

SPECIFIC PLAN AMENDMENT No. 5

AMENDING SPECIFIC PLAN 209, THE MORENO VALLEY AUTO MALL SPECIFIC PLAN

Submitted To:
**City of Moreno Valley
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Revised September 2009

EXHIBIT B

SPECIFIC PLAN AMENDMENT No. 5

FINAL

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Section One

EXECUTIVE SUMMARY

1.1 BACKGROUND

The City of Moreno Valley proposes a City initiated Fifth Amendment to Specific Plan 209 from the currently adopted Specific Plan No. 209, Amendment No.3 document. Specific Plan No. 209, Amendment No. 4, only provided modifications to Phase 3 (Phase 1 and 2 was modified under SPA No.3).

The Moreno Valley Auto Mall Specific Plan is hereinafter referred to as “Specific Plan”. The Specific Plan was adopted by the City of Moreno Valley in 1988 and as amended in May 1990 (the First Amendment) and August 1990 (the Second Amendment), provides for the development of automobile sales uses, auto related uses, and commercial uses on approximately 151.89 acres located south of the 60 Freeway at the Moreno Beach Drive off-ramp. The location of the Specific Plan is illustrated in Exhibit 1 “Location Map”.

In May 1988 the City of Moreno Valley adopted the Specific Plan with conditions for approximately 80.03 acres referred to in the Specific Plan as Phases I and II as illustrated on Exhibit 2, “Specific Plan Boundary”. The 1988 Specific Plan provided for the development of automobile sales and service uses, commercial uses, and open space within Phases I and II. In June 1990, the City of Moreno Valley adopted the First Amendment to the Specific Plan, with conditions, to expand the Specific Plan area by approximately 71.86 acres which is referred to as Phase III. The First Amendment permits the development of additional auto dealer sites as well as limited commercial and office uses in Phase III. Approval of the First Amendment to the Specific Plan increased the total Specific Plan acreage to approximately 151.89 acres. The entire Specific Plan area is illustrated in Exhibit 2. “Specific Plan Boundary”.

In August 1990 the City adopted the Second Amendment to the Specific Plan revising several portions of a City approved Design Manual adopted as part of the Specific Plan and intended as an implementation tool for the Specific Plan. The Second Amendment changed text and exhibits related to landscaping, bike lane classifications, and signs. The Second Amendment did not change any provisions of the overall Specific Plan.

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This proposed Third Amendment to the Specific Plan (hereinafter referred to as SPA No. 3) proposes to amend provisions of the Specific Plan pertaining to Phases I and II. The area affected by proposed SPA No. 3, hereinafter referred to as the Project Area, is illustrated in Exhibit 3, "Project Area". The Project Area consists of approximately 73.76 acres. Approximately 23.40 acres are currently developed with auto dealerships. Approximately 35.06 acres remain undeveloped. Approximately 15.3 acres are developed as public areas and roadways.

The Specific Plan is also located within a Community Redevelopment Agency Project Area. In April 1989 the Community Redevelopment Agency of the City of Moreno Valley and the Moreno Valley Auto Mall entered into the "Moreno Valley Auto Mall Participation Agreement" (Participation Agreement) to finance certain public improvements and infrastructure for the Specific Plan through the issuance of tax bonds via the City of Moreno Valley Community Facilities District Number 2 (CFD # 2) adopted June 13, 1989. Pursuant to the Participation Agreement, bonds were sold and the proceeds used to finance the construction of infrastructure including roads, sewer, and water lines to serve Phase I and II of the Specific Plan.

Subsequent to its adoption, CFD #2 experienced significant delinquencies in payment of the taxes. As a result, an "Amended and Restated Agreement to Provide for the Refinancing and Restructuring of Community Facilities District No. 2 (Moreno Valley Auto Mall) of the City of Moreno Valley" (Settlement Agreement) dated March 7, 2000 was approved. Provisions of the Settlement Agreement included the ability for certain parcels in Phase I and Phase II of the Specific Plan to be developed for non-auto related uses subject to approval of a specific plan amendment.

SPA No. 3 amended the Specific Plan in the following manner:

- Expanded the list of permitted uses for the Project Area to include commercial and office uses, other auto related and auto service uses, and residential uses.
- Amended the development regulations and design guidelines for the Project Area from those within the Specific Plan Design Manual (as amended August 1990) to those approved in the City of Moreno Valley Development Code and Design Guidelines (City Code), except as provided for herein.
- Superseded previously approved conditions of approval adopted with the Specific Plan as applicable to the Project Area. These conditions have either been met prior to the initial development in Phase I, have been incorporated by reference pursuant to the provisions of the City Code, or have been incorporated as development requirements into SPA No.3.

SPA No. 3 does not amend or supersede any portion of the Specific Plan or the conditions of approval applicable to Phase III.

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Specific Plan Amendment No.4 (Phase III) was adopted in December 2003. SPA No.4 amended the provisions of the Specific Plan pertaining to Phase III. The project area within Specific Plan Amendment No.4 consisted of 72 gross acres. The entire project has been developed and approved for commercial and residential uses on 72 acres within Phase III. The commercial uses range from retail commercial, gas stations, eating establishments, including fast food restaurants. The residential uses vary in density and are located in the southwest portion of the 72 acre site. The permitted uses are pursuant to the "Community Commercial" and "Residential 15 DU/AC standards of the City of Moreno Valley Municipal Code, section 9.02.020 and 9.03.020.

Specific Plan Amendment No.4 amended the development regulations and design guidelines for the project area from those within the Specific Plan Design Manual (as amended in August 1990), to those established under the City Municipal Code, except as otherwise provided within Section 4.0 of Specific Plan Amendment No.4

The Fifth Amendment to the Specific Plan (hereinafter referred to as SPA No.5 Phase I) amends provisions of the Specific Plan pertaining to Planning Area (PA) "A" and "B". Planning Areas A, B, C and D consists of 73.76 acres of which 23.40 acres are developed with automobile dealerships, approximately 35.06 acres are vacant or contain multiple family uses, and approximately 15.3 are designated streets, parkway and vacant land. The area is located east of Moreno Beach Drive.

SPA No.5 amends the Specific Plan in the following manner and shown on Exhibit 4

- Modify the existing pylon freeway sign, auto mall entry monumental signs, and the dealership identification signs.
- Provide revised parkways, parking stalls and sidewalks along Motor Way, and Auto Mall Drive.
- Vacate a portion of Motor Way
- Provide new driveway from northbound Moreno Beach Drive
- Provide new driveways, off of Motor Way and new vehicle display within Lot G

SPA No. 5 amends the design guidelines for the project area from those within the Specific Plan Design Manual (as amended December 2003), to those established under the City Municipal Code, except as otherwise provided for within Section 4.0 of this Specific Plan Amendment.

SPA No.5 would supersede the adopted Specific Plan as applicable to the project area in Phase I.

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1.2 DOCUMENT ORGANIZATION

SPA No. 5 is comprised of the following sections:

1.0 EXECUTIVE SUMMARY:

This section summarizes the background, content and format of SPA No.5.

2.0 OVERVIEW:

This section contains a summary of SPA No. 5, the existing conditions within the Project Area, the purpose and objectives of SPA No. 5, the relationship of SPA No. 5 to the City of Moreno Valley General Plan and the City of Moreno Valley Development Code and Design Guidelines, a summary of the associated entitlements necessary for project implementation, and an explanation of the documentation prepared for SPA No.5 pursuant to the California Environmental Quality Act (CEQA).

3.0 PLAN ELEMENTS

This section describes the key elements of SPA No. 5 including the following:

- Signage
- Circulation and Access
- Landscape/Streetscape
- Vehicle Displays

4.0 DEVELOPMENT REGULATIONS AND DESIGN GUIDELINES

The development regulations specify the uses permitted within the Project Area and standards regulating development of permitted uses. This section also discusses the design guidelines for the Project Area addressing the site planning, architectural design, and landscape design criteria of development.

5.0 IMPLEMENTATION

This section addresses the policies and procedures for the City's review and approval of development proposals within the Project Area and stipulates the methods and procedures for interpretations related to SPA No 5.

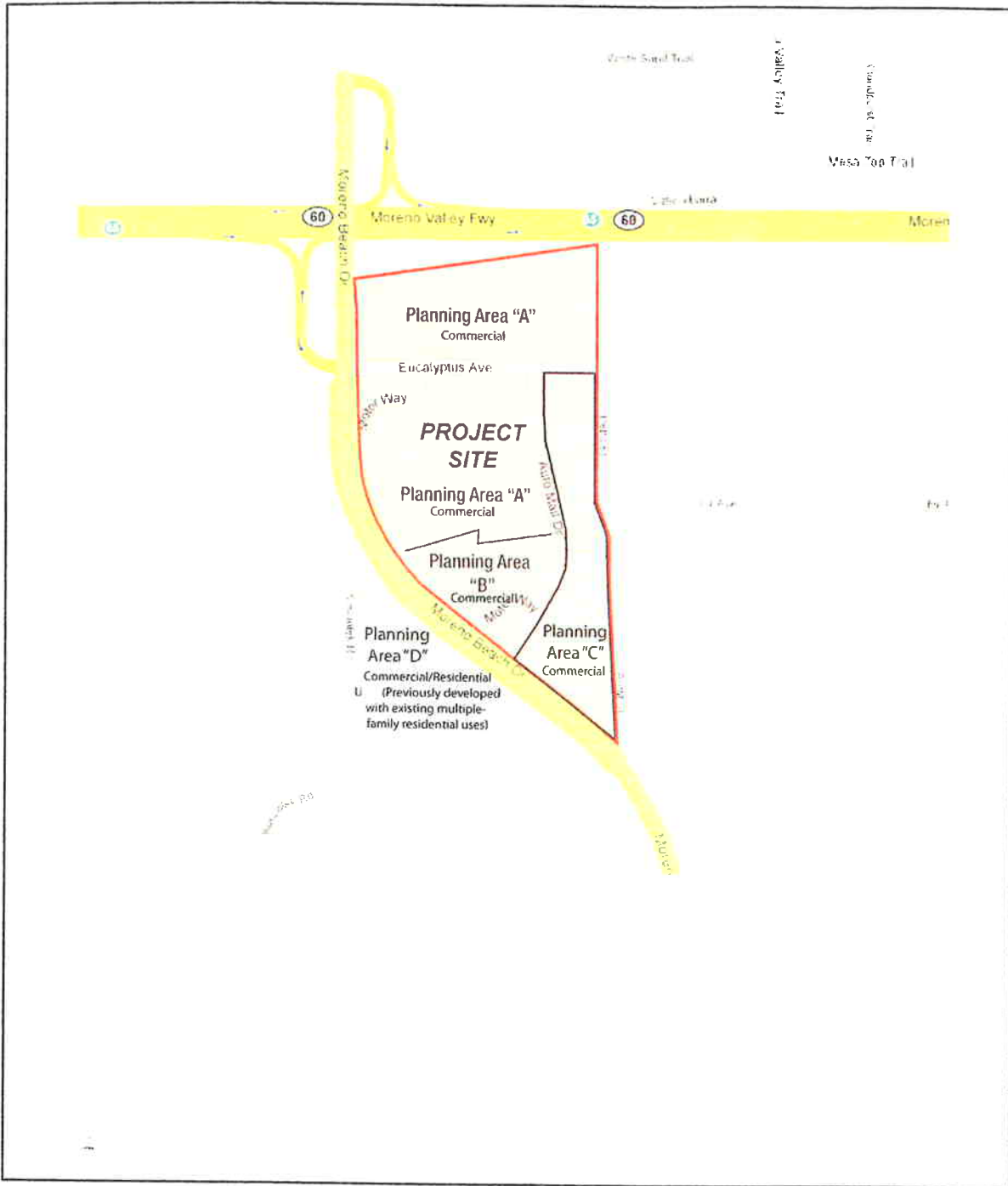
1.3 ADOPTION PROCESS FOR SPA No. 5

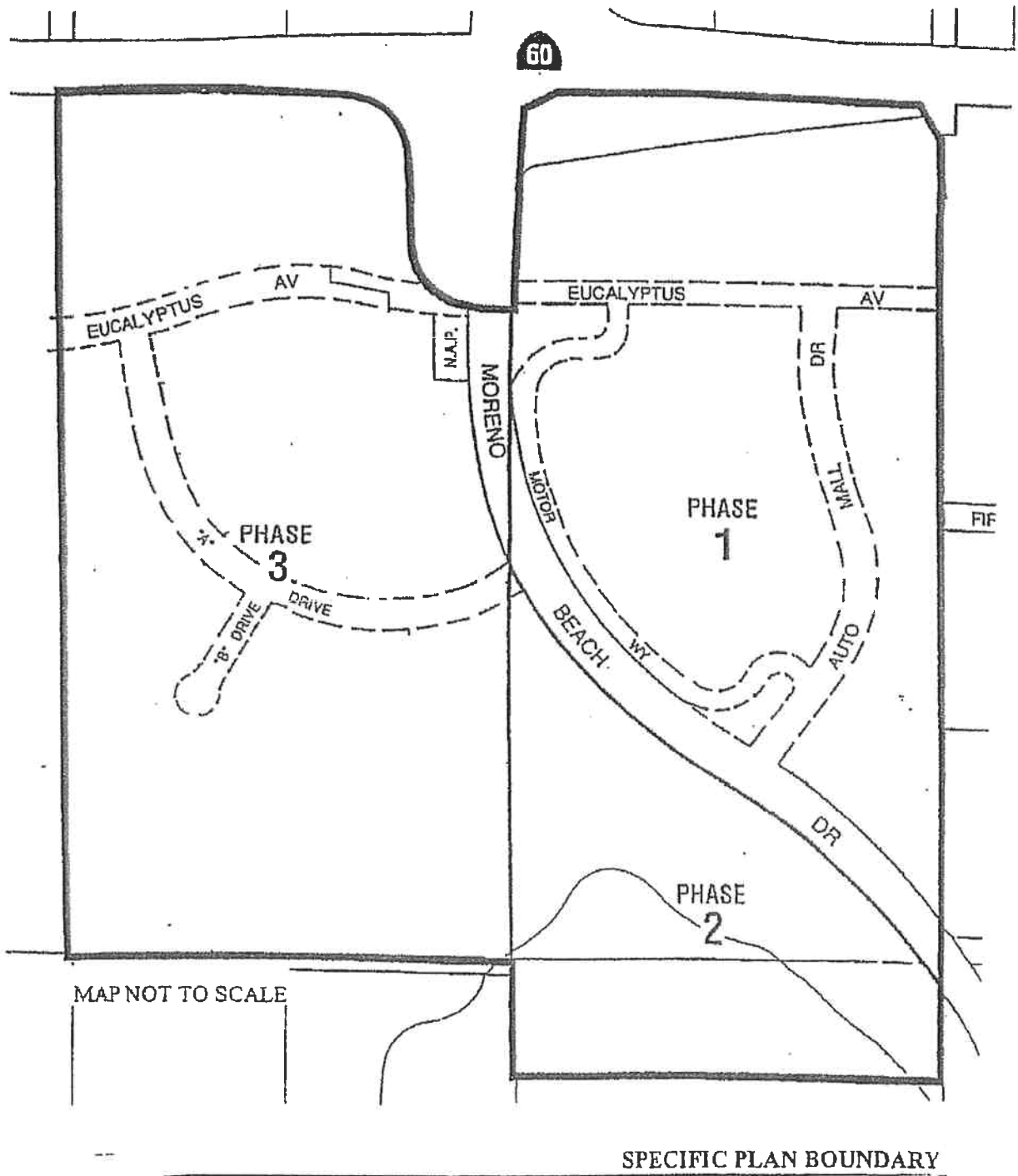
The authorities to prepare, adopt, and implement SPA No. 5 is granted to the City of Moreno Valley by the California Government Code (Title 7, Division 1, Chapter 3, Article 8, and Sections 65450 through 65457). The City of Moreno Valley Planning Commission is required to review and make recommendations to the City Council on SPA No. 5. The City of Moreno Valley City Council will adopt SPA No. 5 by ordinance.

1.4 RELATED ENTITLEMENTS

SPA No. 3 5 will serve to implement the City of Moreno Valley General Plan and will serve as the zoning for the Project Area. All zoning remains as approved under previous amendments of the Specific Plan. Approval of a development review application is required for each development within the Project Area pursuant to the provisions of the City's Development Code and Design Guidelines and the requirements of SPA No. 5.

PHASE 1 and 2



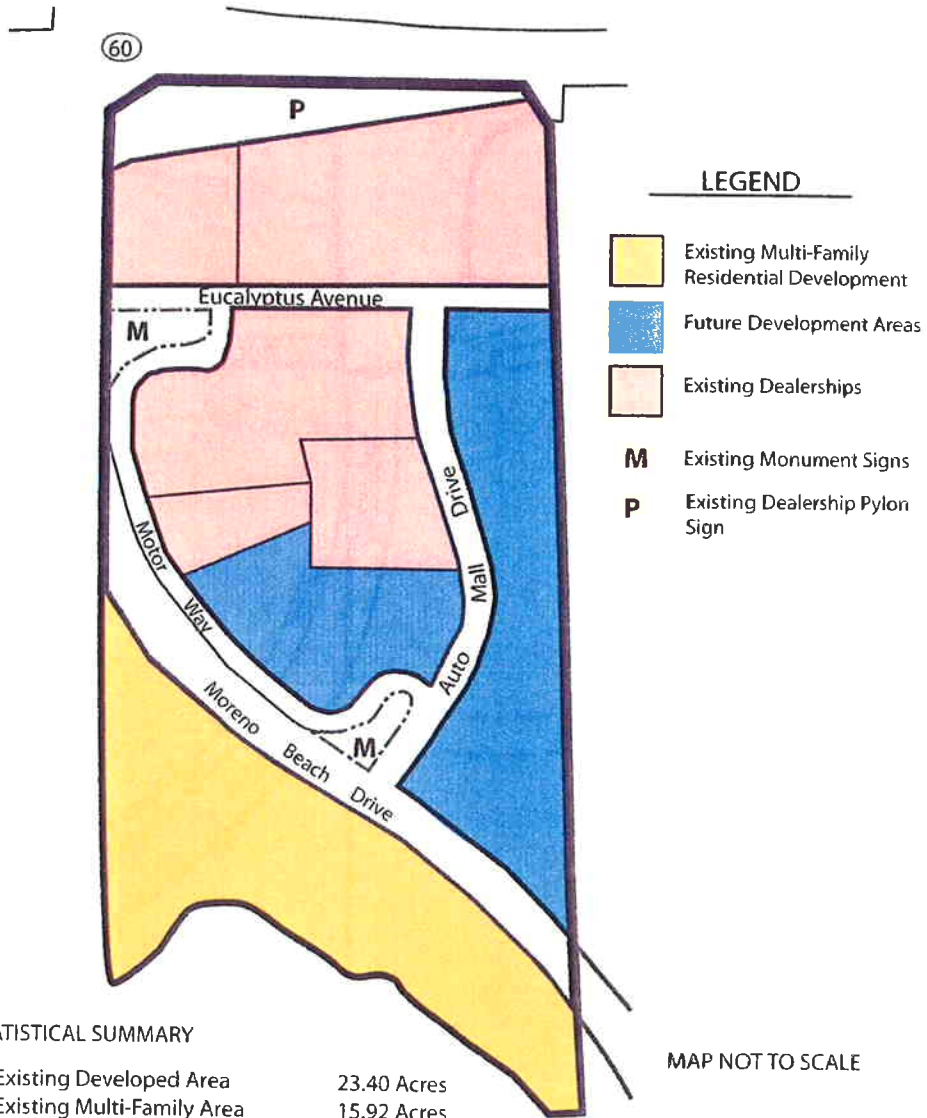


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Exhibit 2
SPECIFIC PLAN BOUNDARY

1-7

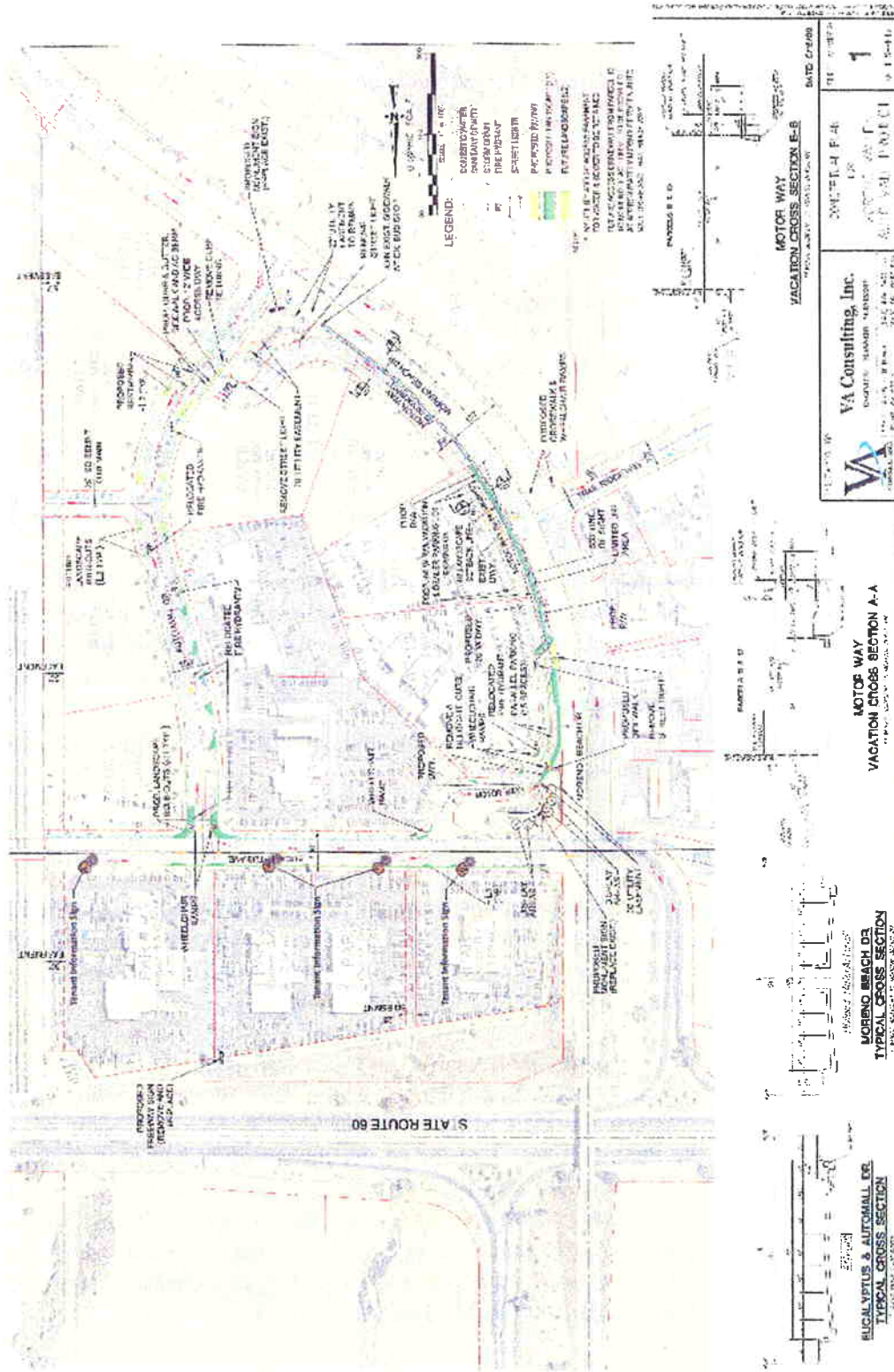


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Exhibit 3
EXISTING CONDITIONS

1-8



Moreno Valley Auto Mall
 Moreno Valley, CA
 September 15, 2009

Exhibit 4
SITE PLAN

2.1 APPLICABILITY

SPA No. 5 will serve to implement the General Plan land use designation of Specific Plan for the Project Area and will serve as the zoning for the Project Area. SPA No. 5 establishes the development requirements and design guidelines to be applied to all development within the Project Area.

2.2 PROJECT PROPOSAL

SPA No. 5 amends the Specific Plan as it pertains to the portions of Planning Areas "A and B", which are located north and south of Eucalyptus, Avenue, and east of Moreno Beach Drive and west of Auto Mall Drive. SPA No. 5 will serve to provide for the following and as shown on Exhibit 4.

- Revise the existing circulation by providing a new driveway location off northbound Moreno Beach Drive.
- Allows for vacation of a portion of Motor Way such that parcels may increase landscaping parkways, drive aisles, parking and sidewalks.
- Revise design standards for the existing freeway pylon sign, entry monument signs, and tenant signs. Included in a separate revision of the Moreno Valley Auto Mall sign program
- Revise the development regulations and design guidelines to those consistent with the City Code except where SPA No. 5 differs from the City Code as described in Table 1, Development Regulations in Section 4.
- Allow for additional drive aisles off of Motor way and automobile displays adjacent to Eucalyptus and Moreno Beach Drive.

2.3 EXISTING CONDITIONS

The Project Area (Phase I and 2) is comprised of the Moreno Valley Auto Mall Specific Plan and is approximately 73.76 acres of which approximately 23.40 acres are developed with automobile dealerships, approximately 35.06 acres are vacant, or contain existing multi family uses, and approximately 15.3 acres are improved with public areas and roadways.

The Project Area is located east of Moreno Beach Drive and accessed from the 60 Freeway via the Moreno Beach Drive off-ramp. Moreno Beach Drive, which runs generally from north to south, is a General Plan designated Divided Major Arterial with a 134 foot right of way providing primary access to the Project Area. Interior streets consist of Eucalyptus Avenue, a General Plan designated Arterial with a 100 foot right of way intersecting with Moreno Beach Drive in an east/west direction and Auto Mall Drive a General Plan designated Industrial Local Collector with a 78 foot right of way intersecting with both Eucalyptus Avenue and Moreno Beach Drive. Motor Way, a 48 foot wide frontage road adjacent to Moreno Beach Drive provides access and circulation to parcels fronting Moreno Beach Drive.

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An existing freeway pylon sign serving the existing auto mall is located near the eastbound on-ramp to the 60 Freeway and two existing monument signs are located adjacent to Moreno Beach Drive. Exhibit 3, "Existing Conditions" illustrates the existing street improvements, developed sites, future development areas, and approximate locations of existing freeway and monument signage within the Project Area. Infrastructure and utilities including sewer, water, storm drainage, telephone, gas, and electrical service adequate to serve the Project Area are available within Moreno Beach Drive, Eucalyptus Avenue, and Auto Mall Drive.

Statistical Summary Phase I and II

Existing Developed Area "Auto Dealerships"	23.40 Acres
Existing Multi-Family Residential Area	15.92 Acres
Future Development Area	19.14 Acres
Subtotal	58.46 Acres
Public Right of Way	15.30 Acres
TOTAL	73.76 Acres

Refer to Exhibit 2 for "Specific Plan Boundary"

2.4 AUTHORITY AND REQUIREMENTS

2.4.1 STATE OF CALIFORNIA GOVERNMENT CODE

The State of California Government Code, Title 7, Division 1, Chapter 3, Article 8, Section 65450-54 grants authority to cities to adopt and amend specific plans for purposes of implementing the goals and policies of their General Plans. The Government Code states that specific plans may be adopted and/or amended either by resolution or by ordinance and that the specific plan and/or specific plan amendment is required to be consistent with the General Plan.

2.4.2 CITY CODE

Chapters 9.13.080 and 9.13.090 of the City Code provide for the amendment of a specific plan by the City Council provided the amendment is consistent with the General Plan or any general plan amendment approved concurrently with the specific plan

2.5 SPECIFIC PLAN AMENDMENT PURPOSE AND OBJECTIVES

The purpose of SPA No. 5 is to refine the, development regulations, requirements, and design guidelines for the development of the Project Areas within Phase I as shown on Exhibit 2. Implementation of SPA No. 5 will accomplish the following objectives:

- Implement the modifications to the design guidelines related to signage, landscaping and circulation.
- Provide for the orderly and master planned development within the Moreno Valley Auto Mall Specific Plan to insure that an economically viable project or projects can be developed.
- Provide enhancements to the existing vehicular circulation within the development for the Moreno Valley Auto Mall.
- Provide enhancements to the existing signage located in Planning Area A and B
- Provide additional streetscape, parking and landscaping aesthetics to better serve Moreno Valley Auto Mall.
- Ensure that the development of the Project Area adequately addresses the City of Moreno Valley General Plan requirements.

2.6 RELATIONSHIP TO GENERAL PLAN

California Government Code (Title 7, Division 1, Chapter 3, Article 8, and Section 65450-65457) permits the adoption and administration of specific plans and specific plan amendments as an implementation tool for elements contained in the local general plan. Specific plan amendments must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan. The City of Moreno Valley General Plan designates the Project Area as "Specific Plan" on the General Plan Land Use Map. SPA No. 5 modifying the development requirements and planning guidelines to be applied to the Project Area consistent with the goals and policies set forth in the General Plan. SPA No. 5, when adopted, will serve as the legal document to implement the General Plan land use designation of "Specific Plan" for the Project Area.

2.7 RELATIONSHIP TO ZONING CODE

The adoption by the City of Moreno Valley of the Specific Plan by ordinance established the Specific Plan as the zoning for the Project Area. Except as provided for herein, SPA No. 5 establishes the development regulations within the City Code for development of the permitted uses. Where development regulations in SPA No. 5 differ from those established in the City Code, the provisions of SPA No. 5 shall prevail. Where SPA No. 5 is silent on a development regulation, the City Code shall prevail.

2.8 CEQA COMPLIANCE

A Notice of Exemption has been prepared by the City of Moreno Valley for SPA. No.5. In accordance with the California Environmental Quality Act (CEQA) the project was determined to be "Categorical Exempt" per CEQA Guidelines based on Section 15311 "Accessory Structures" and Section 15301 (c) "Existing Facilities; which includes vacation of roadways and addition of landscape within the public right of way.

3.1 LAND USE

The Project Area consists of Phase I of the Moreno Valley Auto Mall Specific Plan and is approximately 57.84 acre of the 73.76 acres site located at the Moreno Beach Drive off-ramp of the 60 Freeway. A general description of uses permitted within each planning area is provided below. The specific list of permitted uses for each planning area is included in Section 4 "Development Regulations and Design Guidelines".

Table 1 – Land Use Summary

PLANNING AREA	PERMITTED USES
A	Auto, Other Vehicular Related, & Public Facilities Uses
B	Auto & Other Vehicular Related, Public Facilities, Office, Manufacturing, Commercial Recreation, & Commercial Uses
C	Auto & Other Vehicular Related, Public Facilities, Office, Manufacturing, Commercial Recreation & Commercial Uses
D	Residential Commercial Uses (Existing residential multi family uses were previously approved on the site)

3.2 CIRCULATION AND ACCESS

3.2.1 ROADWAYS/ACCESS

Vehicular circulation and access is provided to the Project Area by the Moreno Beach Drive off-ramp of the 60 Freeway and by Moreno Beach Drive. Eucalyptus Avenue, Auto Mall Drive, and Motor Way provide internal circulation within the Project Area. The Project Area access standards for vehicular circulation in Planning Areas A, B, C and D as illustrated on Exhibit 4 5, shall be as follows:

- For Planning Areas A, B, and C access roads and/or driveways for the commercial developments shall be located a minimum of 150 feet apart and a minimum of 250 feet from the nearest intersection at Moreno Beach Drive and Eucalyptus Avenue, or as approved by the City Engineer.
- For Planning Areas A, B, C, and D driveways to retail commercial sites shall be of the curb-return type with a minimum of a 35 foot radius, or as approved by the City Engineer.

- For Planning Areas A, B, C and D driveways to retail commercial sites shall be a minimum of 28 feet wide, or as approved by the City Engineer.
- For Planning Area A and B a portion of Motor Way will be vacated and replaced with additional streetscape, parking, landscaping and hardscape as shown on Exhibit 4.
- Six vehicle display stalls will be providing on Lot G that also include a driveway off Motor Way.
- Site distance at driveways and intersections shall conform to City standards.

3.2.2 BICYCLE TRAILS

The City’s General Plan designates both sides of Moreno Beach Drive for development of either Class I or Class II bicycle trail. The development of the Project Area adjacent to Moreno Beach Drive will include the necessary improvements for either a Class I or Class II bicycle trail to extend through the Project Area.

3.2.3 PEDESTRIAN ACCESS

As indicated on the project site plan, Exhibit 4, the proposal provides interior pedestrian connections from each dealership. A portion of Motor Way that is being vacated will be replaced with additional sidewalks and parkways that will link to existing pedestrian walkways along Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive.

3.3 SIGNAGE

As presented in detail in the Project Sign Program, (*Moreno Valley Auto Mall Sign Program*, submitted under separate cover), SPA No.5 provides for (1) existing pylon freeway sign to be modified in place.

PYLON FREEWAY SIGN	
<u>Number and Description</u>	One freeway sign shall be allowed within Planning Area A of SPA No.209 No.5. The freeway sign modification shall provide the following information below on the sign as shown on Exhibit 5. <ul style="list-style-type: none"> • LCD Screen • Brand Panels • Moreno Valley Auto Mall I.D

PYLON FREEWAY SIGN	
Size	The pylon freeway sign will be double faced with an overall maximum height of 85 feet as shown on Exhibit 5. The LCD reader board will include an overall maximum of 607 square feet in display area. The sign will have eight (8) panels with dimensions of 3'x6" x 14'-0" each totaling 49 square feet in overall maximum display area. The City identification panel will have an overall maximum display area of 292 square feet.

Additionally, presented in the Amended Project Sign Program (*Moreno Valley Auto Mall Sign Program*) are 2 entry monument statements signs. Each will be located and modified in place where the existing monument signs are as shown on Exhibit 6 and 7. To provide the new vision of the Auto Mall, the existing entry statements signs located at the southeast corner of Moreno Beach Drive/Eucalyptus Avenue and northwest corner of Moreno Beach Drive/Auto Mall Drive are being proposed to be modified in place.

Freestanding Entry Monument Signs	
Number and Description	Two street freestanding entry monument signs would be located in Planning Area A and B as shown on Exhibit 6 and 7 and shall include the following: <ul style="list-style-type: none"> • Brand(s) of vehicles sold • Optional Manufacture logo • Dealer Name • "Moreno Valley Auto Mall" displays.
Size	The existing 12 foot wide freestanding monument sign would be used as the base for the new monument sign. The tenant panel would have a width of 11'-6" feet and height of 7'-1" feet. The total sign area for the tenant panels would be 80.5 square feet with a total sign height of 14 feet. Each tenant panel sign face should not exceed 7 square feet. The total sign area for the panels will be a maximum of 68.25 square feet and the sign framed by a minimum of 6 inches by material matching the front façade of the building. The additional sign area on top of the tenant panels would be reserved for the Moreno Valley Auto Mall Identification.

Freestanding Entry Monument Signs	
	As alternative, shown on Exhibit 7 the panel portion of the monument sign would have a width of 6'-2" feet and a height of 7'-6". Each tenant panel sign face should no exceed 6 square feet. The total sign area for the panels will be a maximum of 33.75 square feet and the sign face framed by a minimum of 6 inches by material matching the front façade of the building. The additional sign area on top of the panels would be reserved for the Moreno Valley Auto Mall Identification. This area would be 2'-6" high and 6'-2" wide with a total of 15.4 square feet. <i>(Refer to Amended Sign Program for Specifications.)</i>

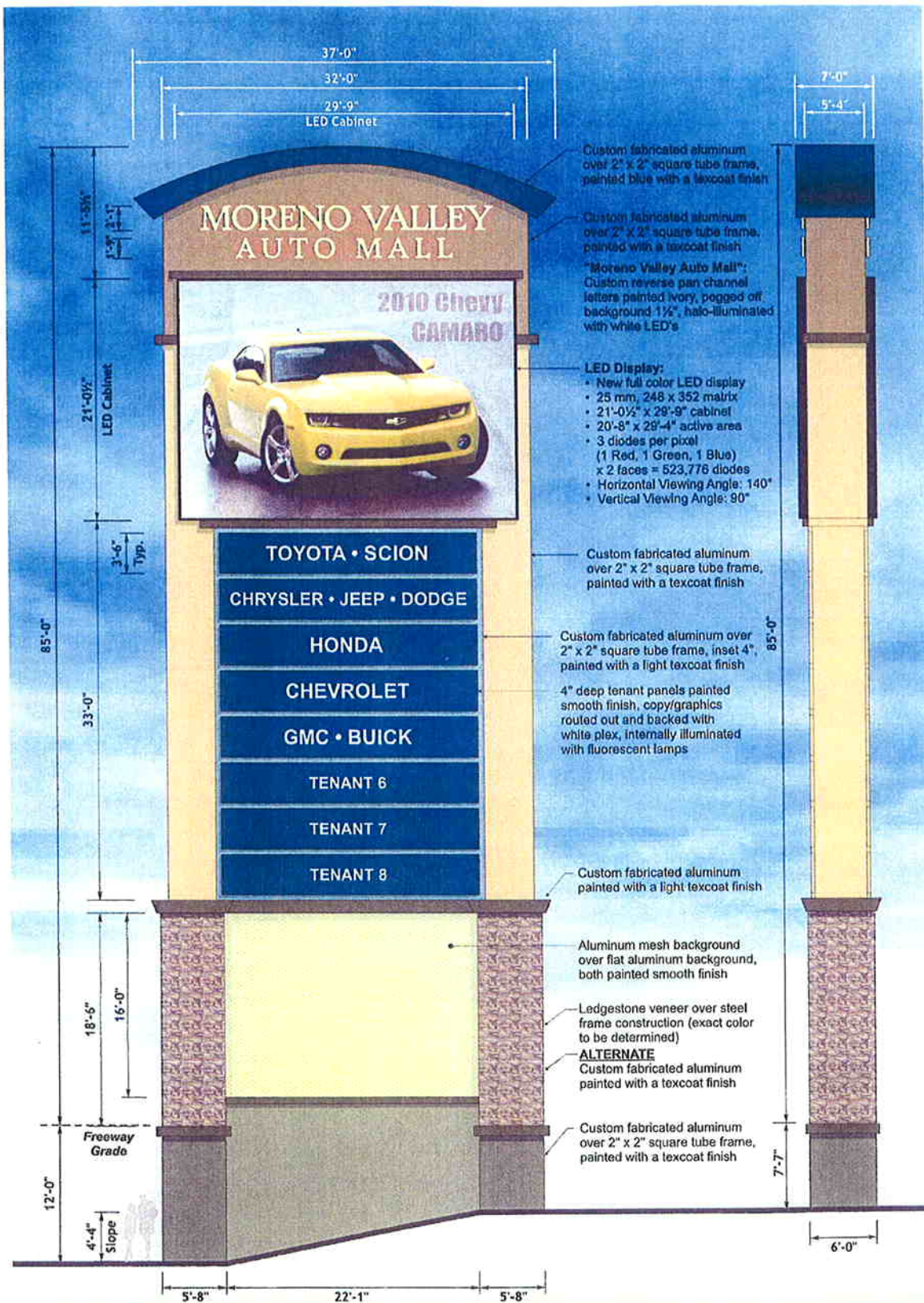
Modifications are also to be shown on the existing tenant/information signs. One (1) tenant information monument sign for each dealership is allowed per street frontage along Eucalyptus Avenue and Motor Way. The existing information signs may be modified in place at the existing locations or as approved by the Moreno Valley Planning Division. Exhibit 8 shows locations of signs that shall remain in place.

Tenant Monument Signs	
Number and Description	The following information on the signs will include the following below and as shown on Exhibit 8. <ul style="list-style-type: none"> • Tenant Name • Tenant Logo • Information i.e. (entrance, service, parts, customer parking, etc) • Moreno Valley Auto Mall Identification
Size	The individual dealership/tenant sign will have a maximum total height of 14 feet and width of 3'-6". The sign area shall have a maximum total sign area of 18.75 square feet.

All other existing signs identified in the Project Sign Program will comply with the City Code and approved sign program.

Construction materials and colors proposed for all revised project signs will be compatible with architectural elements of existing or proposed for other SP 209 amendments. Existing project

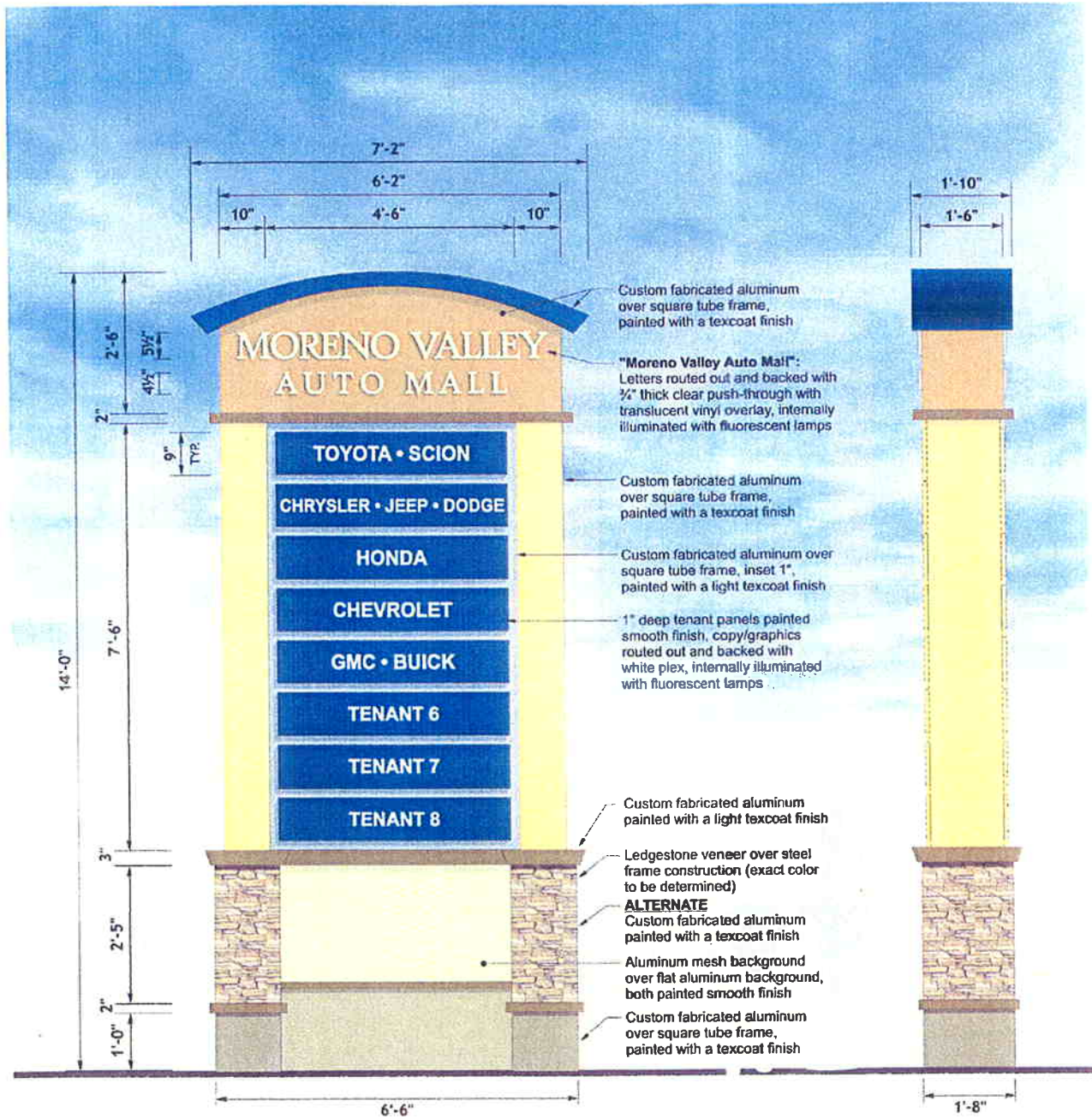
sign elevations shall be comparable to the Auto Mall sign elevations approved under existing entitlements for the project site. Proposed sign modifications within SPA No.5 are addressed through the provisions of the City Municipal Code, and/or the Amended Project Sign Program. Signs proposed by the project shall be subject to review and approval by the City through the Project Sig Program applications. Please refer also to the discussion of proposed Specific Plan Development Regulations and Design Guidelines presented in Section Four of this document.

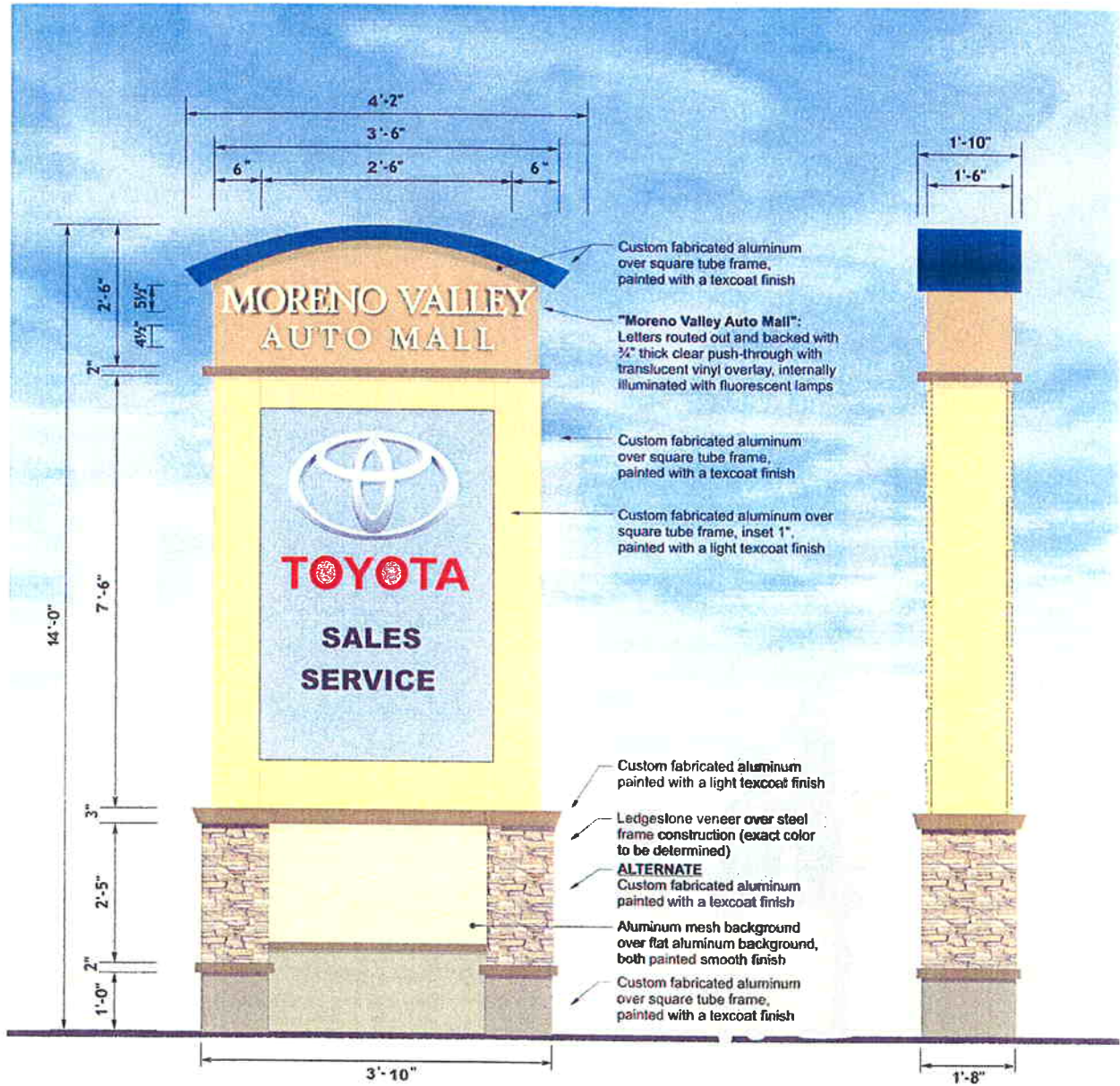


MANUFACTURE AND INSTALL ONE (1) DOUBLE FACE ILLUMINATED PYLON SIGN WITH FULL COLOR LED DISPLAY

Scale: 1/8" = 1'-0"

 Suede 36C-4A	 Moonrock 37C-3D	 Nordic Blue 75C-2T	 Rosemary SW 6187
 Chocolate Chip 25A-1A	 Plantation White 47A-3P	 Calico Blue 75A-1A	





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Exhibit 8
TENANT INFORMATION MONUMENT SIGN

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3.4 LANDSCAPING AND SCREENING

3.4.1 INTRODUCTION

Unless otherwise identified herein, landscaping and screening of the project site and its component elements will be implemented consistent with provisions of the City Municipal Code. In these regards, landscaping/screening requirements and guidelines applicable to the project are articulated within City Municipal Code, Title 9, "Planning and Zoning"; Chapters 9.04, "Commercial Districts"; 9.08, "General Development Standards"; 9.10, "Performance Standards"; 9.11, "Parking and Loading Requirements"; and 9.16, "Design Guidelines".

3.4.1 LANDSCAPE/HARDSCAPE ELEMENTS

The Landscaping is typically located adjacent to the Moreno Beach Drive intersections of Auto Mall Drive and Eucalyptus Avenue. With the exception of certain parking lot landscaping features discussed subsequently in this section, all project landscaping will be constructed consistent with City Municipal Code design and construction materials.

Landscaping along the project's Moreno Beach Drive frontage will continue treatment of this parkway established by, and implemented under SP 209 Amendment No. 3. The landscaping area along Moreno Beach Drive within the project area will also continue bikeway/pedestrian paths located on the corner of Eucalyptus Avenue. A new 6 foot pedestrian walkway is proposed parkway adjacent along Moreno Beach Drive as shown on Exhibit 4. To the extent feasible, the project will provide streetscape for the on street parking that exists and that is proposed along Auto Mall Drive and Eucalyptus Avenue. The configuration of the streetscape planter shall be based on the site plan Exhibit 4. New landscaping shall conform to the City Landscaping Guideline requirements and will provide quantities, types, and locations to satisfaction of the Community Development Director.

Section Four

DEVELOPMENT REGULATIONS AND DESIGN GUIDELINES

4.1 PURPOSE AND APPLICABILITY

These provisions are intended to regulate land use, development, and design within the Project Area. The development regulations and design guidelines contained herein provide specific standards for new development within the Project Area. Application of the regulations contained in Table 1, "Development Standards", is intended to encourage the most appropriate development of the land, create a harmonious relationship between existing land uses, ensure the highest quality of development, and protect the health, safety, and general welfare of the community. The applicable regulations of the City Code shall apply to the Project Area unless stated herein to the contrary. Whenever the provisions and development standards contained herein conflict with those contained in the City Code the provisions of SPA No. 5 shall apply.

4.2 DEFINITION OF TERMS

The meaning and construction of words, phrases, titles and terms used in SPA No. 5 shall be the same as provided in the City Code, Section 9.15, "Definitions", except as otherwise specifically provided herein.

4.3 PERMITTED USES

The permitted uses for each planning area within the Project Area are listed below. Permitted uses may be developed within the applicable planning area described in Exhibit 3, subject to the development standards and design guidelines specified in Section 4.4 and 4.5 herein. If ambiguity arises concerning the appropriate classification or approval of a particular use that is not explicitly listed below falls within the range and nature of the permitted uses listed below for the Project Area and shall be considered a permitted use. The Community Development Director shall have the authority to issue an interpretation.

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4.3.1 – PLANNING AREA A

The following uses are permitted within Planning Area A:

- 1) Automobile, Motorcycle, Truck Recreational Vehicle, and Boat Sales, and Incidental Minor Repairs and Accessory Installations.
- 2) Public Facilities

4.3.2 – PLANNING AREA B

The following uses are permitted within Planning Area B:

- 1) Automobile, Motorcycle, Truck Recreational Vehicle, and Boat Sales, and Incidental Minor Repairs and Accessory Installations.
- 2) General Office (Administrative and Professional)
- 3) Automobile Fleet Storage
- 4) Auto Service Stations: Minor/Major Repair to include: Auto/Boat/Motorcycle/RV
- 5) Automotive, Boat, Motorcycle and RV Repair – Minor – includes Brake, Muffler and tire Installation and Repair
- 6) Automotive Paint and Body Repair – Major Engine Overhaul
- 7) Auto Rentals
- 8) Auto Supply Stores (with installation)
- 9) Auto Supply Stores (without installation)
- 10) Bank and Financial Institutions
- 11) Boat Sales New and Used (including Repairs and Accessory) Installation
- 12) Doctors, Dentists and medical Clinics/Medical Care
- 13) Rental Service - within an Enclosed Structure (Furniture, Office Equipment, Party Supplies)
- 14) Rental Service - with Outdoor Storage and Display (Vehicles, Equipment, etc.)
- 15) Swimming Pool and Spa Sales and Service - Including Outdoor Display\
- 16) Car Wash
- 17) Auto Service Stations: Accessory Uses Include: Convenience Store, Car Wash
- 18) General Retail
- 19) Restaurants (eating and drinking establishments)-with alcoholic beverages sales with outdoor seating.
- 20) Restaurants-with Drive Through

4.3.3 – PLANNING AREA C

The following uses are permitted within Planning Area B:

- 1) General Office (Administration and Professional)
- 2) General Retail
- 3) Automobile Fleet Storage
- 4) Automobile, Motorcycle, Truck Recreational Vehicle, and Boat Sales, and Incidental Minor Repairs and Accessory Installations.

- 5) Automotive, Boat, Motorcycle and RV Repair-Minor-includes Brake, Muffler and tire Installation and Repair
- 6) Automotive Paint and Body Repair – Major Engine Overhaul
- 7) Auto Rentals
- 8) Bank and Financial Institutions
- 9) Boat Sales New and Used (including Repairs and Accessory) Installation
- 10) Car Wash
- 11) Contractor Supply Stores-No outdoor storage
- 12) Convalescent Homes
- 13) Day Care Centers
- 14) Doctors, Dentists and medical Clinics/Medical Care
- 15) Health Club, Spa
- 16) Hotels/Motels
- 17) Manufacturing and Assembly (a) Custom and Light Manufacturing Indoor Uses Only with Light Truck Traffic, On-Site and Wholesaling of Goods and Produced
- 18) Nursery (Plant)-Retail Only
- 19) Photo engraving and blueprint shop including sales of related materials.
- 20) Public Facilities
- 21) Rental Service - within an Enclosed Structure (Furniture, Office Equipment, Party Supplies)
- 22) Rental Service - with Outdoor Storage and Display (Vehicles, Equipment, etc.)
- 23) Restaurants (eating and drinking establishments)-with alcoholic beverages sales with outdoor seating.
- 24) Swimming Pool and Spa Sales and Service - Including Outdoor Display\
- 25) Vehicle Storage yards-Indoor/Outdoor Storage lots.
- 26) Heavy Equipment Sales and Rentals.
- 27) Storage Lots and Mini Warehouses
- 28) Warehouse and Distribution, Wholesales-Within a Completely enclosed building and storage involving finished products: Unfinished, Raw or Semi-Refined Products or Outdoor Storage.
- 29) Auto Service Stations: Accessory Uses Include: Convenience Store, Car Wash
- 30) Convenience Stores, with or without drive-through
- 31) Restaurants-with Drive Through

4.3.4 The Following uses are permitted within Planning Area D:

- 1) General Office (Administrative and Professional)
- 2) General Retail
- 3) Arcades, Video Machines
- 4) --Automobile Feet Storage
- 5) Automobile, Motorcycle, Truck, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installation.
- 6) Auto Service Stations: Accessory Uses Include: Convenience Store, Car Wash

- 7) Auto Service Stations, Minor Repair to include: Auto/Boat/Motorcycle/RV (Excludes major repair, paint, body work).
- 8) Automotive Boat, Motorcycle and RV Repair-Minor-includes Brake, Muffler and tire installation and Repair.
- 9) Automotive Pain and Body Repair-Major Engine Overhaul
- 10) Auto Rentals
- 11) Banks and Financial Institutions
- 12) Barber and Beauty Colleges
- 13) Boat Sales New and Uses (including Repairs and Accessory) Installation
- 14) Bowling Alley
- 15) Business Schools
- 16) Car Wash
- 17) Churches
- 18) Clubs
- 19) Commercial Radio or Television Station (without On-Site Antenna)
- 20) Communication Facilities and Antennas
- 21) Contractor Supply Stores-no outdoor storage
- 22) Convalescent Homes
- 23) Convenience Stores, with or without drive through
- 24) Convenience Stores with Alcohol Sales
- 25) Dancing, Art, Music and Similar Stores
- 26) Day Care Centers
- 27) Doctors, Dentists and medical Clinics/Medical Care/Medical Offices.
- 28) Driving School
- 29) Gasoline Dispensing-Non Retail Accessory to an Auto Related Use
- 30) Grocery Stores
- 31) Handicap Housing
- 32) Health Club, Spa
- 33) Hospitals
- 34) Hotels/Motels
- 35) Impound Yards (Indoor)
- 36) Kennel and Catteries
- 37) Liquor Stores
- 38) Lodge Halls and Similar Facilities
- 39) Manufacturing and Assembly (a) Custom and Light Manufacturing Indoor Uses Only with Light Truck Traffic, On-Site and Wholesaling of Good Produced
- 40) Miniature Golf Courses
- 41) Nursery (Plant)
- 42) Parcel Delivery Terminals
- 43) Personal Services (e.g. nail salons and tattoo parlors)
- 44) Pool Hall
- 45) Public Facilities (Private) such as Tennis Club, with Limited Associated incidental Uses
- 46) Rental Service-with Wells and Similar Facilities

- 47) Recreational Facilities (Private) such as Tennis Club, with Limited Associated incidental Uses
 - 48) Rental Service-within an Enclosed Structure
 - 49) Rental Service-with Outdoor Storage and Display
 - 50) Residential Multifamily (R20 standards of the Municipal Code would apply)
 - 51) Single Family Residential (RS10)
 - 52) Restaurants (eating and drinking establishments)-with Entertainment
 - 53) Restaurants (eating and drinking establishments)-without Entertainment
 - 54) Restaurants (eating and drinking establishments)-with Alcoholic Beverage Sales
 - 55) Restaurants (eating and drinking establishments)-with Outdoor Seating
 - 56) Restaurants-with Drive Through
 - 57) Schools, Private
 - 58) Senior Housing
 - 59) Shaking Rinks
 - 60) Swimming Pool and Spa Sales and Service-Including Outdoor Display
 - 61) Theaters
 - 62) Trade and Vocational Schools
 - 63) Transfer, Moving and Storage Facilities
 - 64) Veterinarian (Including Animal Hospital)-All Activities within an Enclosed Structure
 - 65) Veterinarian (Including Animal Hospital)-With Outdoor Activities
- Warehouse and Distribution, Wholesales-Within a Completely Enclosed Building and Storage Involving Finished Products; Unfinished, Raw or Semi-Refined Products or Outdoor Storage.

4.4 DEVELOPMENT REGULATIONS

Table 2 - Development Standards

Development within the Project Area shall comply with the applicable provisions of the City Code except as expressly provided for below.

DEVELOPMENT STANDARDS	SPA No. 5
1. Off-Street Parking Requirements a. Automobile Dealerships	<p>An automobile dealership shall provide a minimum of six on-site parking spaces reserved exclusively for customer's use.</p> <p>Sufficient employee parking must be provided on-site and out of public view except for employee-driven demonstrator automobiles.</p>
2. On-Site Lighting Standards a. Automobile Dealerships	<p>Lighting plans shall be submitted showing the design layout and exact fixture/pole locations and wattages proposed by each auto dealer. A point-by-point foot-candle analysis shall also be required for each dealership lighting proposal. The standards are as follows:</p> <ul style="list-style-type: none"> • Front Line and Primary Display Area: Automotive display areas shall be lighted by sharp "cut-off" luminaries. The luminaries must be one-piece die cast housing with radius corners on all edges of the fixture. Luminaries shall be factory finished in an organic thermal setting polyester/polyurethane resin based coating. Alternate luminaries providing equal performance, construction specifications and aesthetic qualities are acceptable <p>"Front Row" lighting standards adjacent to the auto center interior roads shall not exceed twenty (20) feet in height above adjacent grade and shall be a minimum of forty (40) feet on center. The interior of the display area shall be illuminated by fixtures no closer than sixty (60) feet to the front line of display lights. These fixtures shall be on poles not to exceed twenty (20) feet in height above adjacent grade and shall be spaced no closer than sixty (60) feet on center.</p> <p>Average wattage for the entire primary display area shall not exceed 1.5 watts per square foot.</p>

DEVELOPMENT STANDARDS	SPA No. 5
<p>2. On-Site Lighting Standards a. Automobile Dealerships (Continued)</p>	<ul style="list-style-type: none"> • Poles: All lighting poles shall be square 4 inch or 5 inch steel tubing factory finished in an organic thermal setting polyester/polyurethane resin based powder coating. Luminaries and poles shall be the same finish and color. The size and gauge of the poles used shall be determined based on the manufacturer's published Effective Projected Area (EPA) data. • Service and Outside Storage Areas: Service and storage parking areas shall be lighted by luminaries mounted on standards not to exceed twenty-four (24) feet in height above adjacent grade. Average wattage for the entire storage area shall not exceed .2 watts per square foot. • Optional Security Lighting: For late-night security lighting, Low Pressure Sodium (LPS) luminaries may be utilized. The LPS luminaries must be of design that is matching or complimentary to the metal halide luminaries, and shall be capable of being mounted on the same poles as the metal halide fixtures. • Other Requirements: All luminaries shall be cut-offs as defined by published Illuminating Engineering Society (IES) standards. Luminaries' manufacturer should provide option for the addition of a "house side shield" to reduce spill light behind the poles onto adjacent property, if needed. <p>Strings of incandescent fixtures shall not be allowed in any area.</p> <p>Spot fixtures shall not be directed toward public streets or adjacent properties.</p>

DEVELOPMENT STANDARDS	SPA No. 5
<p>3. Signs A. Pylon sign</p>	<p>One freeway sign shall be allowed within planning area A of SPA No. 209 No.5. The freeway sign modifications shall provide the following information on the sign, as shown on Exhibit 5.</p> <p>The pylon freeway sign will be double faced with an overall maximum height of 85 feet as shown on Exhibit 5. The LCD reader board will include an overall maximum of 607 square feet in display area. The sign will have eight (8) panels with dimensions of 3'x6" x 14'-0" each totaling 49 square feet in overall maximum display area. The City identification panel will have an overall maximum display area of 292 square feet.</p> <p>Refer to Amended Sign Program under materials and construction for all specification on the construction of pylon sign.</p>

DEVELOPMENT STANDARDS	SPA No. 5
<p>B. <u>Freestanding Entry Monument Signs</u></p>	<p>Two street freestanding entry monument signs would be located in Planning Area A and B as shown on Exhibit 4. Both sign modifications would provide the following information included with Exhibits 6 and 7:</p> <ul style="list-style-type: none"> • Brand(s) of vehicles sold • Optional Manufacture logo • Dealer Name • "Moreno Valley Auto Mall" displays. <p>The existing 12 foot wide freestanding monument sign would be used as the base for the new monument sign. The tenant panel would have a width of 11'-6" feet and height of 7'-1" feet. The total sign area for the tenant panels would be 80.5 square feet with a height of 14 feet. Each tenant panel sign face should not exceed 7 square feet. The total sign area for the panels will be a maximum of 68.25 square feet and the sign framed by a minimum of 6 inches by material matching the front façade of the building. The additional sign area on top of the tenant panels would be reserved for the Moreno Valley Auto Mall Identification.</p> <p>As alternative, shown on Exhibit 7 the panel portion of the monument sign would have a width of 6'-2" feet and a height of 7'-6". Each tenant panel sign face should no exceed 6 square feet. The total sign area for the panels will be a maximum of 33.75 square feet and the sign face framed by a minimum of 6 inches by material matching the front façade of the building. The additional sign area on top of the panels would be reserved for the Moreno Valley Auto Mall Identification. This area would be 2'-6" high and 6'-2" wide with a total of 15.4 square feet.</p> <p>Refer to Amended Sign Program under materials and construction for all specification on the construction of pylon sign.</p>

DEVELOPMENT STANDARDS	SPA No. 5
C. Tenant Information Monument Sign	<p>The following information on the signs will include the following below and as shown on Exhibit 8.</p> <ul style="list-style-type: none"> • Tenant Name • Tenant Logo • Information i.e. (entrance, service, parts, customer parking, etc) • Moreno Valley Auto Mall Identification <p>The individual dealership/tenant sign will have a maximum total height of 14 feet and width of 3'-6". The sign area shall have a maximum total sign area of 18.75 square feet.</p>
D. Building Mounted Signs	Shall conform to SPA No. 5 development standards that are already in place.
d. Information Signs	Shall conform to SPA No. 5 development standards that are already in place.
4. Building Location / Orientation Standards	<p>For Planning Areas A, B, C and D, all buildings must be located within the envelope defined by the following setback standards:</p> <ul style="list-style-type: none"> • Front Street and Side Street Setback: A fifteen (15) foot minimum is required. • Interior Side Setback: No setback is required from the interior side setback. • Rear Setback: No setback is required from the rear property line.
5. Building Height Standards	<p>For Planning Areas A, B, C, and D a maximum height of fifty (50) feet from adjacent grade is permitted, measuring to the top of parapet or ridge shall be allowed. The maximum building height permitted shall be thirty-five (35) feet at the required front yard setback. For each additional one (1) foot exceeding the thirty-five (35) foot height limit, the setback from all property lines shall be increased by two (2) feet.</p>

DEVELOPMENT STANDARDS	SPA No. 5
6. Permitted uses for street side building setback areas.	The building setback area in any commercial district shall be used only for landscaping, pedestrian walkways, driveways, or off-street parking. When off-street parking is located within street setback areas, a minimum landscaped area of ten (10) feet in depth shall be provided between the property line and the parking area, with an additional minimum landscaped area five (5) feet in depth required between the parking area and the building. As an alternative to the 5 foot area between the parking area and the building, the equivalent landscaped area in square footage shall be provided for elsewhere on the property.
7. Screening of storage areas within commercial and industrial use areas of the Project Area.	Where permitted, all outdoor storage of materials, wares, crates, bottles, or similar items necessary to, or part of, a permitted use within the Project Area shall be screened from view on at least three sides by an opaque, impact-resistant screen of block or metal material not less than six feet in height, and on the fourth side by an opaque, impact-resistant gate not less than five feet in height. Alternate materials or designs may be approved by the Community Development Director.
8. Auto dealerships – minimum lot size.	The minimum lot size shall be one acre for lots containing dealerships.
10. Service station landscaping	The minimum amount of landscaping shall be based on the required building setback and parking lot landscaping standards defined herein. No percentage requirement as defined in the City Code shall apply.

4.5 DESIGN GUIDELINES

Development within the Project Area shall comply with the design guidelines contained within the adopted City Code. The design guidelines in the City Code shall apply to all improvements within Project Area including new construction, remodels, additions, landscaping, paving, signage, amenities, community facilities, and related facilities. They are provided to guide developers, builders, architects, engineers, landscape architects, and others involved in the preparation of future development proposals to ensure a consistent level of quality throughout the Project Area. The design guidelines will assist the City of Moreno Valley staff and decision-making authorities with criteria to evaluate future development proposals.

SPA No. 5

Final
September 2009

4-11

Section Five

IMPLEMENTATION

The City of Moreno Valley City Council will adopt SPA No. 5 by ordinance. Following approval by the City, SPA No. 5 will serve as the implementation tool for the General Plan as well as the zoning development regulations for the Project Area.

5.1 METHODS AND INTERPRETATION

Development within the Project Area shall be implemented through the City of Moreno Valley Development Review process as set forth in Section 9.02.030 of the City Code. The implementation process described below provides for the mechanisms for review and approval of development projects within the Project Area.

5.1.1 APPLICABILITY

All development proposals within the Project Area shall be subject to the implementation procedures established herein. Whenever the provisions and development standards contained herein conflict with those contained in the City Code, the provisions of SPA No. 5 shall take precedence.

5.1.2 INTERPRETATION

Unless otherwise provided, any ambiguity concerning the content or application of SPA No. 5 shall be resolved by the City of Moreno Valley Community Development Director in a manner consistent with the goals, policies, purpose and intent established herein.

5.1.3 IMPLEMENTATION OF DESIGN GUIDELINES

Adoption of SPA No. 5 by the City includes adoption of the design guidelines contained in the City Code which shall be the sole design criteria by which development projects within the Project Area will be reviewed during the Development Review process.

5.2 DEVELOPMENT REVIEW PROCESS

5.2.1 DEVELOPMENT REVIEW

Development Review as specified in Section 9.02.030 of the City Code is required for all development proposals within the Project Area. Development review shall be conducted where applicable by the City of Moreno Valley Community Development Director and Planning Commission as specified in Section 9.02.030 and shall be reviewed for consistency with SPA No. 5. Submittal of a Development Review Permit application shall be of a form and content consistent with the City of Moreno Valley requirements. Where specified in Section 9.02.030 (B), the Planning Commission shall approve the application. The decision of the Planning Commission shall be final, subject to appeal to the City Council according to the procedures established in the City Code.

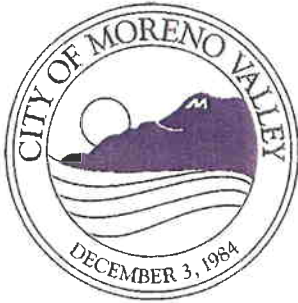
After City approval of a Development Plan, changes to the size, location, and design of any uses or structures may be approved by the Community Development Director. If the Director determines that the proposed revision is in substantial conformance with the provisions of SPA No. 5, the revised Development Plan shall be approved by the Director.

5.2.2 SUBDIVISION MAPS

Any tentative parcel maps and tentative tract maps shall be reviewed and approved pursuant to the applicable provisions of the City of Moreno Valley Subdivision Ordinance and consistent with the applicable provisions of SPA No. 5.

5.3 SCHOOL FEE REQUIREMENTS

The developers of the project will pay school fees, pursuant to Government Code Section 65995, et seq., as amended, to address the school needs of the Project Area



CHANGE OF ZONE
Application No. P09-052



LEGEND



SP 209 C

Commercial (*EXISTING ZONING*)

SP 209 C/R

Commercial / Residential (*PROPOSED ZONING*)

EXHIBIT C

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