

CEQA also requires lead agencies to submit the following notices to OPR:

- Notice of Preparation (NOP) of an EIR;
- Notice of Completion (NOC) of an EIR;

<sup>1</sup> Pub. Resources Code, § 21000 et seq.

<sup>2</sup> Fish & G. Code, §§ 711.7, 1802.

<sup>3</sup> The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

<sup>4</sup> See, e.g., Pub. Resources Code, §§ 21082.1, subd. (c)(4), 21083, subd. (d); see also §§ 21069, 21070 (responsible and trustee agencies defined).

- Notice of Determination (NOD) when the lead agency is a state agency; and
- Notice of Determination (NOD) for local agency conclusions that certain housing projects specified by statute are not subject to CEQA.

(Pub. Resources Code, §§ 21080.4, 21108, 21152.1, 21161.)

Again, these notices serve to ensure state agency participation in lead agency review under CEQA, including DFG participation as a responsible and trustee agency.

CEQA affects the same goals through various consultation requirements. Where DFG serves as a responsible or trustee agency state and local lead agencies are required by law to consult directly with DFG during the CEQA review process. Lead agencies are required to consult with DFG as a responsible or trustee agency, for example, prior to determining whether an EIR or ND is required for a proposed project.<sup>5</sup> Likewise, CEQA requires lead agencies to consult with DFG in its responsible or trustee agency capacity prior to completing an EIR.<sup>6</sup> Informal consultation with DFG as a responsible or trustee agency is also encouraged under CEQA.<sup>7</sup> In fact, in DFG's experience compliance with CEQA's consultation requirements helps lead agencies early in the CEQA process to identify potentially significant environmental impacts and related mitigation measures.<sup>8</sup> Moreover, where DFG serves as a responsible agency specifically, compliance with these important consultation provisions ensures that additional environmental review by DFG is not required simply because the lead agency failed to consult with DFG.<sup>9</sup>

Importantly, DFG acts as a responsible agency under CEQA where a proposed project implicates its permitting authority under the Fish and Game Code. That authority arises most commonly pursuant to the California Endangered Species Act (CESA), as well as other provisions in the Fish and Game Code governing activities that may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake.<sup>10</sup> With respect to its trustee agency status, DFG always serves in that capacity under the Fish and Game Code with regard to the State's fish and wildlife resources.<sup>11</sup> For purposes of CEQA, DFG serves as a trustee agency whenever a project affects fish and wildlife resources, regardless of whether those effects are significant.<sup>12</sup>

DFG recognizes that CEQA and the CEQA Guidelines define trustee agency to mean a state agency with jurisdiction by law over natural resources affected by a proposed project. However, DFG is concerned that some lead agencies make this "no affect" determination under CEQA without any input from DFG, concluding improperly that a

<sup>5</sup> Pub. Resources Code, § 21080.3, subd. (a).

<sup>6</sup> *Id.*, §§ 21104, 21153.

<sup>7</sup> See, e.g., *Id.*, §§ 21080.3, subd. (a), 21104, subd. (a), 21153, subd. (b).

<sup>8</sup> *Id.*, § 21003.1, subds. (a), (b).

<sup>9</sup> CEQA Guidelines, §§ 15096, subd. (e)(4), citing 15052, subd. (a)(3); see also *Fall River Wild Trout Foundation v. County of Shasta* (1999) 70 Cal.App.4th 482.

<sup>10</sup> Fish & G. Code, §§ 1600 et seq., 2050 et seq.

<sup>11</sup> Fish & G. Code, §§ 711.7, subd. (a), § 1802.

<sup>12</sup> Pub. Resources Code, § 21070, CEQA Guidelines, § 15386, subd. (a)

proposed project has no potential to affect fish and wildlife resources. Some lead agencies then conclude that DFG is not a trustee agency relative to the project at hand and, in so doing, they fail to comply with CEQA's notice and consultation requirements. Lead agencies should be cautious of this issue in light of published case law.<sup>13</sup>

For interested public agencies, additional related information is available through both DFG and OPR. For more information about the state environmental review process generally and State Clearinghouse procedures download the *State Clearinghouse Handbook* at [http://www.opr.ca.gov/planning/PDFs/sch\\_handbook.pdf](http://www.opr.ca.gov/planning/PDFs/sch_handbook.pdf). You may also contact the State Clearinghouse by phone at (916) 445-0613 or email at [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov). OPR's November 2005 Technical Advisory regarding document submittal to the State Clearinghouse may be particularly helpful to interested lead agencies. Questions related to DFG's CEQA Program can also be submitted through a public information line at (916) 651-0603 or email [CEQA@dfg.ca.gov](mailto:CEQA@dfg.ca.gov).

In closing, DFG urges state and local lead agencies to ensure environmental analyses are submitted to the State Clearinghouse as required by CEQA. Complying with these requirements, along with CEQA's responsible and trustee agency notice and consultation requirements, plays a critical role in DFG's trustee mandate to conserve California's important fish and wildlife resources.

Sincerely,

Kevin Hunting, Deputy Director  
Ecosystem Conservation Division

cc: Sonke Mastrop, Deputy Director  
Gary Stacy, Northern Region  
Sandra Morey, North Central Region  
Charles Armor, Bay Delta Region  
Jeff Single, Central Region  
Ed Pert, South Coast Region  
Curt Taucher, Inland Deserts Region  
Marija Vojkovich, Marine Region  
Tina Bartlett, Habitat Conservation Planning Branch  
Eric Loft, Wildlife Branch  
Carl Wilcox, Water Branch  
Neil Manji, Fisheries Branch

---

<sup>13</sup> *Gentry v. City of Murrieta* (1995) 36 Cal.App.4<sup>th</sup> 1359, 1386-1389.

County of Riverside  
4080 Lemon St., 8<sup>th</sup> Floor  
Riverside, CA 92501

February 1, 2017

Attention: Planning

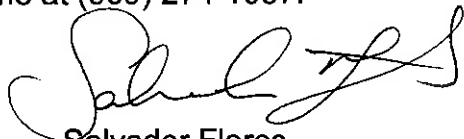
Subject: Public Use Permit No. 931 (APN: 476-010-013 & 059)

Please be advised that the division of the property shown on Public Use Permit No. 931 will not unreasonably interfere with the free and complete exercise of any easements and/or facilities held by Southern California Edison Company within the boundaries of said map.

This letter should not be construed as a subordination of the Company's rights, title and interest in and to said easement(s), nor should this letter be construed as a waiver of any of the provisions contained in said easement(s) or a waiver of costs for relocation of any affected facilities.

In the event that the development requires relocation of facilities, on the subject property, which facilities exist by right of easement or otherwise, the owner/developer will be requested to bear the cost of such relocation and provide Edison with suitable replacement rights. Such costs and replacement rights are required prior to the performance of the relocation.

If you have any questions, or need additional information in connection with the subject subdivision, please contact me at (909) 274-1087.



Salvador Flores  
Title and Real Estate Services  
Real Properties

**Johnson, Smith & Foy**

A T T O R N E Y S a t L A W

Raymond W. Johnson, Esq., AICP, Of Counsel  
Abigail A. Smith, Esq.  
Kimberly Foy, Esq.

P.O. Box 1029, Temecula, CA 92593

Abby@SoCalCEQA.com  
Kim@SoCalCEQA.com  
Telephone: (951) 506-9925  
Fax: (951) 506-9975

January 27, 2017

Larry Ross  
County of Riverside  
Planning Department  
4080 Lemon Street  
P.O. Box 1409  
Riverside, CA 92502  
[lross@rctlma.org](mailto:lross@rctlma.org)

Clerk of the Board of  
Supervisors  
County of Riverside  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, CA 92501  
[cob@rcbos.org](mailto:cob@rcbos.org)

***RE: Written Request for all Public Notices regarding Public Use Permit 931 (PUP00931)***

To the County of Riverside:

Please allow this letter to serve as a written request to receive all notices regarding Public Use Permit 931 (PUP 00931), a request to develop a Charter School north and west of Winchester Road, south of Keller Road, and east of Pourroy Road.

This written request is intended to include all public notices issued pursuant to County of Riverside ordinances as well as the California Environmental Quality Act ("CEQA"), including any Notice of Determination issued pursuant to CEQA. This written request also encompasses any notices of public hearings regarding the Project.

Please send all notices to the following mailing address:

Johnson, Smith & Foy  
P.O. Box 1029  
Temecula, CA 92593

To the extent there are notices issued via e-mail, please include the following e-mail address on the list of electronic recipients: [kim@socalceqa.com](mailto:kim@socalceqa.com). Thank you very much for your assistance.

Sincerely,  
Kimberly Foy



December 1, 2016

Mr. Larry Ross  
Riverside County Planning Department  
P.O. Box 1409  
Riverside, CA 92502-1409

**Subject: Public Use Permit No. 931 (Temecula Charter School)**  
**APNS 476-010-013 and 476-010-059**

Dear Mr. Larry Ross:

The subject project requires water, sewer and recycled water services from EMWD. The details of said service connection points will be further detailed in a separate document, known as EMWD's Plan of Service (POS), to be developed by the project proponent and approved by EMWD.

The project requires on-site and offsite facilities, such as water and sewer pipelines, possibly recycled water pipelines and other possible improvements yet to be identified in the POS evaluation, as well as associated easements and/or Right-of-Way Permits to adequately serve the project demands.

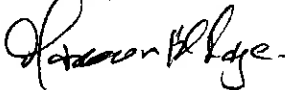
On August 3, 2016, the subject project was reviewed for Due Diligence with EMWD's New Business Department, with a Project Number 2016-686.

To date, EMWD has not received a Work Order deposit to develop the POS, to identify on-site and offsite facilities required to serve this project.

Mr. Larry Ross  
December 1, 2016  
Page 2

If you have questions or concerns, please do not hesitate to contact me at (951) 928-3777, extension 4468 or by e-mail at [El-hagem@emwd.org](mailto:El-hagem@emwd.org).

Sincerely,



Maroun El-Hage, M.S., P.E.  
Senior Civil Engineer  
New Business Department  
Eastern Municipal Water District

MEH:emn

Attachment

**Ross, Larry**

---

**From:** Ebru Ozdil <eozdil@pechanga-nsn.gov>  
**Sent:** Friday, May 05, 2017 4:40 PM  
**To:** Thomson, Heather  
**Cc:** Paul Macarro; Tina Thompson Mendoza; Andrea Fernandez  
**Subject:** PUP00931 - AB52 closure  
**Attachments:** final conditions PUP00931.pdf

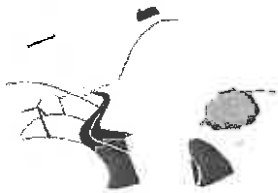
Dear Ms. Thomson,

The Pechanga Band of Luiseño Indians ("Tribe") thanks the County of Riverside for working with us to develop appropriate mitigation measures/ conditions of approvals to be implemented during development of the PUP 931 (Temecula Charter School). With this e-mail and the inclusion of the conditions included in your email below, we consider our AB 52 consultation complete. Please forward us a copy of the draft MND when it is available as well as the final MND when project receives it approval from appropriate hearing body. The Tribe would like the County to be aware that should additional measures or conditions be applied/deleted/modified that could impact cultural and archaeological resources during the public hearing(s), the Tribe and the County should meet and discuss the revisions, prior to going to Board of Supervisors.

The Pechanga Band thanks the County for the opportunity to review and comment on this Project and work together to successfully complete the mandates of AB 52. We look forward to continuing our good working relationship on future projects.

*Ebru T. Ozdil  
Planning Specialist  
Pechanga Band of Mission Indians  
P.O. Box 2183  
Temecula, CA 92593*





Steve Weiss, AICP  
Planning Director

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- ☐ PLOT PLAN ☒ PUBLIC USE PERMIT ☐ VARIANCE  
☐ CONDITIONAL USE PERMIT ☐ TEMPORARY USE PERMIT  
☐ REVISED PERMIT Original Case No. \_\_\_\_\_

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

### APPLICATION INFORMATION

Applicant Name: 34155 Winchester Rd, LLC

Contact Person: Lois Hastings E-Mail: lhastings@tvusd.k12.ca.us

Mailing Address: 35755 Abelia Street

Temecula CA 92596  
City State ZIP

Daytime Phone No: (951) 294-6775 Fax No: (951) 294-6780

Engineer/Representative Name: PlaceWorks c/o 34155 Winchester Rd, LLC

Contact Person: Jorge Estrada, Senior Associate E-Mail: jestrada@placeworks.com

Mailing Address: 3 MacArthur Place, Suite 1100

Santa Ana CA 92707  
City State ZIP

Daytime Phone No: (714) 966-9220 Fax No: (714) 966-9221

Property Owner Name: William R. Liesman And Andrea T. Liesman, Liesman Family Trust May 14, 2015

Contact Person: Bill Liesman E-Mail: asiabill@aol.com

Mailing Address: 31472 Corte Salinas

Temecula CA 92592  
City State ZIP

Daytime Phone No: (951) 333-3544 Fax No: ( )

Riverside Office • 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 • Fax (951) 955-1811

Desert Office • 77-588 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 • Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

## APPLICATION FOR LAND USE AND DEVELOPMENT

☐ Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the use permit type and number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

### 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, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the use permit is ready for public hearing.)

WILLIAM R. LIESMAN

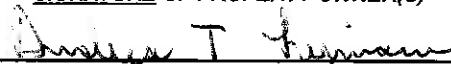
PRINTED NAME OF PROPERTY OWNER(S)

ANDREA T. LIESMAN

PRINTED NAME OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)

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 applicant 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 this application, the applicant 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.

### PROPERTY INFORMATION:

Assessor's Parcel Number(s): 476-010-013-0, 476-010-059-2

Approximate Gross Acreage: 14.597

General location (nearby or cross streets): North of Winchester Road, South of Keller Road, East of Pourroy Road, West of Winchester Road.

**APPLICATION FOR LAND USE AND DEVELOPMENT****PROJECT PROPOSAL:**

Describe the proposed project.

Detailed project description provided as an attachment.

Identify the applicable Ordinance No. 348 Section and Subsection reference(s) describing the proposed land use(s): Proposed educational institution in accordance with Section 18.29 (Public Use Permit)Number of existing lots: 2

EXISTING Buildings/Structures: Yes <input type="checkbox"/> No <input type="checkbox"/>						
No.*	Square Feet	Height	Stories	Use/Function	To be Removed	Bldg. Permit No.
1	1,257		1	mobile home - to remain	<input type="checkbox"/>	unknown
2	4,347		1	single-family home - to remain	<input type="checkbox"/>	unknown
3	1,451		1	detached garage - to remain	<input type="checkbox"/>	unknown
4					<input type="checkbox"/>	
5					<input type="checkbox"/>	
6					<input type="checkbox"/>	
7					<input type="checkbox"/>	
8					<input type="checkbox"/>	
9					<input type="checkbox"/>	
10					<input type="checkbox"/>	

Place check in the applicable row, if building or structure is proposed to be removed.

PROPOSED Buildings/Structures: Yes <input type="checkbox"/> No <input type="checkbox"/>				
No.*	Square Feet	Height	Stories	Use/Function
1	8,350	28 ft	1	administration building
2	9,468	28 ft	1	multi-purpose building
3	7,620	18 ft	1	classroom building
4	9,420	18 ft	1	classroom building
5	7,620	18 ft	1	classroom building
6	2,520	18 ft	1	classroom building
7				
8				
9				
10				

PROPOSED Outdoor Uses/Areas: Yes <input type="checkbox"/> No <input type="checkbox"/>		
No.*	Square Feet	Use/Function
1	143,871	turf field
2	57,266	hardtop courts
3	61,913	surface parking area
4	61,296	paved courtyard
5		

## APPLICATION FOR LAND USE AND DEVELOPMENT

6		
7		
8		
9		
10		

\* Match to Buildings/Structures/Outdoor Uses/Areas identified on Exhibit "A".

☐ Check this box if additional buildings/structures exist or are proposed, and attach additional page(s) to identify them.)

Related cases filed in conjunction with this application:

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Are there previous development applications filed on the subject property: Yes ☐ No ☐

If yes, provide Application No(s). \_\_\_\_\_  
(e.g. Tentative Parcel Map, Zone Change, etc.)

Initial Study (EA) No. (if known) \_\_\_\_\_ EIR No. (if applicable): \_\_\_\_\_

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 signed copy(ies): various reports/studies are enclosed

Is the project located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944? Yes ☐ No ☐

Is this an application for a development permit? Yes ☐ No ☐

If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.

*If not known, please refer to \_\_\_\_\_ to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer – then select the "Watershed" sub-layer)*

If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.

☐☒☐

## APPLICATION FOR LAND USE AND DEVELOPMENT

If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

### HAZARDOUS WASTE AND SUBSTANCES STATEMENT

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to \_\_\_\_\_ of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Address of site (street name and number if available, and ZIP Code): \_\_\_\_\_

Local Agency: County of Riverside

Assessor's Book Page, and Parcel Number: \_\_\_\_\_

Specify any list pursuant to Section 65962.5 of the Government Code: \_\_\_\_\_

Regulatory Identification number: \_\_\_\_\_

Date of list: \_\_\_\_\_

Applicant: \_\_\_\_\_ Date \_\_\_\_\_

### HAZARDOUS MATERIALS DISCLOSURE STATEMENT

\_\_\_\_\_ requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County. Yes ☐ No ☒
2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions. Yes ☐ No ☒

I (we) certify that my (our) answers are true and correct.

Owner/Authorized Agent (1) *Bill R. Shuman* Date 10/24/16

Owner/Authorized Agent (2) *Donna T. Shuman* Date 10/24/16

## **APPLICATION FOR LAND USE AND DEVELOPMENT**

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**This completed application form, together with all of the listed requirements provided on the Land Use and Development Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.**

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1010 Land Use and Development Condensed Application.docx  
Created: 04/29/2015 Revised: 06/06/2016



**COUNTY OF RIVERSIDE  
TRANSPORTATION AND LAND MANAGEMENT AGENCY**



**Juan C. Perez**  
Director of Transportation and Land Management Agency

Patricia Romo  
Assistant Director,  
Transportation Department

Steven A. Weiss  
Planning Director,  
Planning Department

Mike Lara  
Building Official,  
Building & Safety Department

Greg Flannery  
Code Enforcement Official,  
Code Enforcement Department

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**LAND USE and PERMIT APPLICATION PROCESSING AGREEMENT**  
Agreement for Payment of Costs of Application Processing

**TO BE COMPLETED BY APPLICANT:**

This agreement is by and between the County of Riverside, hereafter "County of Riverside",  
and 34155 Winchester Rd, LLC hereafter "Applicant" and Bill and Andrea Liesman "Property Owner".

Description of application/permit use:

Proposed educational institution in accordance with Section 18.29 (Public Use Permit) of the Riverside County  
Zoning Ordinance. Detailed project description provided as an attachment.

If your application is subject to Deposit-based Fee, the following applies

**Section 1. Deposit-based Fees**

**Purpose:** The Riverside County Board of Supervisors has adopted ordinances to collect "Deposit-based Fees" for the costs of reviewing certain applications for land use review and permits. The Applicant is required to deposit funds to initiate staff review of an application. The initial deposit may be supplemented by additional fees, based upon actual and projected labor costs for the permit. County departments draw against these deposited funds at the staff hourly rates adopted by the Board of Supervisors. The Applicant and Property Owner are responsible for any supplemental fees necessary to cover any costs which were not covered by the initial deposit.

**Section 2. Applicant and Property Owner Responsibilities for Deposit-based Fee Applications**

- A. Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Agreement is signed and submitted with a complete application to the County of Riverside. Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case. The County of Riverside will not pay interest on deposits. Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.
- B. Within 15 days of the service by mail of the County of Riverside's written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted.
- C. The Property Owner acknowledges that the Applicant is authorized to submit this agreement and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within 15 days of the service by mail of notice to said property Owner by the County.

- D. This Agreement shall only be executed by an authorized representative of the Applicant and the Property Owner. The person(s) executing this Agreement represents that he/she has the express authority to enter into this agreement on behalf of the Applicant and/or Property Owner.
- E. This Agreement is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.
- F. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Section 4.

**Section 3. To ensure quality service, Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the information below changes.**

**Section 4. Applicant and Owner Information**

**1. PROPERTY INFORMATION:**

Assessors Parcel Number(s): 476-010-013-0, 476-010-059-2

Property Location or Address:

34155 Winchester Road, Winchester, CA

**2. PROPERTY OWNER INFORMATION:**

Property Owner Name: Bill and Andrea Liesman

Phone No.: (951) 333-3544

Firm Name: \_\_\_\_\_

Email: asiabill@aol.com

Address: 31472 Corte Salinas

Temecula, CA 92592

**3. APPLICANT INFORMATION:**

Applicant Name: 34155 Winchester Rd, LLC

Phone No.: (951) 294-6775

Firm Name: Temecula Valley Charter School

Email: lhastings@tvusd.k12.ca.us

Address (if different from property owner)

35755 Abelia Street

Temecula, CA 92596

**4. SIGNATURES:**

Signature of Applicant: Lris Hastings

Date: 10-24-2016

Print Name and Title: Executive Director of Temecula Valley Charter School

Signature of Property Owner: William R. Liesman

Date: 10/24/16

Print Name and Title: WILLIAM R. LIESMAN AND ANDREA T. LIESMAN

Signature of the County of Riverside, by \_\_\_\_\_

Date: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

FOR COUNTY OF RIVERSIDE USE ONLY

Application or Permit (s) #: \_\_\_\_\_

Application Date: \_\_\_\_\_

Set #: \_\_\_\_\_



## INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and 34155 Winchester Rd, LLC, a California Limited Liability Company ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

### WITNESSETH:

**WHEREAS**, the PROPERTY OWNER has a legal interest in the certain real property described as APN 476-010-013 and 476-010-059 ("PROPERTY"); and,

**WHEREAS**, on October 6, 2016, PROPERTY OWNER filed an application for Public Use Permit No. 931 ("PROJECT"); and,

**WHEREAS**, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

**WHEREAS**, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

**WHEREAS**, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the 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 any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

**WHEREAS**, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

**NOW, THEREFORE**, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. ***Indemnification.*** PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the

COUNTY, its agents, officers, and employees to attack, set aside, void or annul any approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

2. ***Defense Cooperation.*** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.

3. ***Representation and Payment for Legal Services Rendered.*** COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by PROPERTY OWNER to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.

4. ***Payment for COUNTY's LITIGATION Costs.*** Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

5. ***Return of Deposit.*** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.

6. **Notices.** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:  
Office of County Counsel  
Attn: Melissa Cushman  
3960 Orange Street, Suite 500  
Riverside, CA 92501

PROPERTY OWNER:  
34155 Winchester Rd, LLC  
Attn: Lois Hastings  
35755 Abelia Street  
Temecula, CA 92596

7. **Default and Termination.** This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:

- a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
- b. Rescind any PROJECT approvals previously granted;
- c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

8. **COUNTY Review of the PROJECT.** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.

9. **Complete Agreement/Governing Law.** This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.

10. **Successors and Assigns.** The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.

11. ***Amendment and Waiver.*** No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.

12. ***Severability.*** If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. ***Survival of Indemnification.*** The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.

14. ***Interpretation.*** The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.

15. ***Captions and Headings.*** The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

16. ***Jurisdiction and Venue.*** Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.


17. ***Counterparts; Facsimile & Electronic Execution.*** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.

18. **Joint and Several Liability.** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.

19. **Effective Date.** The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

**IN WITNESS WHEREOF,** the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

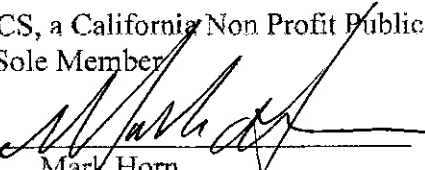
**COUNTY:**  
COUNTY OF RIVERSIDE,  
a political subdivision of the State of California

By:   
Charissa Leach  
Assistant Director of TLMA – Community Development

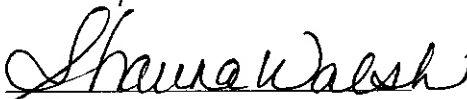
Dated: 7/27/17

**PROPERTY OWNER:**  
34155 Winchester Rd, LLC, a California Limited Liability Company

By: TVCS, a California Non Profit Public Benefit Corporation  
Its Sole Member

By:   
Mark Horn  
Chief Executive Officer

Dated: 6/14/17

By:   
Shauna Walsh  
Secretary

Dated: 6/14/17

FORM APPROVED COUNTY COUNSEL

By:   
MICHELLE CLACK  
DATE 6/21/17

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Riverside

On 6/14/17 before me, Brandon Cox notary public  
(insert name and title of the officer)

personally appeared Mark Horn  
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.



Signature [Signature] (Seal)

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Riverside

On 10/14/17 before me, Brandon Cox Notary Public  
(insert name and title of the officer)

personally appeared Shawna Walsh  
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.



Signature [Signature] (Seal)

**NOTICE OF PUBLIC HEARING**  
and  
**INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

**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:

**PUBLIC USE PERMIT NO. 931** – Intent to Adopt a Mitigated Negative Declaration – Applicant: Lois Hastings – Representative: PlaceWorks – Third Supervisorial District – Southwest Area Plan – Rural: Rural Residential (R-RR) (5 acre min.) – Highway 79 Policy Area – Rancho California Zoning Area – Zoning: Rural Residential (R-R) – Location: Northwesternly of Highway 79, easterly of Pourroy Road, and southerly of Keller Road – **REQUEST:** Public Use Permit No. 931 proposes to construct and operate a charter school serving 600 students for kindergarten through 8<sup>th</sup> grade. Total building area is approximately 45,000 sq. ft. The existing residential structures on the property will remain.

TIME OF HEARING: 9:00 am or as soon as possible thereafter.  
DATE OF HEARING: **AUGUST 2, 2017**  
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 Project Planner: Larry Ross at (951) 955-9294 or email at [lross@rivco.org](mailto:lross@rivco.org), or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a mitigated negative declaration. The Planning Commission will consider the proposed project and the proposed mitigated negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration may be viewed Monday through Friday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on a proposed project may do so, in writing, between the date of this notice and the public hearing or 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 you challenge this project in court, you may be limited to raising only those issues you or someone else 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: Larry Ross  
P.O. Box 1409, Riverside, CA 92502-1409



# PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 5/3/2017

The attached property owners list was prepared by Riverside County GIS

APN (s) or case numbers PUP00931 For

Company or Individual's Name Planning Department

Distance buffered 1000'

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, 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 notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project 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 property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

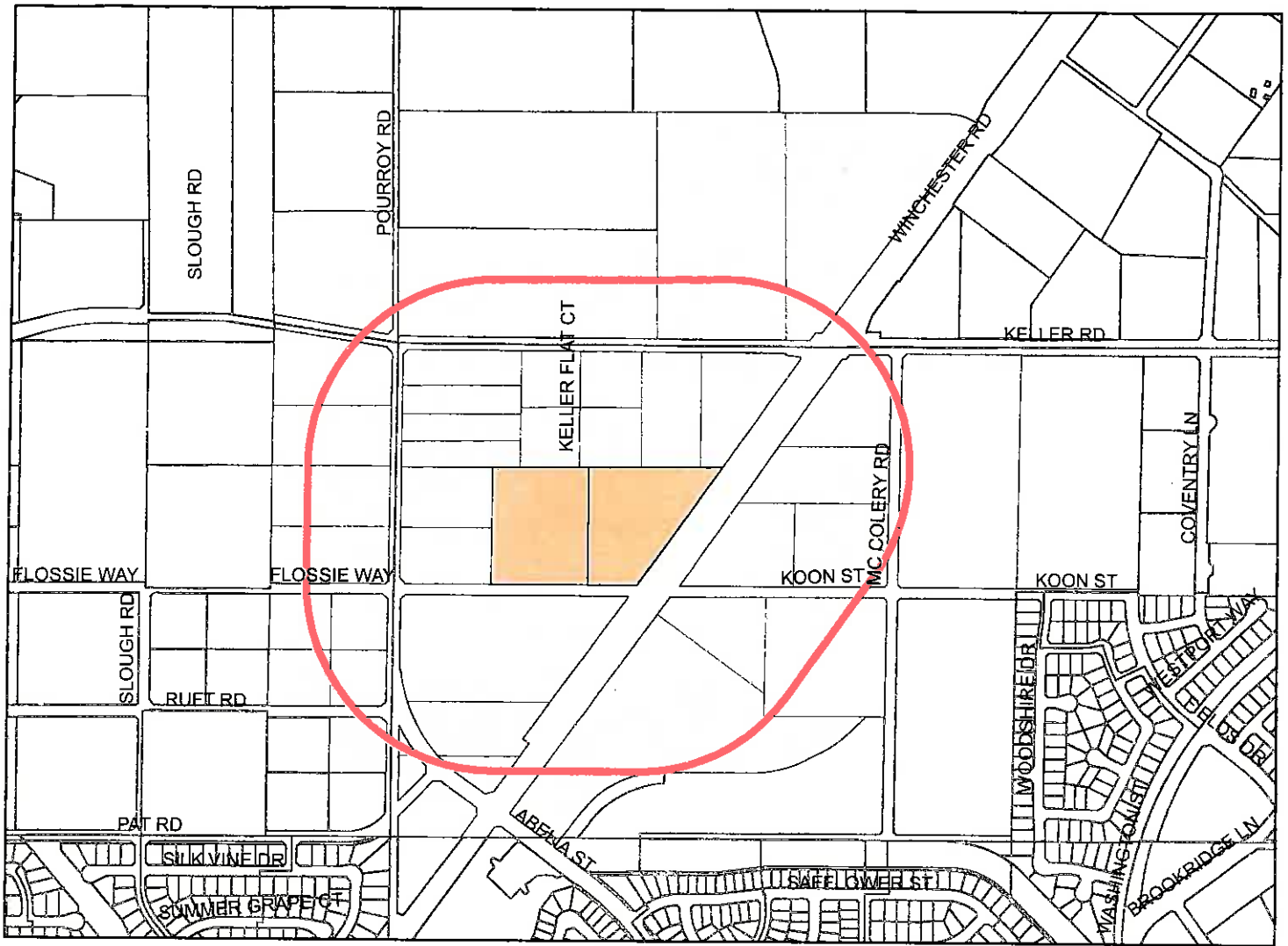
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2<sup>nd</sup> Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

**PUP00931 ( 1000 feet buffer )**



**Selected Parcels**

476-010-013	476-010-059	476-010-012	476-010-007	476-010-005	476-010-011	476-010-056	476-010-027	480-030-038	476-010-003
476-010-004	476-010-002	480-030-031	480-030-029	476-010-008	480-030-039	476-010-060	476-010-024	480-030-037	476-010-017
476-010-054	476-010-055	476-010-063	476-010-072	480-030-032	476-010-001	480-030-040	480-030-043	476-010-009	480-030-030
476-010-050	476-010-057	476-010-058	472-110-008	472-110-009	472-110-034	472-090-025	476-010-006		



825 412.5 0 825 Feet

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

ASMT: 472090025, APN: 472090025  
VICTORIA HOUGH, ETAL  
33975 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 476010007, APN: 476010007  
ANAHI ALVAREZ  
34118 KELLER FLAT CT  
WINCHESTER, CA. 92596

ASMT: 472110034, APN: 472110034  
DAVID HANNA, ETAL  
C/O HANNA CAPITAL MGMT  
43 POST  
IRVINE CA 92618

ASMT: 476010008, APN: 476010008  
KIRK GURLING, ETAL  
36781 PEBLEY CT  
WINCHESTER CA 92596

ASMT: 476010001, APN: 476010001  
KELLY EGAN, ETAL  
32025 KELLER RD  
WINCHESTER, CA. 92596

ASMT: 476010009, APN: 476010009  
JANA RUSH, ETAL  
32265 KELLER RD  
WINCHESTER, CA. 92596

ASMT: 476010002, APN: 476010002  
AMY MCKAIG, ETAL  
34044 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 476010011, APN: 476010011  
SHERRIE MARTINEAU, ETAL  
34250 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 476010004, APN: 476010004  
OFELIA ACOSTA, ETAL  
34120 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 476010012, APN: 476010012  
AESPERITA FLENOID  
34220 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 476010005, APN: 476010005  
DANA JAMES, ETAL  
38033 AUGUSTA DR  
MURRIETA CA 92563

ASMT: 476010024, APN: 476010024  
MUI LAM  
32333 KOON ST  
WINCHESTER CA 92596

ASMT: 476010006, APN: 476010006  
MORGAN PETROVSKI, ETAL  
32187 KELLER RD  
WINCHESTER, CA. 92596

ASMT: 476010027, APN: 476010027  
FRENCH VALLEY ACRES  
2900 ADAMS ST STE C25  
RIVERSIDE CA 92504



ASMT: 476010055, APN: 476010055  
PINNACLE WINCHESTER  
C/O BARRY LALL  
8369 VICKERS ST NO 101  
SAN DIEGO CA 92111

ASMT: 480030031, APN: 480030031  
JOHN GEALTA  
34185 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 476010058, APN: 476010058  
EVANTHIA RIGAS, ETAL  
30 POINT LOMA DR  
CORONA DEL MAR CA 92625

ASMT: 480030032, APN: 480030032  
MARY CARLSON, ETAL  
24246 LUNA BRILLA LN  
MURRIETA CA 92562

ASMT: 476010059, APN: 476010059  
34155 WINCHESTER RD  
35755 ABELLA ST  
WINCHESTER CA 92596

ASMT: 480030037, APN: 480030037  
DEISI CAMBEROS, ETAL  
31875 FLOSSIE WAY  
WINCHESTER, CA. 92596

ASMT: 476010060, APN: 476010060  
MANJUSHREE CHAKRABARTY, ETAL  
1003 E FLORIDA AVE NO 101  
HEMET CA 92543

ASMT: 480030038, APN: 480030038  
GARCIA EVELYN L TRUST  
C/O SUSAN L RODE CLIFTON  
7556 SULLIVAN PL  
BUENA PARK CA 90621

ASMT: 476010072, APN: 476010072  
RANCON SEVILLA 180  
41391 KALMIA ST STE 200  
MURRIETA CA 92562

ASMT: 480030039, APN: 480030039  
MICHAEL SHIR  
31870 RUFT RD  
WINCHESTER, CA. 92596

ASMT: 480030029, APN: 480030029  
SHERYL ERAMO, ETAL  
34125 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 480030040, APN: 480030040  
SAINT THOMAS HERMIT COPTIC ORTHO  
PO BOX 893313  
TEMECULA CA 92589

ASMT: 480030030, APN: 480030030  
MARIA GARCIA, ETAL  
C/O TRINIDAD GARCIA JR  
34155 POURROY RD  
WINCHESTER, CA. 92596

ASMT: 480030043, APN: 480030043  
ELAINE SMITH, ETAL  
209 E RAMONA  
SAN CLEMENTE CA 92672



Johnson, Smith and Foy  
P.O. Box 1029  
Temecula, CA 92593

Winchester Municipal Advisory Counsel  
Attn: Andy Domenigoni  
31851 Winchester Rd  
Winchester, CA 92596

City of Murrieta  
Attn: Planning Manager  
24601 Jefferson Ave  
Norco, CA 92860

Temecula Valley Unified School District  
31350 Rancho Vista Rd  
Temecula, CA 92592-6200

Valley Wide Rec and Park District  
901 W. Esplanade  
P.O Box 907  
San Jacinto, CA 92582

City of Temecula  
Attn: Luke Watson, Director of  
Community Planning  
41000 Main St.  
Temecula, CA 92590

Riverside Transit Agency  
Attn: Michael McCoy  
1825 Third St.  
P.O Box 59968  
Riverside, CA 92517-1968

Mail Stop# 1450  
Riv.Co. Sheriff's Dept.

Eastern Municipal Water District  
Warren A. Beck, PE  
PO Box 8300  
2270 Trumble Road  
Perris, CA 92570-8300

Southern California Edison  
2244 Walnut Grove Ave., Room 312  
P.O Box 800  
Rosemead, CA 91770-0800

City of Menifee  
29714 Haun Rd  
Menifee, CA 92586

34155 Winchester Rd. LLC  
Lois Hastings  
35755 Abelia Street  
Temecula, CA 92596

34155 Winchester Rd. LLC  
Lois Hastings  
35755 Abelia Street  
Temecula, CA 92596

PlaceWorks  
Jorge Estrada, Senior Associate  
3 MacArther Place, Suite 1100  
Santa Ana, CA 92707

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Jorge Estrada, Senior Associate  
3 MacArther Place, Suite 1100  
Santa Ana, CA 92707

Liesman Family Trust  
Bill Liesman  
31472 Corte Salinas  
Temecula, CA 92592

Liesman Family Trust  
Bill Liesman  
31472 Corte Salinas  
Temecula, CA 92592



COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

J\* REPRINTED \* R1708401

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: 34155 WINCHESTER RD LLC \$2,216.25  
paid by: CK 444788  
EA42963  
paid towards: CFG06334 CALIF FISH & GAME - NEG DECL  
at parcel: 34155 WINCHESTER RD WINC  
appl type: CFG1

By \_\_\_\_\_ Jun 22, 2017 11:26  
MGARDNER posting date Jun 22, 2017

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\*\*\*\*\*

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,216.25

Overpayments of less than \$5.00 will not be refunded!



COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

J\* REPRINTED \* R1613021

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: 34155 WINCHESTER RD LLC \$50.00  
paid by: CK 5192  
EA42963  
paid towards: CFG06334 CALIF FISH & GAME - NEG DECL  
at parcel: 34155 WINCHESTER RD WINC  
appl type: CFG1

By \_\_\_\_\_ Oct 26, 2016 09:03  
MGARDNER posting date Oct 26, 2016

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\*\*\*\*\*

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$50.00

Overpayments of less than \$5.00 will not be refunded!