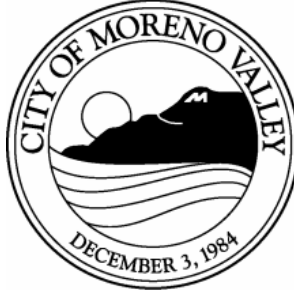

PLANNING COMMISSIONERS

RAY L. BAKER
Vice-Chair

RICHARD DOZIER
Commissioner

GEORGE SALAS, JR.
Commissioner



AMBER CROTHERS
Commissioner

THOMAS A. OWINGS
Commissioner

CARLOS RAMIREZ
Commissioner

MELI VAN NATTA
Commissioner

PLANNING COMMISSION AGENDA

June 9, 2011

PLANNING COMMISSION MEETING – 7:00 P.M.

**CITY OF MORENO VALLEY
City Hall Council Chambers
14177 Frederick Street
Moreno Valley, California 92553**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

(ON DISPLAY AT THE REAR OF THE ROOM)

COMMENTS BY ANY MEMBER OF THE PUBLIC ON ANY MATTER WHICH IS NOT LISTED ON THE AGENDA AND WHICH IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact Mel Alonzo, ADA Coordinator at (951) 413-3027 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

PUBLIC HEARING ITEMS

1. Case Number: P11-030
Case Description: [Change of product for an existing Planned Unit Development for the remaining 15 lots in the approved Planned Unit Development \(PA04-0057\) for Tract 31414 \(PA04-0016\).](#)

Case Type: Amended Conditional Use Permit
Applicant: GFR Enterprises, Inc.
Owner: Pigeon Pass
Representative: GFR Enterprises, Inc.
Location: Southwest corner of Pigeon Pass Road and Sunnymead Ranch Parkway

Proposal: Amended Conditional Use Permit for a change of product.

Case Planner: Jeff Bradshaw

Recommendation: **APPROVE** Resolution No. 2011-16 and thereby:

 1. **RECOGNIZE** that this project is consistent with the original environmental findings approved under PA04-0016 and PA04-0057 for Tract 31414, and no subsequent Negative Declaration is warranted.
 2. **APPROVE** P11-030 (Amended Conditional Use Permit) subject to the Conditions of Approval attached as Exhibit A.

2. Case Numbers: PA09-0031
PA09-0032
P09-099

Case Description: [Construction of a new express car wash and retail center.](#)

Case Type: Plot Plan
Conditional Use Permit
Variance

Applicant: Gazretail Architects
Owner: Yoon Ku Byun
Representative: Andrew Paszterko, Architect
Location: NEC Alessandro Boulevard and Graham Street (APN: 296-280-018)

Proposal: A Plot Plan for the construction of a commercial center to include an express car wash with vacuum stations, and an approximately 5,150 square feet retail building, including a proposed convenience store, and two additional retail/restaurant suites. The application includes a Conditional Use Permit for the sale of alcohol (Beer and wine for off premises consumption) and a Variance for the reduced front setback landscaping along Alessandro Boulevard due to the site constraints.

Case Planner: Julia Descoteaux

Recommendation: **APPROVE** Resolution No. 2011-18 and thereby:

1. **RECOGNIZE** that PA09-0031 (Plot Plan), PA09-0032 (Conditional Use Permit) and P09-099 (Variance) qualify as an exemption in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development Projects); and,
2. **APPROVE** PA09-0031 (Plot Plan), PA09-0032 (Conditional Use Permit) and P09-099 (Variance) subject to the attached conditions of approval included as Exhibit A.

3. Case Number: PA11-0009
P11-016
Case Description: [Construction of a new three story medical office building.](#)
Case Type: Plot Plan
Master Plot Plan
Applicant: Kaiser Permanente
Owner: Kaiser Foundation Hospitals
Representative: Skyler Dennision
Location: 27300 Iris Avenue (APN: 486-310-024)
Proposal: A Plot Plan for a 74,425 square foot three story medical office building to be constructed west of the existing Kaiser Medical Center and a Master Plot Plan to incorporate the new building into the Medical Center complex. The project site is in the Office Commercial zone (OC) within the Medical Use Overlay District (MUO).
Case Planner: Julia Descoteaux

Recommendation: **APPROVE** Resolution No. 2011-17 and thereby:

1. **RECOGNIZE** that PA11-0009 (Plot Plan) and P11-016 (Master Plot Plan) qualify for an Addendum to the adopted Negative Declaration per the California Environmental Quality Act (CEQA), 15164 (b) as the project is within the scope of the Negative Declaration approved for PA06-0133 (Plot Plan); and,
2. **APPROVE** PA11-0009 (Plot Plan) and P11-016 (Master Plot Plan) subject to the attached conditions of approval included as Exhibit A.

OTHER BUSINESS

1. [Denial Resolution: PA08-0098 \(Change of Zone\) for 55 acres from Business Park \(BP\) to Light Industrial \(LI\)](#)

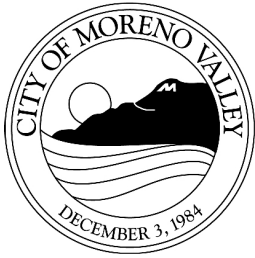
Recommendation: **APPROVE** Resolution No. 2011-13 to **DENY** a Change of Zone (PA08-0098) for an approximately 55 acre site from BP (Business Park) to LI (Light Industrial).

2. Brown Act Training
3. Election of Officers

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT



PLANNING COMMISSION STAFF REPORT

Case: P11-030 – Amended Conditional Use Permit

Date: June 9, 2011

Applicant: GFR Enterprises, Inc.

Representative: Chuck Crowell

Location: Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway

Proposal: Amended Conditional Use Permit for a change of single family residential product for the remaining 15 undeveloped lots in a Planned Unit Development (PA04-0057) that was approved for Tract Map No. 31414 (PA04-0016) in August 2004. The original PUD was approved to allow for unique lot width, lot area and setback requirements in recognition of the electric transmission line easement across the site. The applicant proposes a new product that includes all one-story plans, with comparable exterior finish, colors, materials and street views. The proposed plans have a smaller floor area with an average weighted difference of slightly less than 25%.

Redevelopment Area: No

Recommendation: Approval

SUMMARY

P11-030 is an application to amend Conditional Use Permit PA04-0057 for a Planned Unit Development that was originally approved by the Planning on August 12, 2004. The property has recently changed ownership and the new owner proposes to build a different single-family residential product on the remaining 15 lots of Tract Map No. 31414.

Planning Commission Staff Report

Page 2

PROJECT DESCRIPTION

GFR Enterprises, Inc. has submitted Amended Conditional Use Permit application P11-030 in order to build three new house plans on the 15 undeveloped lots remaining in Tract Map No. 31414. Tract 31414 was originally approved by the Planning Commission with a Conditional Use Permit for a Planned Unit Development for construction of one one-story and two two-story house plans. Changes to the original approval require review and approval by the Planning Commission.

Proposed Homes

The applicant is proposing three new single family house plans that range in size from 1,845 square feet for the Plan 1, 1,981 square feet for the Plan 2 and 1,900 square feet for the Plan 3.

The three plans include three distinct elevations (Spanish Colonial, Santa Barbara and Craftsmen). The applicant proposes a mix of five Plan 1's, six Plan 2's and four Plan 3's. The Plan 1 includes a 3-car option and the Plan 2 includes a tandem 3-car garage.

Existing Homes

The original developer, Steven Walker Communities, constructed homes on 16 of the 31 lots of this subdivision. GFR purchased the entire tract and completed and marketed the constructed homes. The homes built by the original developer included three plans with three distinct elevations (Spanish Colonial, Prairie, and Bungalow).

The size of existing homes ranged from 2,275 square for the single-story Plan 1, to 2,567 square feet for the Plan 2, to 2,705 square feet for the Plan 3. Plan 2 and Plan 3 are two-story homes. The tract includes a mix of 2-car and 3-car garages.

Site

The project site, which is located at the southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway, is mostly developed with homes built by the original developer, Steven Walker Communities. Two easements belonging to Southern California Edison and Eastern Municipal Water District run diagonally across the project site. These easement areas have been treated as common open space and enclosed with perimeter combination walls of decorative block and wrought iron. Improvements within the open space areas have recently been installed by the applicant in compliance with the original approval and include landscape, irrigation, and a tot lot with gazebo and playground equipment.

Surrounding Area

The surrounding area is developed predominately with single family residences with existing tract homes located to the north, west and east. The Hidden Springs Specific Plan (SP 195) is located to the west of the project site with the Sunnymead Ranch Specific Plan (SP 168) to the east. Both areas have been built out with single family tract homes on lots similar in size to lots in Tract 31414. The land to the south of the project site has an existing residence on a 4.6 acre parcel.

Background

The Planning Commission originally approved Tentative Tract Map No. 31414 (PA04-0016) and Conditional Use Permit PA04-0057 for a Planned Unit Development on August 12, 2004.

The subdivision was approved for development of 31 single family residential lots and four common area lots in the R5 zone. Approval of the Planned Unit Development allowed for reduced lot widths for lots 1-7, 10-12 and 15-17, reduced side yard setbacks for lots 28-29, and a reduced lot size for lot 30. The developer agreed to provide common amenities (a playground and landscaped open space) that are not typically required of a single family tract in exchange for the unique development standards.

Change of Product

The proposed change of product to build out the remaining 15 lots of Tract 31414 and replace the product previously approved under application PA04-0057 was reviewed for consistency with Municipal Code Section 9.08.210.

It was determined that the degree of change in size between existing and proposed housing product was slightly less than 25%. Product changes of less than 25% are typically reviewed and approved by the Planning Division. Review by the Planning Commission is required as the project was originally approved as a Planned Unit Development.

The City's Product Change Ordinance (Municipal Code Section 9.08.210) requires the new residential products meet minimum compatibility, transition and size difference criteria. The existing approval as a Planned Unit Development allows flexibility to modify or eliminate the transition requirement. The project as designed and conditioned satisfies each of the criteria required by the Municipal Code:

- The new homes have been designed and conditioned to provide similar roof lines and comparable exterior finish, colors, materials and street views as the existing homes;
- The project places the homes closest in design and size adjacent to the built homes.
- Notice was provided to all existing property owners within Tract Map No. 31414 and adjacent owners within 300 feet of the proposed homes.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to the existing homes in Tract 31414 by introducing a new single family residential housing product.

The application for this project was submitted on March 30, 2011. Upon completion of a review of the proposed plans, Planning staff provided comments and probable conditions of approval to the applicant. The conditions include architectural modifications to the proposed product that staff believes will ensure compatibility with the built product and the City's Product Change Ordinance.

Following additional discussion with the applicant, a determination was made in May that the project was ready to be scheduled for a Planning Commission public hearing.

ENVIRONMENTAL

A Negative Declaration was approved for the original Planned Unit Development (PA04-0057 and Tentative Tract Map No. 31414 (PA04-0016) on August 12, 2004 by the Planning Commission. The changes proposed by Amended Conditional Use Permit P11-030 have been determined to be minor and within the scope of the prior environmental determination for this project. Therefore preparation of a subsequent Negative Declaration is not required.

NOTIFICATION

Public notice was sent to all property owners within Tract Map No. 31414 and all owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries regarding the project. The applicant separately provided an informational brochure to homeowners on their proposal.

STAFF RECOMMENDATION

APPROVE Resolution No. 2011-16 and thereby:

1. **RECOGNIZE** that this project is consistent with the original environmental findings approved under PA04-0016 and PA04-0057 for Tract 31414, and no subsequent Negative Declaration is warranted.
2. **APPROVE** Amended Conditional Use Permit application P11-030, subject to the Conditions of Approval as attached as Exhibit A.

Prepared by:

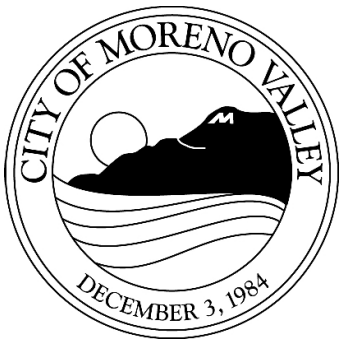
Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-16
Exhibit A – Conditions of Approval
3. Aerial Photograph
4. Site Plan
5. New house plans
6. Color renderings of new homes
7. Color photographs of existing homes
8. Change of Product Comparison Table
9. New Homes Informational Brochure



Notice of PUBLIC HEARING

This may affect your property. Please read.
Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: P11-030 – Amended Conditional Use Permit

APPLICANT: GFR Enterprises, Inc.

OWNER: Pigeon Pass, LLC

REPRESENTATIVE: GFR Enterprises, Inc.

LOCATION: Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway

PROPOSAL: Amended Conditional Use Permit for a change of single family residential product for the remaining 15 lots in a Planned Unit Development (PA04-0057) that was approved for Tract 31414 (PA04-0016) in August 2004. The original PUD was approved to allow for unique lot width, lot area and setback requirements. The applicant proposes a new product that includes all one-story plans, with comparable exterior finish, colors, materials and street views. The proposed plans have a smaller floor area with an average weighted difference of approximately 25%.

ENVIRONMENTAL DETERMINATION: This project is consistent with the original environmental findings approved under PA04-0016 and PA04-0057 for Tract 31414, and no subsequent Negative Declaration is warranted.

COUNCIL DISTRICT: 2

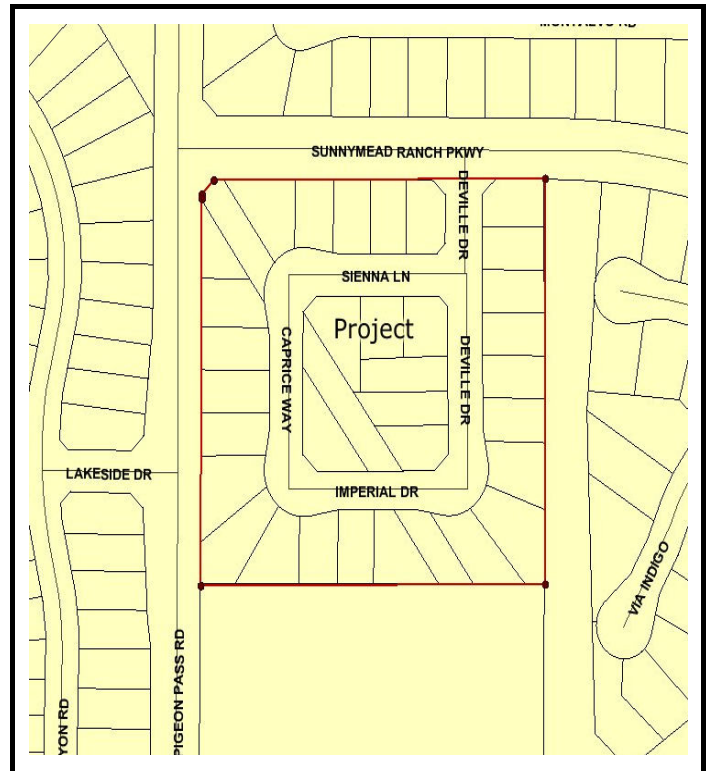
STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items 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.



LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: June 9, 2011 at 7:00 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. 2011-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING AMENDED CONDITIONAL USE PERMIT P11-030 FOR A CHANGE OF PRODUCT FOR THE REMAINING UNDEVELOPED LOTS IN TRACT MAP NO. 31414, LOCATED ON ASSESSOR'S PARCEL NUMBERS 260-510-013 THROUGH -027.

WHEREAS, the applicant, GFR Enterprises, Inc., has filed an application for the approval of Amended Conditional Use application P11-030 to build three new house plans on the remaining 15 lots in Tract No. 31414 which is located at the southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway; and

WHEREAS, on August 12, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map No. 31414 (PA04-0016) and Conditional Use Permit PA04-0057 for a Planned Unit Development to build three house plans on the 31 lots of Tentative Tract Map No. 31414; and

WHEREAS, the original developer, Steven Walker Communities built homes on 16 of the 31 lots and completed grading and most public improvements within Tract Map No. 31414 consistent with the approved Planned Unit Development; and

WHEREAS, the applicant has completed, or has bonded to complete, common improvements and remaining public improvements within Tract Map No. 31414 consistent with the approved Planned Unit Development; and

WHEREAS, on June 9, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Amended Conditional Use Permit application; and

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

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

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

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

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

ATTACHMENT 2

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on June 9, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The Amended Conditional Use Permit proposes a change in product to a partially built-out residential tract in the R5 zone. The proposed new product is consistent with the goals, objectives, policies and programs of the General Plan.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: As designed and conditioned, the Amended Conditional Use Permit will comply with all the applicable zoning and other regulations of the Municipal Code. In addition, the use will comply with all the regulations regarding changes in product sizes in existing residential tracts as specified under Section 9.08.210 of the Municipal Code.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The site has been previously disturbed and will not adversely affect the public health, safety or general welfare. There are no known hazardous conditions associated with the project site. A Negative Declaration was adopted for the original project by the Planning Commission on August 12, 2004. This project is consistent with the original environmental findings approved under PA04-0016 and PA04-0057 for Tract 31414, and no subsequent Negative Declaration is required.

4. **Conformance with City Redevelopment Plans** – The proposed use conforms with any applicable provisions of any city redevelopment plan.

FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

5. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The location and design of the homes proposed by the Amended Conditional Use permit is compatible with surrounding development and land use districts.

6. **Compatibility** – The proposed product change shall incorporate design criteria to provide continuity and integrity within the neighborhood.

FACT: The Amended Conditional Use Permit proposes a new residential product that includes three one-story plans. The new homes have been designed and conditioned to provide similar roof lines and comparable exterior finish, colors, materials and street views.

7. **Transition Area** – The proposal to use only one-story product precludes the establishment of a side to side and across the street transition area from built homes as required by the City's Product Change Ordinance. The project status as a Planned Unit Development permits flexibility to modify or eliminate the need for a transition area. The existing homes include both one and two story plans, and while the proposed product includes only one story plans, the width and architecture of those plans are similar in width and architecture to the existing homes.

FACT: The project places the homes closest in design and size adjacent to the built homes.

8. **Degree of Change of Product Size** – The degree of change shall be determined from the percent difference between the weight average square footage of the units built and the weighted average square footage of size of the proposed units.

FACT: The Amended Conditional Use permit proposes a degree of change slightly less than 25%. The project has been designed and conditioned to meet required compatibility and transition area requirements. Notice was provided to all existing property owners within Tract Map No. 31414 and adjacent owners within 300 feet of the proposed homes.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee

(Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for P11-030, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-16, and thereby:

1. **RECOGNIZES** that this project is consistent with the original environmental findings approved under PA04-0016 and PA04-0057 for Tract 31414, and no subsequent Negative Declaration is warranted; and
2. **APPROVES** Amended Conditional Use Permit application P11-030, subject to the Conditions of Approval as attached as Exhibit A.

APPROVED this 9th day of June, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
AMENDED CONDITIONAL USE PERMIT P11-030
CHANGE OF PRODUCT FOR TRACT 31414
APN's: 260-510-013 THROUGH -027**

Approval Date:
Expiration Date:

The conditions of approval include requirements from the following:

- Planning (P), including Building (B), School District (S), Post Office (PO)**
 Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

- P1. Amended Conditional Use Permit P11-030 has been approved for the construction of three new single family residential plans for construction on the remaining fifteen un-built lots in Tract 31414.**
- P2. With the exception of conditions of approval related to Amended Conditional Use Permit P11-030, the conditions of approval for previously approved Tentative Tract Map No. 31414 (PA04-0016) and Conditional Use Permit PA04-0057 remain in effect and are in no way changed as part this approval.**
- P3. Three new single family residential plans are approved for Tract Map No. 31414 and PUD PA04-0057 subject to the following requirements:**
- Enhanced window and door treatments/surrounds to match the existing built product;**
 - Two-tone stucco color scheme on the Spanish Colonial and Santa Barbara elevations;**
 - Stacked stone in lieu of river rock on the Craftsmen elevations, with stone provided across the bottom of entire front and visible side elevations;**

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Requirements
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

**FINAL CONDITIONS OF APPROVAL
AMENDED CONDITIONAL PERMIT P11-030
PAGE 2 OF 4**

- **Include brick across the bottom of the entire front and visible side elevations of the Santa Barbara elevation;**
- **All front, and visible side windows shall be required to have varied multiple pane windows to match the existing built product;**
- **Additional front facing gable or hip roof element on each plan;**
- **All garage doors to include windows;**
- **Minimum 2-car garage required for all houses; and**
- **Exposed rafters on the Craftsmen elevations.**

P5. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P6. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department – Planning Division, the Municipal Code regulations, the General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all conditions of approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P7. Any undeveloped portion of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P8. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Approval of Grading Plans (GP)

P9. (GP) Prior to approval of the precise grading plan, Plan 3A on Lot 14 shall meet the minimum side yard setback requirement of 5 feet.

Prior to Issuance of Building Permits (BP)

P10. (BP) Prior issuance of a building permit, revised typical front yard landscape and irrigation plans shall be submitted to the Planning Division for review and approval.

P11. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

**FINAL CONDITIONS OF APPROVAL
AMENDED CONDITIONAL PERMIT P11-030
PAGE 3 OF 4**

Prior to Issuance of Certificates of Occupancy (CO)

- P12. (CO) Prior to issuance of certificates of occupancy or building final, all required landscape, fences, and walls shall be installed per plan.

Building and Safety Division

- B1. The project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other City ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building and Safety Division as a separate submittal.
- B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.
- B3. All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building and Safety Division.
- B4. Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as part of the building or demolition permit process.

SCHOOL DISTRICT

- S1. (BP) Prior to issuance of building permits, the applicant shall provide to the Community & Economic Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

- PO1. (BP) Prior to the issuance of building permits, the applicant shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

**FINAL CONDITIONS OF APPROVAL
AMENDED CONDITIONAL PERMIT P11-030
PAGE 4 OF 4**

POLICE DEPARTMENT

- PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)
- PD2. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)
- PD3. Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

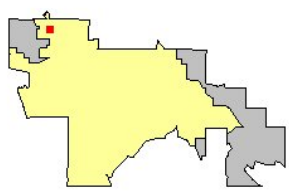
P11-030

Legend

-  Highways
-  Parcels
-  Roads
-  Waterbodies
-  City Boundaries
-  Calimesa
-  Moreno Valley
-  Perris
-  Riverside



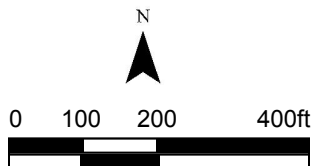
Powered By GeoSmart.net



City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

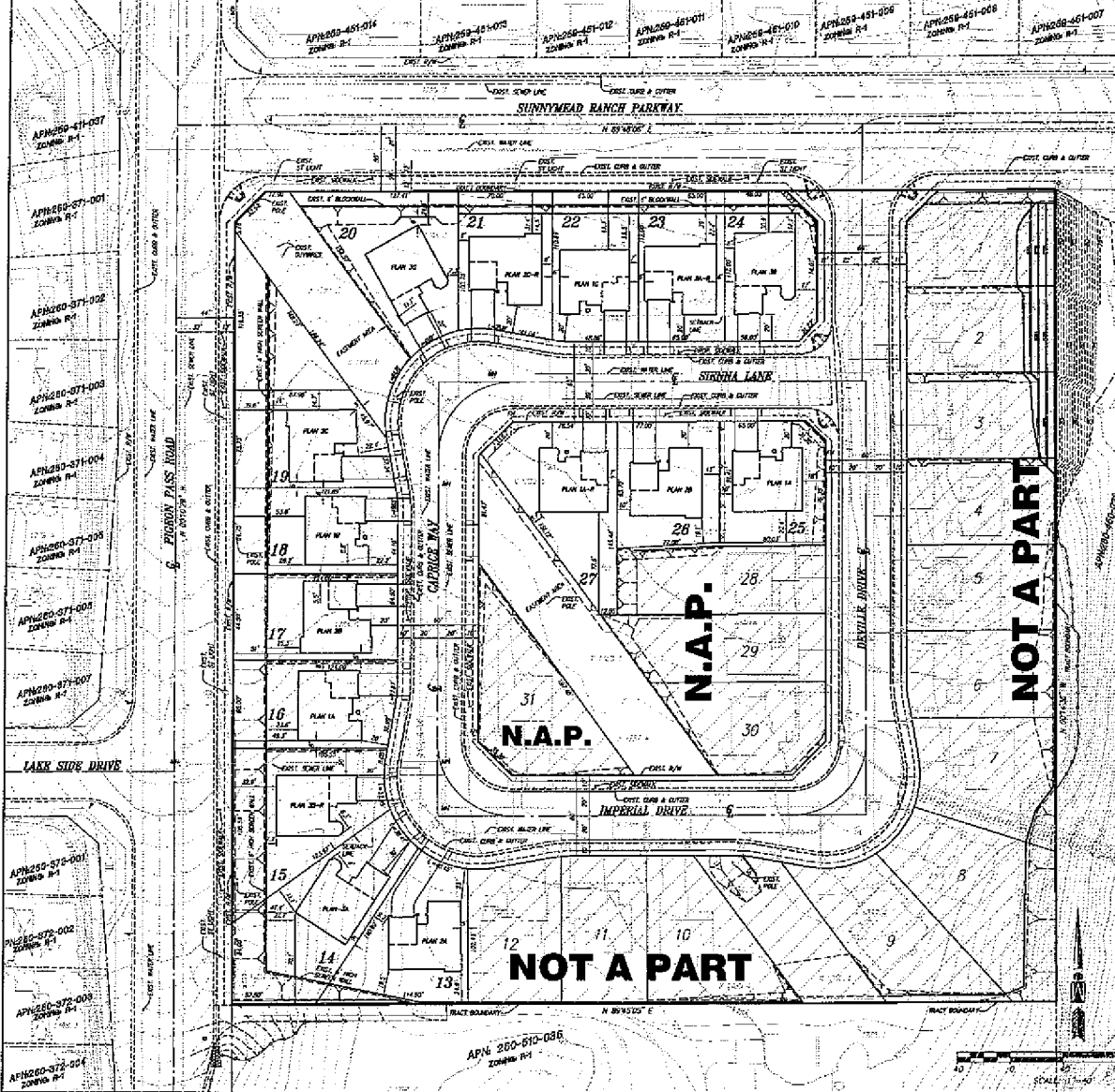
DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

ATTACHMENT 3



Printed: 5/26/2011 5:08:40 PM

CITY OF MORENO VALLEY
PLOT PLAN
TRACT NO. 31414 LOTS 13 - 27

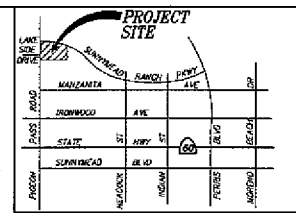


LEGEND

---	EXISTING PROPERTY LINE
- - - -	PROPOSED RIGHT OF WAY
---	EXISTING RIGHT OF WAY
---	EXISTING CENTERLINE
---	PROPOSED CURB
---	EXISTING CURB
---	PROPOSED SIDEWALK
---	EXISTING SIDEWALK
---	EXISTING BRIT ROAD
---	PROPOSED FINISHING STONE
---	EXISTING EXCAVATION
---	EXISTING CONTOUR MAIN
---	EXISTING CONTOUR MINOR
---	EXISTING CONC.
---	EXISTING DRILLING
---	EXISTING CONC.
---	PROPOSED EDGE OF PAVEMENT
---	EXISTING CONTOUR ELEVATION
---	EXISTING SPOT ELEVATION

ABBREVIATIONS

L/S	LANDSCAPE
S.F.	SQUARE FEET
C/L	CENTERLINE
R/W	RIGHT OF WAY
P/L	PROPERTY LINE
S/W	SIDEWALK
O/W	OVERLAY
F.S.	FINISH SURFACE
F.W.	TOP OF WALL
T.F.	TOP OF FINISHING
P.W.	PAVING SLICE
E.P.	EDGE OF PAVEMENT
N.A.P.	NOT A PART
R.A.P.	REMOVE AND RELOCATE
P.L.S.	PROTECT BY PLACING
1596.00	CASTING DATE
1596.00	PROPOSED GRADE



OWNER/APPLICANT
 DTK ENTERPRISES, INC.
 134 NORTH SECOND AVE.
 OAKLAND, CA 94612
 PHONE: (510) 519-1400
 FAX: (510) 443-8600
 CONTRACTOR: CHUCK COONELL

REPRESENTATIVE
 IW CONSULTING ENGINEERS, INC.
 2554 UNIVERSITY AVENUE
 RIVERSIDE, CA 92509
 PHONE: (951) 905-2300
 FAX: (951) 905-5302

LEGAL DESCRIPTION
 4.31 ACRES IN THE NW 1/4 OF SEC. 25, T.13 S. R.4 W. FOR TOTAL DESCRIPTION SEE ASSASSORS MAPS 4422 ACRES N.W. 1/4 FOR NW 1/4 OF SEC. 25 TO 27 T.13 S. R.4 W. FOR TOTAL DESCRIPTION SEE ASSASSORS MAPS

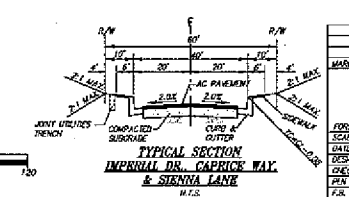
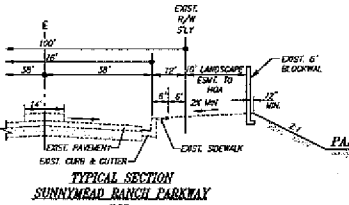
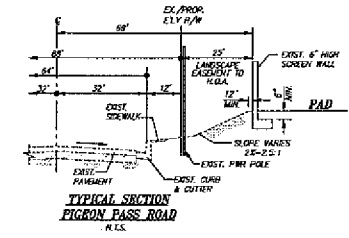
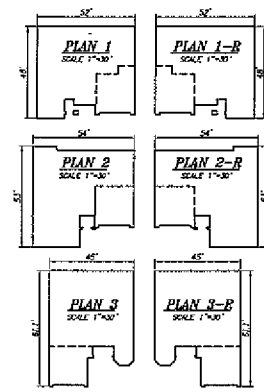
ZONING/GENERAL PLAN/LAND USE
 EXISTING ZONING: _____ SINGLE FAMILY RESIDENTIAL
 EXISTING LAND USE: _____ SAME NO CHANGE
 PROPOSED ZONING: _____ SAME NO CHANGE
 PROPOSED LAND USE: _____ SAME NO CHANGE

UTILITY PURVEYORS
 GAS: _____ SCL. GAS (800) 437-2260
 ELECTRIC: _____ SCL. LA. Edison (800) 685-4855
 TELEPHONE: _____ NORTON (707)465-5000
 WATER & SEWER: _____ EASTERN MICHIGAN WATER DISTRICT (951) 320-3777
 CABLE: _____ TO CABLEVISION (800)227-2630

SITE ADDRESS:
 ADDRESS: SOUTH EAST CORNER OF
 SUNNYMEAD RANCH PARWAY & FIGERON PASS ROAD

PROJECT SUMMARY

LOT NUMBER	ASSASSOR'S PARCEL NUMBER	SQUARE FEET	ACRES
13	260-510-013	8,530	0.2
14	260-510-014	10,599	0.24
15	260-510-015	10,272	0.24
16	260-510-016	8,020	0.18
17	260-510-017	2,570	0.06
18	260-510-018	5,075	0.12
19	260-510-019	8,177	0.19
20	260-510-020	9,701	0.22
21	260-510-021	2,560	0.06
22	260-510-022	7,273	0.17
23	260-510-023	2,280	0.05
24	260-510-024	7,441	0.17
25	260-510-025	2,250	0.05
26	260-510-026	2,251	0.05
27	260-510-027	9,163	0.21
28	260-510-028	8,290	0.19
29	260-510-029	8,724	0.2
30	260-510-030	12,426	0.29
31	260-510-031	6,887	0.16
TOTAL		157,596	3.6

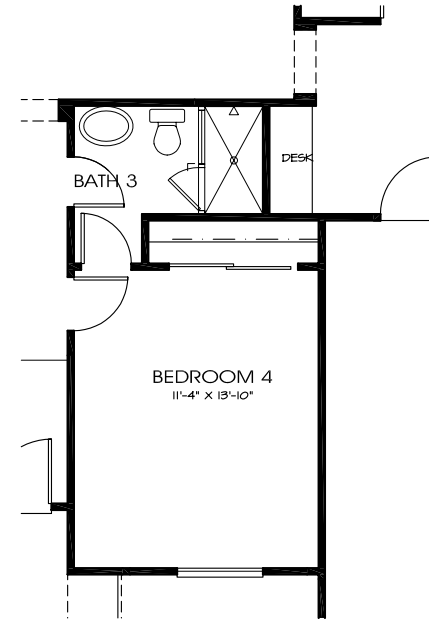


CITY OF MORENO VALLEY
PLOT PLAN
TRACT NO. 31414
LOTS 13-27

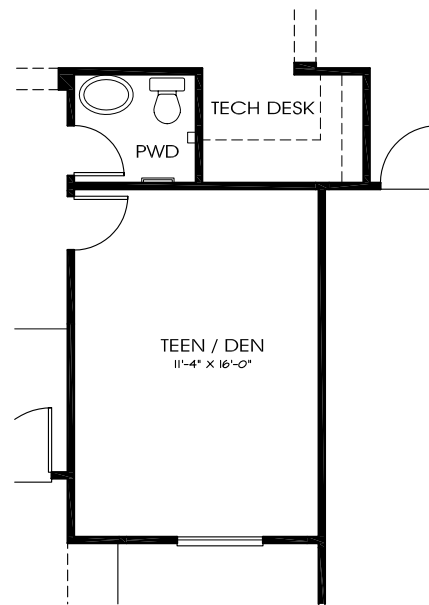
FOR: DTK ENTERPRISES, INC.
 SCALE: 1" = 40'-0"
 DATE: 09/20/10
 DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 PLOT NO. 025

IW Consulting Engineers, Inc.
 Civil Engineering
 Surveying
 Land Planning
 2554 UNIVERSITY AVENUE
 RIVERSIDE, CA 92509
 TEL: 951-905-2300
 FAX: 951-905-5302

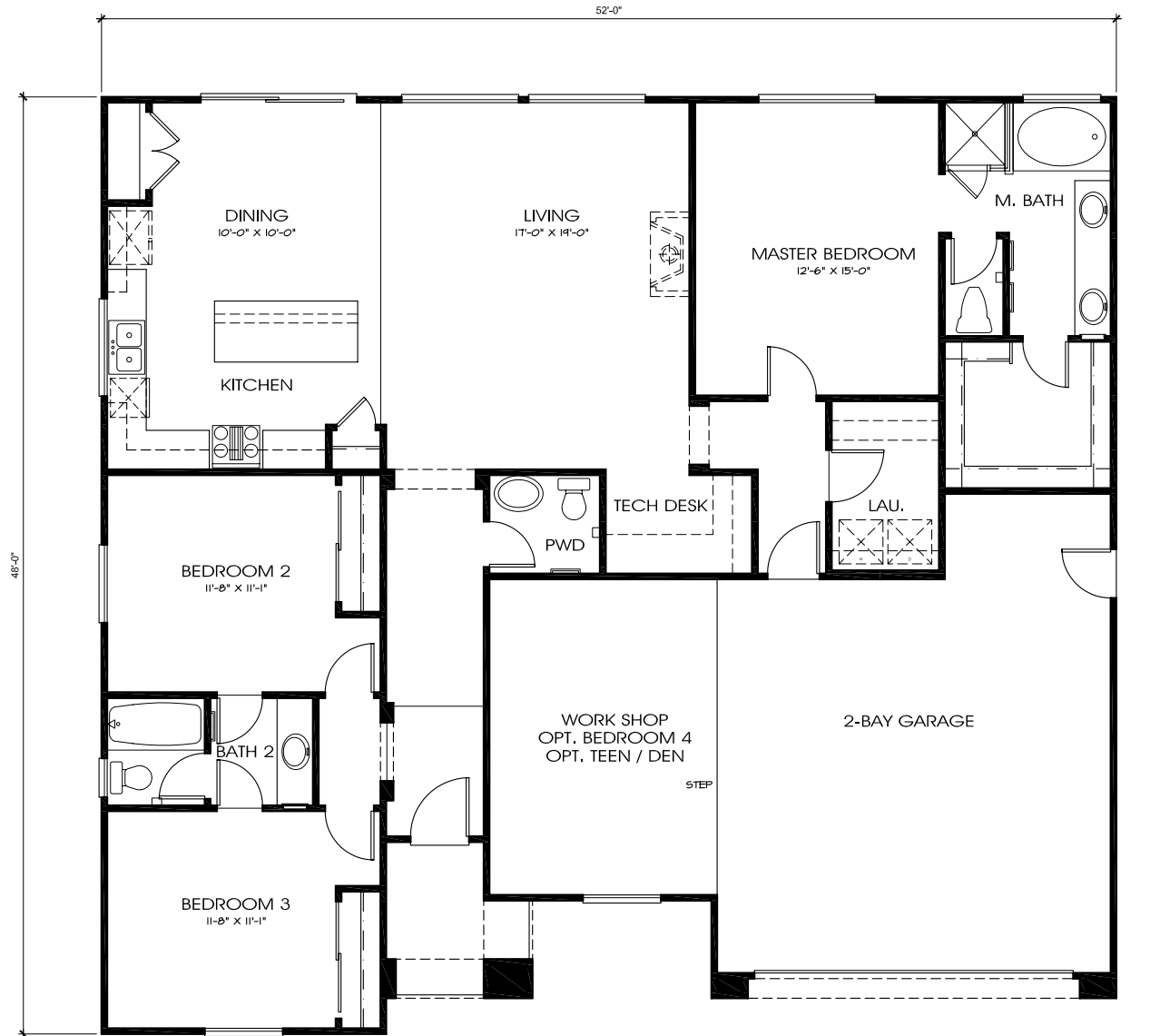
NO. 41100
 SHEET 1
 OF 1 SHEETS
 DATE: 09/20/10



OPTION FLOOR PLAN 188 S.F.



OPTION FLOOR PLAN 188 S.F.



FLOOR PLAN 1,657 S.F.



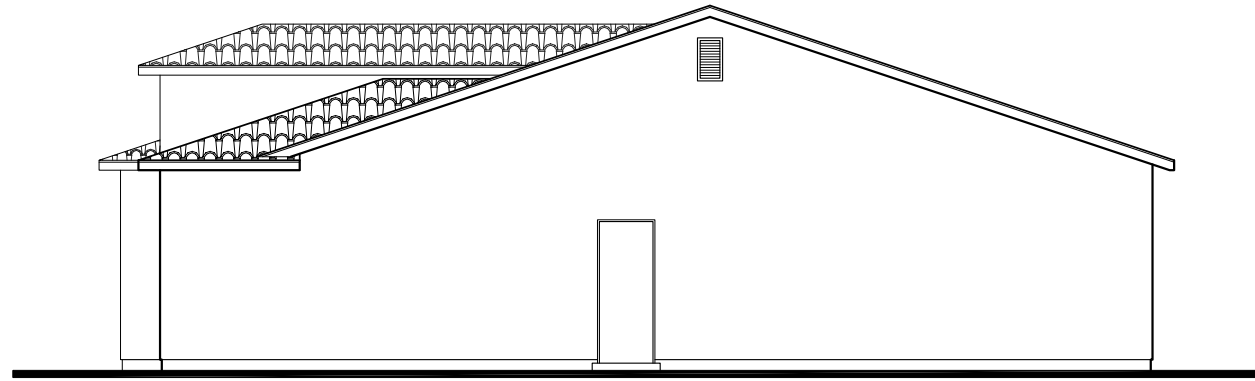
HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11
949.261.2070

THE TRINITY
MORENO VALLEY, CA
ATTACHMENT 5

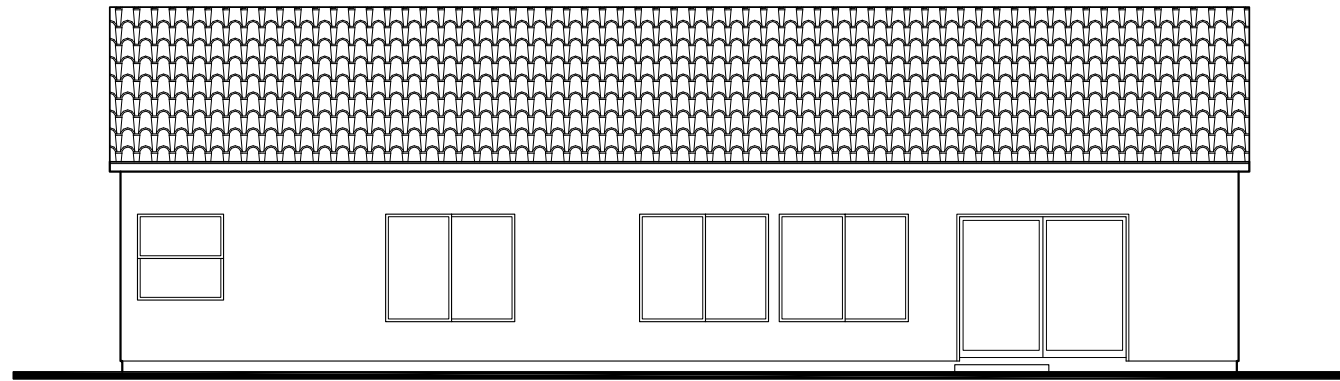
PLAN ONE



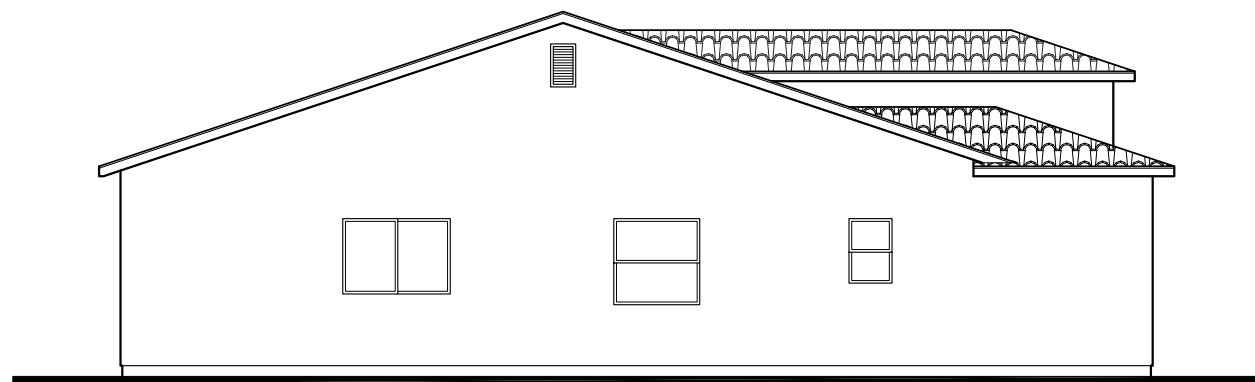
GFR Enterprises
434 N. Second Ave.
Upland, CA 91786
909.949.1400



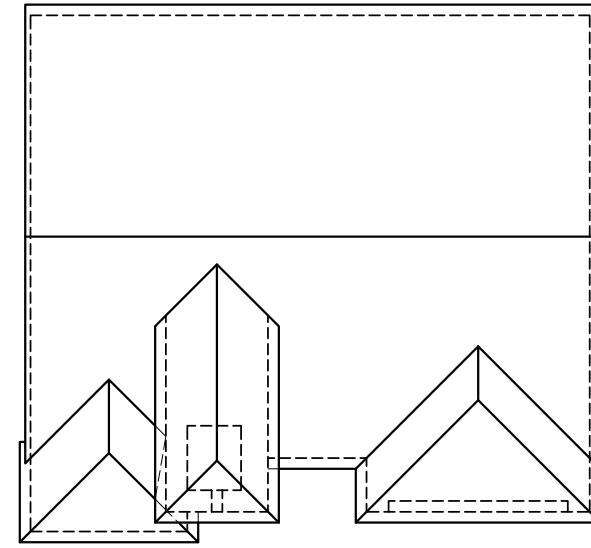
RIGHT SIDE



REAR



LEFT SIDE



ROOF PLAN



FRONT



HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11

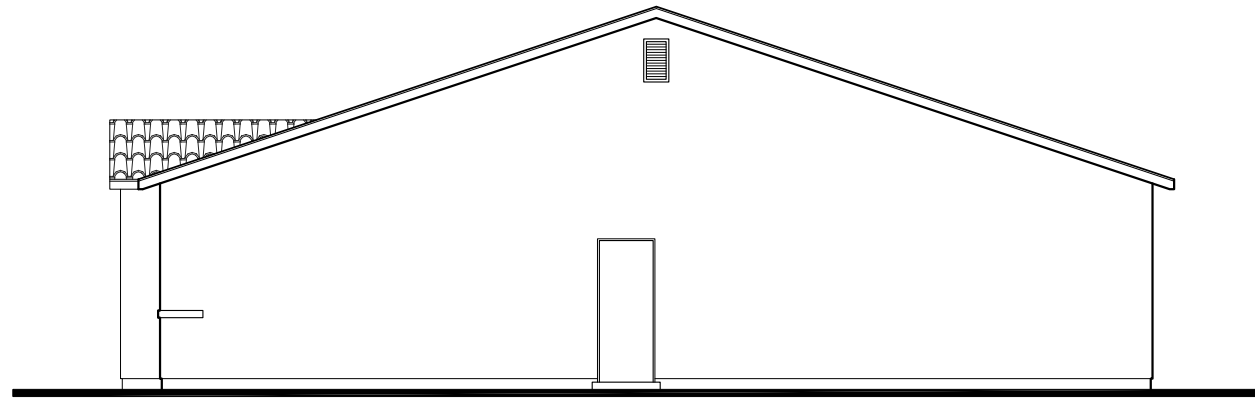
THE TRINITY

MORENO VALLEY, CA

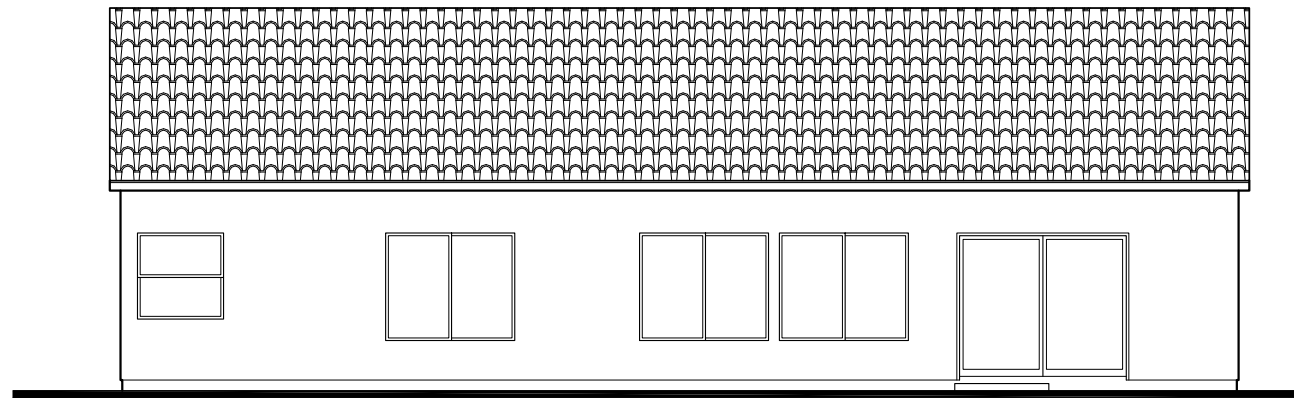
PLAN ONE
SPANISH COLONIAL



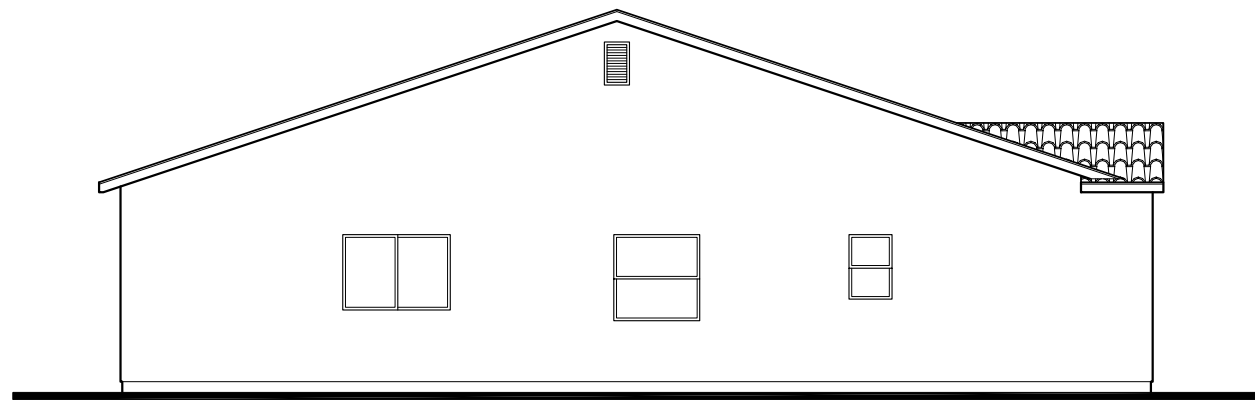
PLYLEY & PLYLEY LLC
434 N. Second Ave.
Upland, CA 91786
909.949.1400



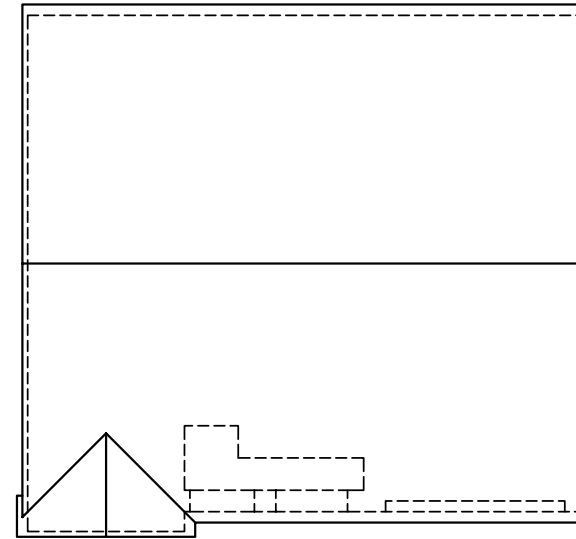
RIGHT SIDE



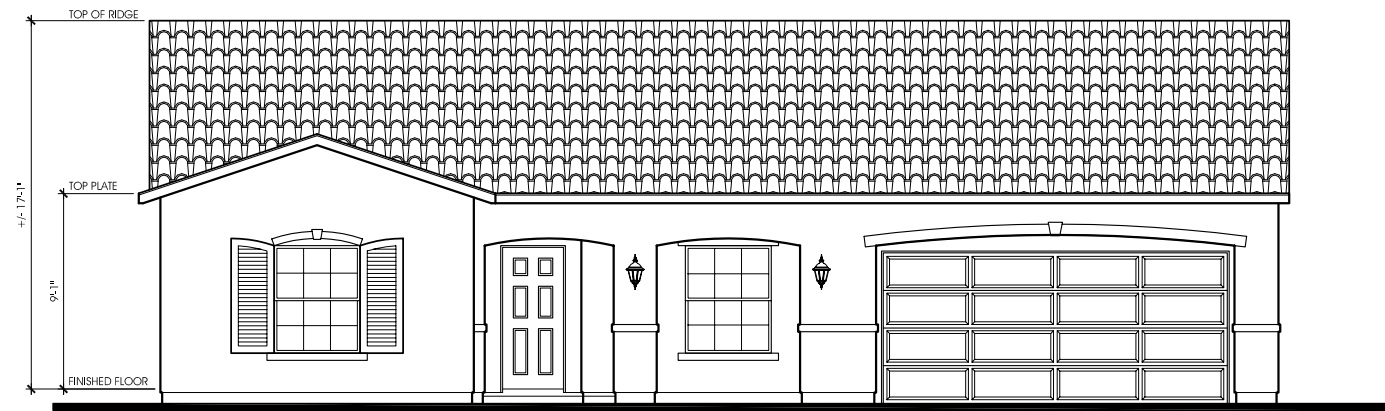
REAR



LEFT SIDE



ROOF PLAN



FRONT



HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11

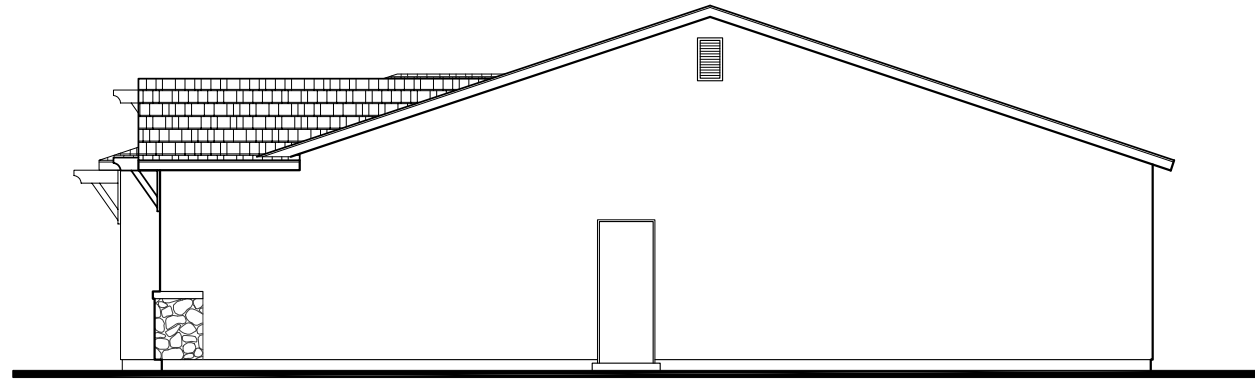
THE TRINITY

MORENO VALLEY, CA

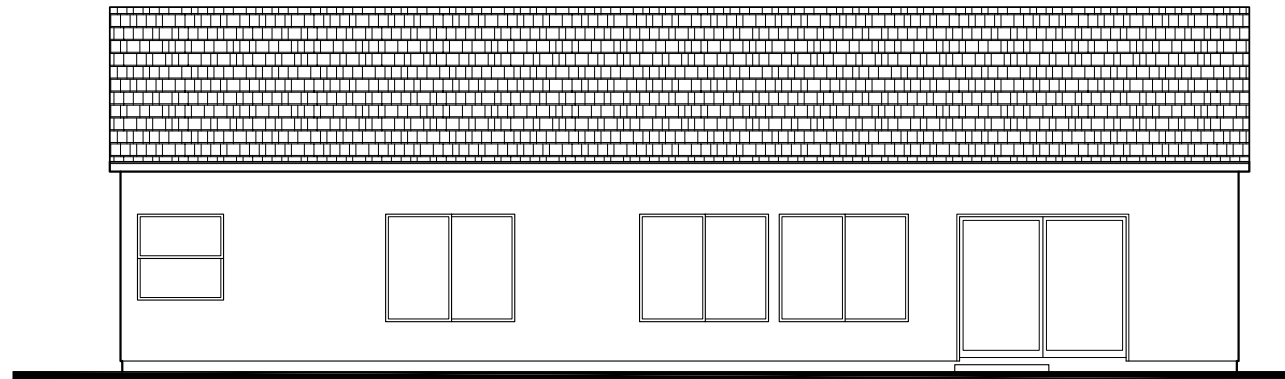
PLAN ONE
SANTA BARBARA



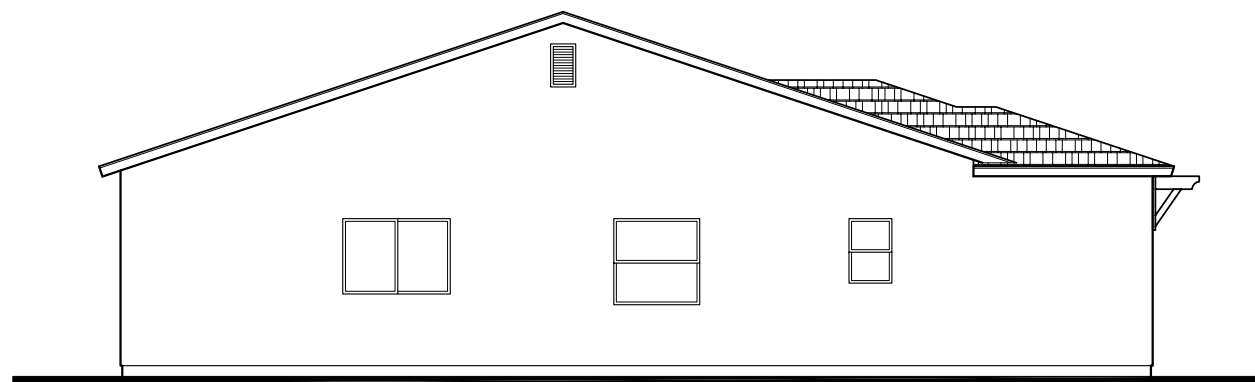
PLYLEY & PLYLEY LLC
434 N. Second Ave.
Upland, CA 91786
909.949.1400



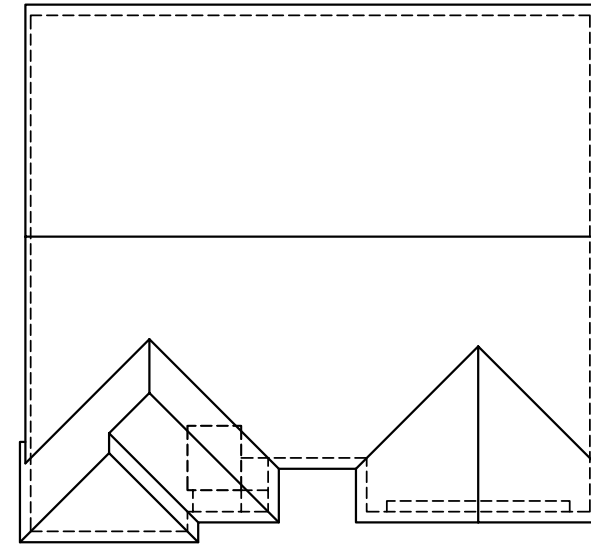
RIGHT SIDE



REAR



LEFT SIDE



ROOF PLAN



FRONT



HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
949.261.2070
PROJECT # 2011013 DATE: 03/01/11

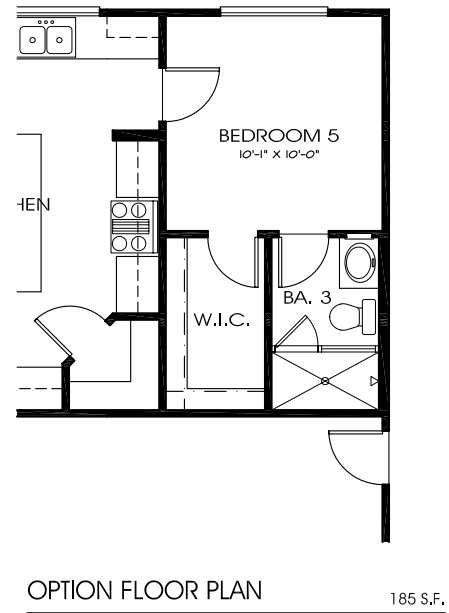
THE TRINITY

MORENO VALLEY, CA

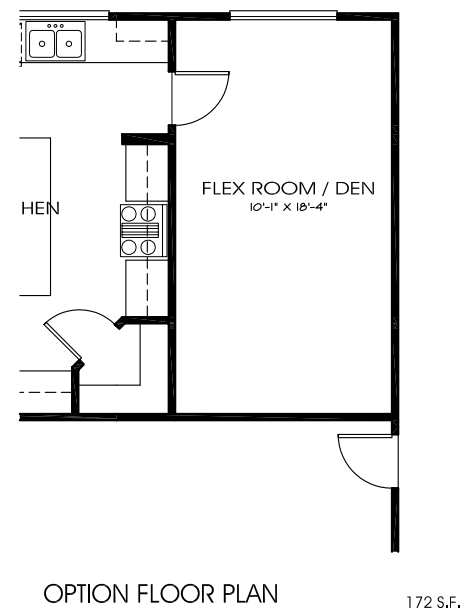
PLAN ONE
CRAFTSMAN



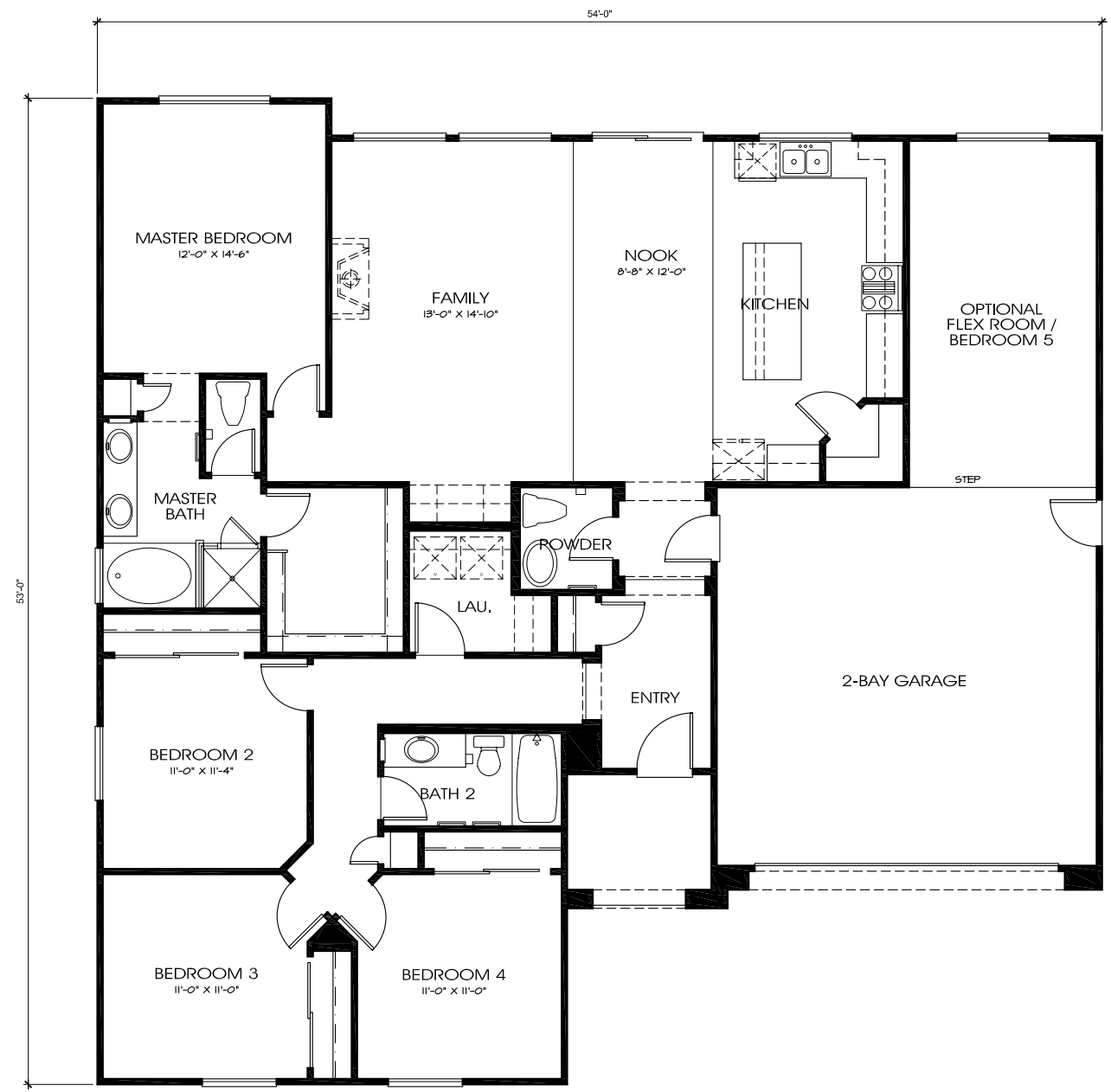
PLYLEY & PLYLEY LLC
434 N. Second Ave.
Upland, CA 91786
909.949.1400



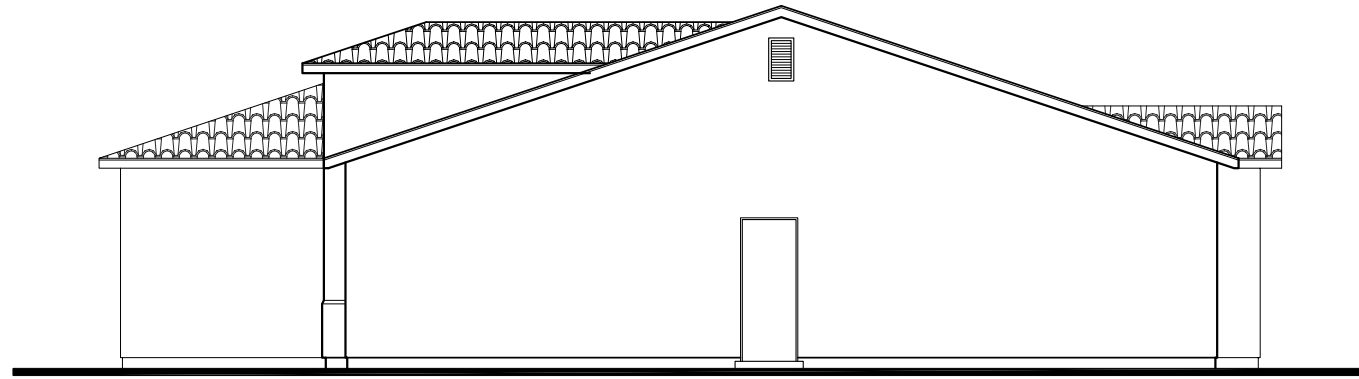
OPTION FLOOR PLAN 185 S.F.



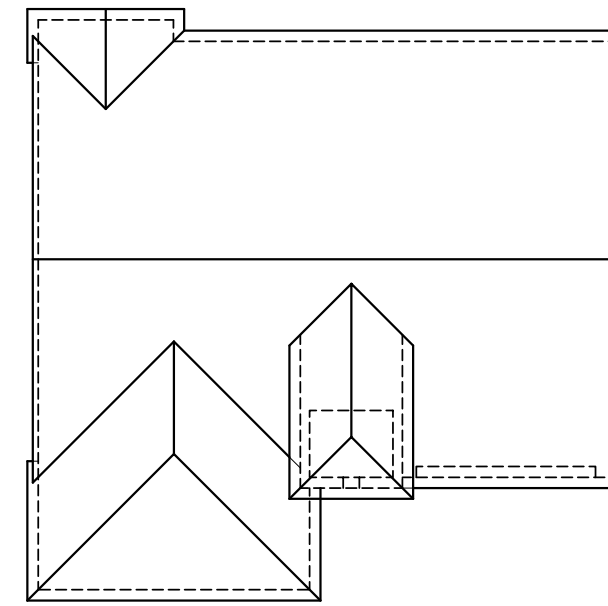
OPTION FLOOR PLAN 172 S.F.



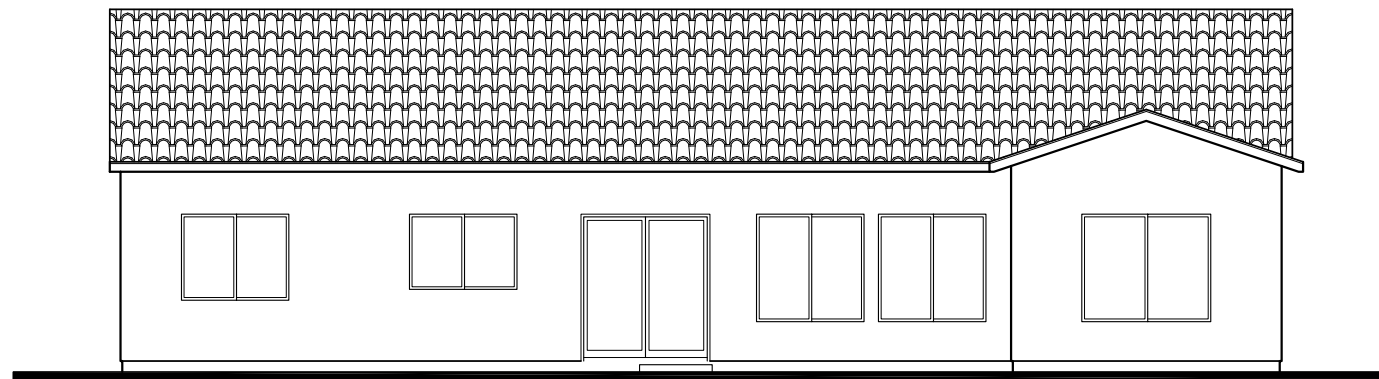
FLOOR PLAN 1,788 S.F.



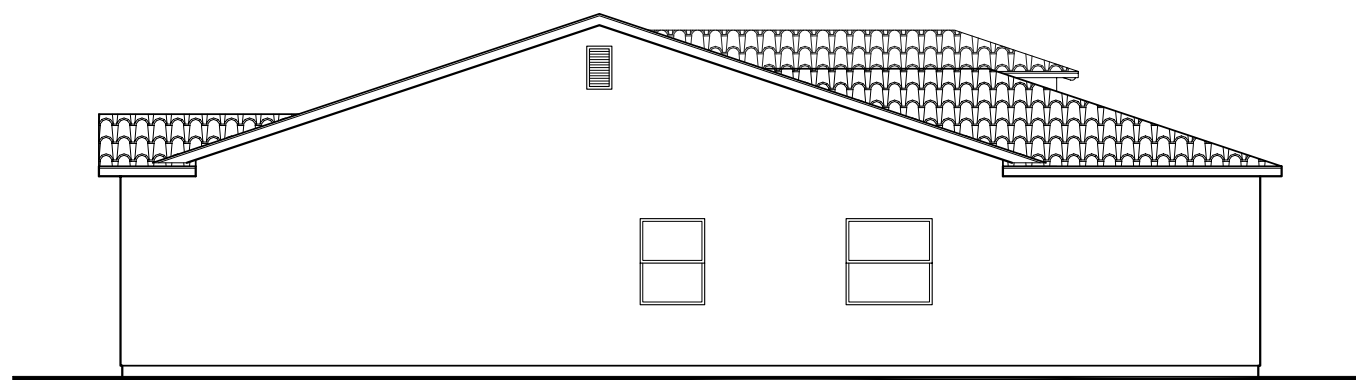
RIGHT SIDE



ROOF PLAN



REAR



LEFT SIDE



FRONT

PLAN TWO
SPANISH COLONIAL



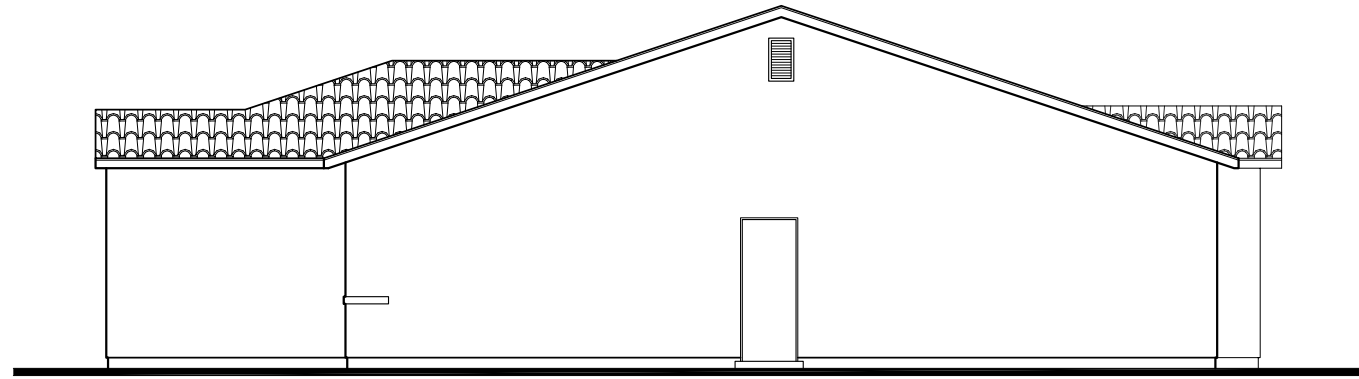
PLYLEY & PLYLEY LLC
434 N. Second Ave.
Upland, CA 91786
909.949.1400



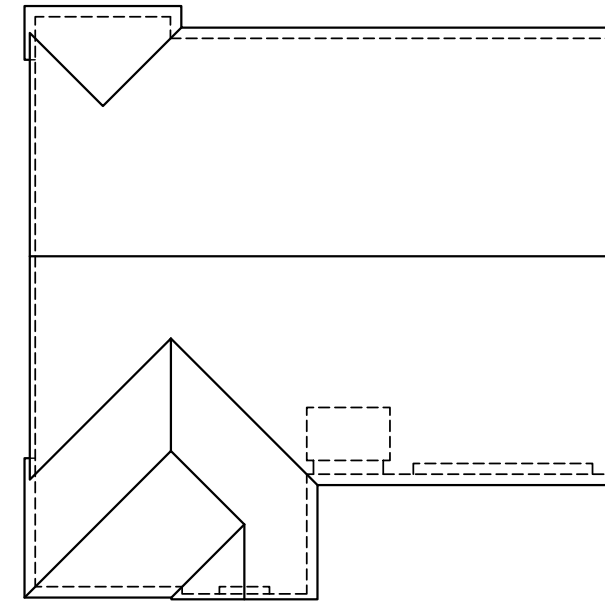
HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11

THE TRINITY

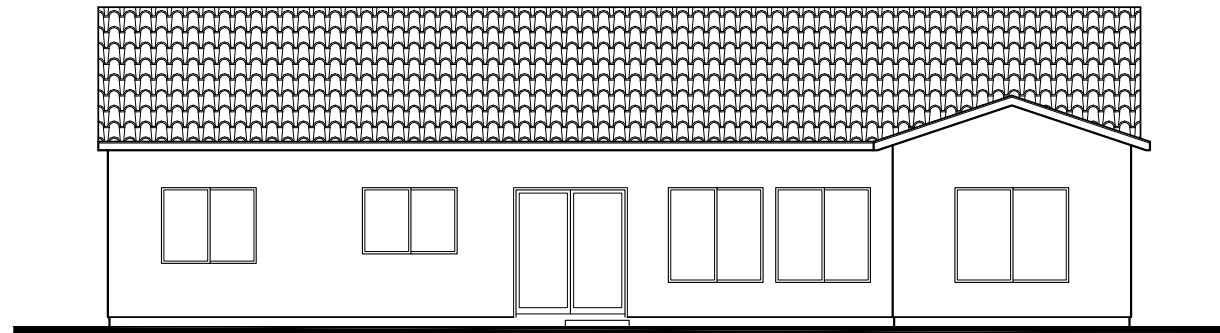
MORENO VALLEY, CA



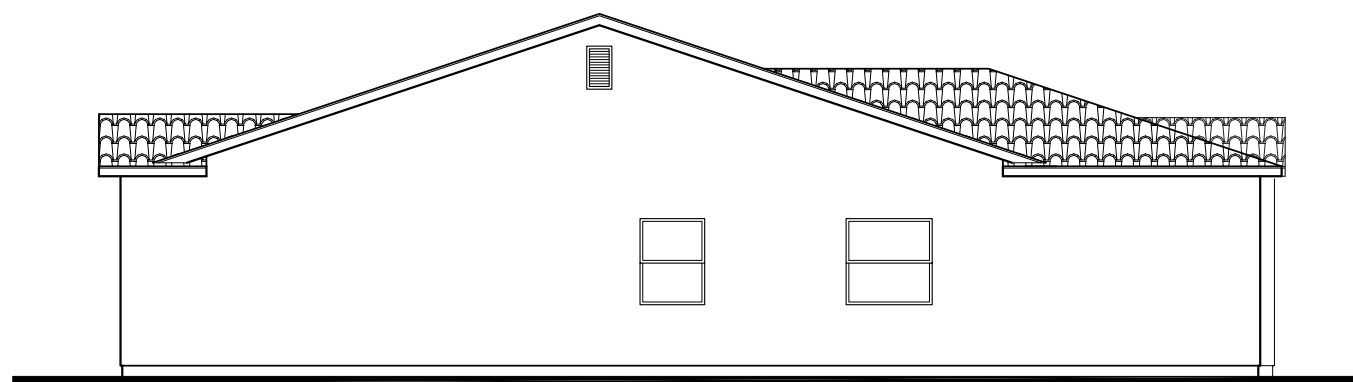
RIGHT SIDE



ROOF PLAN



REAR



LEFT SIDE



FRONT

PLAN TWO
SANTA BARBARA

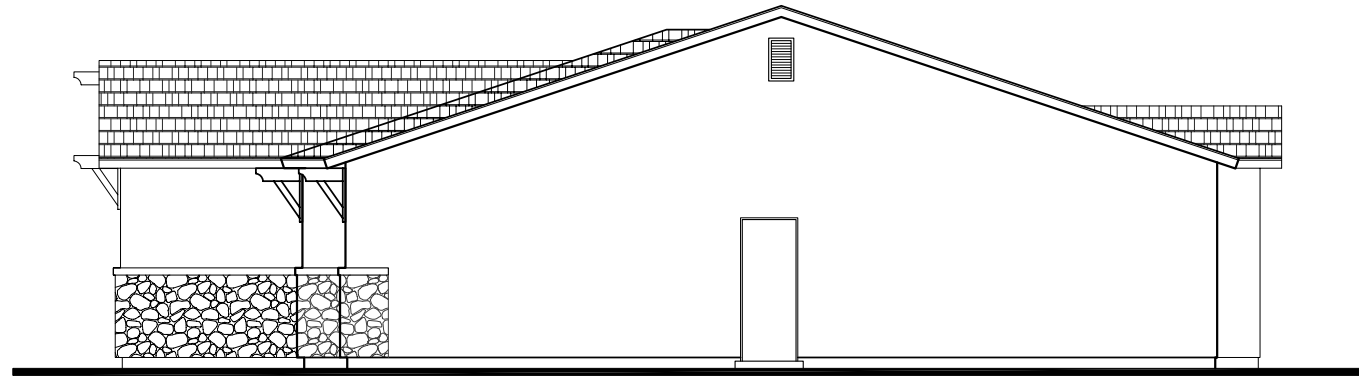


HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11
949.261.2070

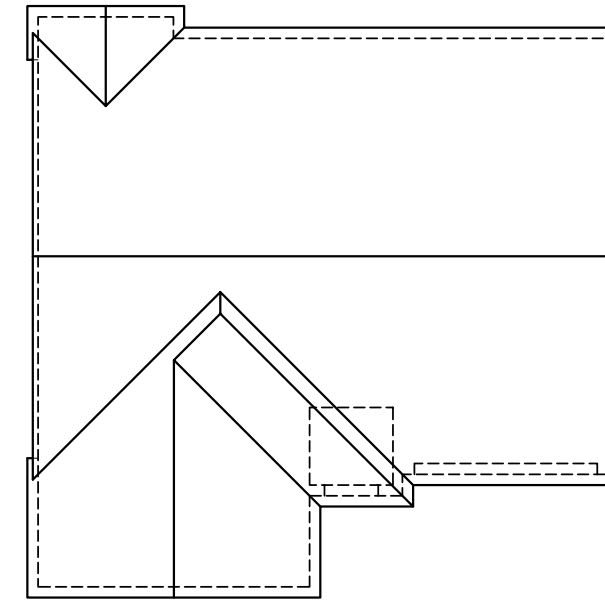
THE TRINITY

MORENO VALLEY, CA

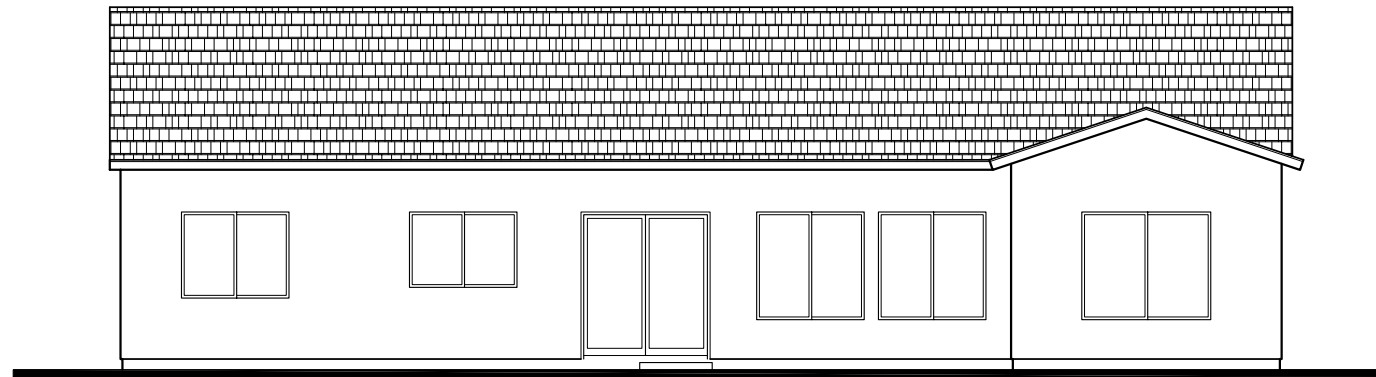
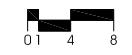
PLYLEY & PLYLEY LLC
434 N. Second Ave.
Upland, CA 91786
909.949.1400



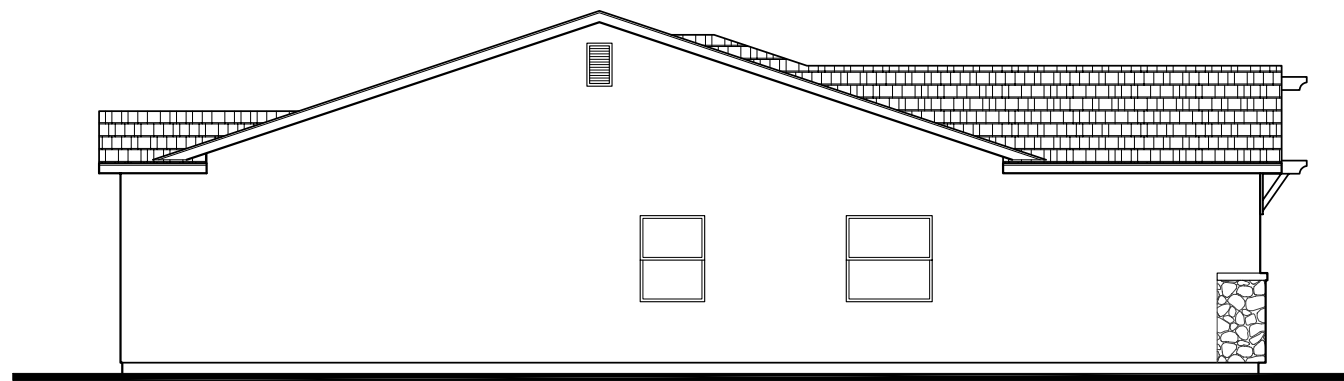
RIGHT SIDE



ROOF PLAN



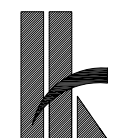
REAR



LEFT SIDE



FRONT



HANNOUCHE ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11

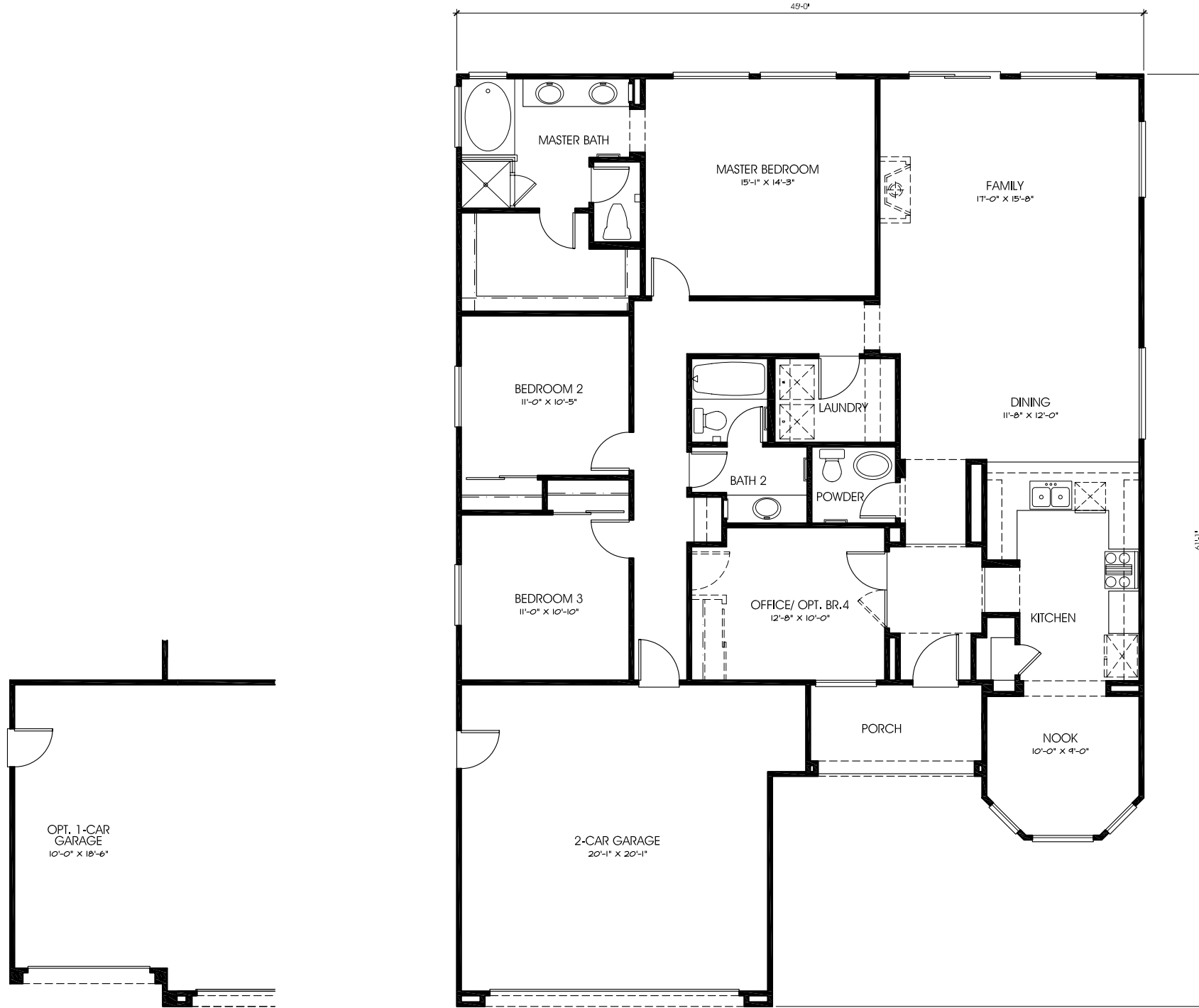
THE TRINITY

MORENO VALLEY, CA

PLAN TWO CRAFTSMAN



PLYLEY & PLYLEY LLC
434 N. Second Ave.
Upland, CA 91786
909.949.1400



OPTIONAL 1-CAR GARAGE

FLOOR PLAN 1,900 S.F.

THE TRINITY

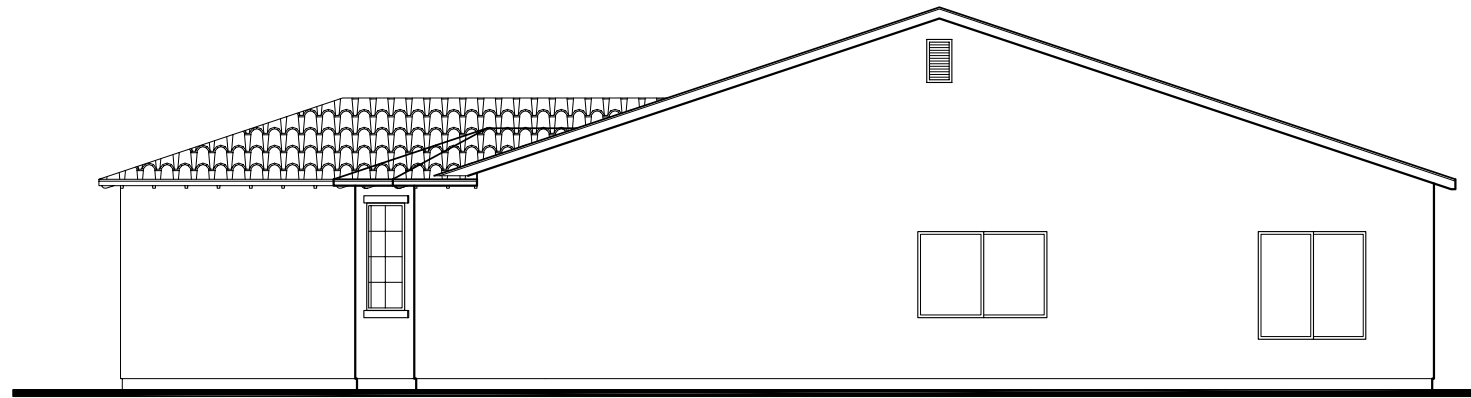
MORENO VALLEY, CA

PLAN THREE

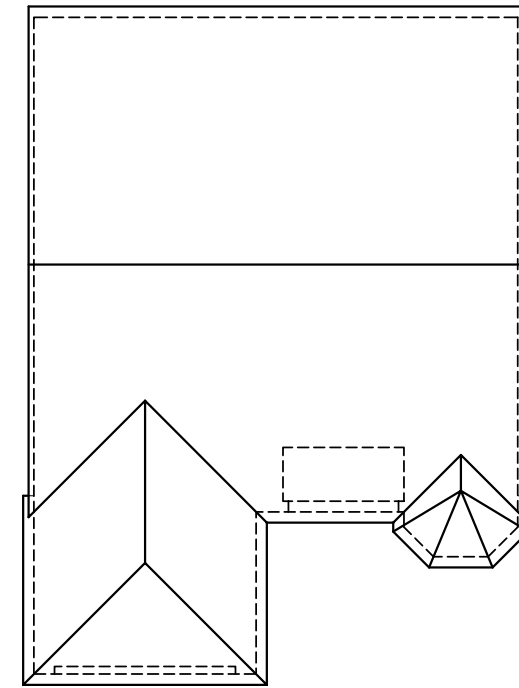


HANNOUCHE ARCHITECTS
 20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
 949.261.2070
 PROJECT # 2011013 DATE: 03/01/11

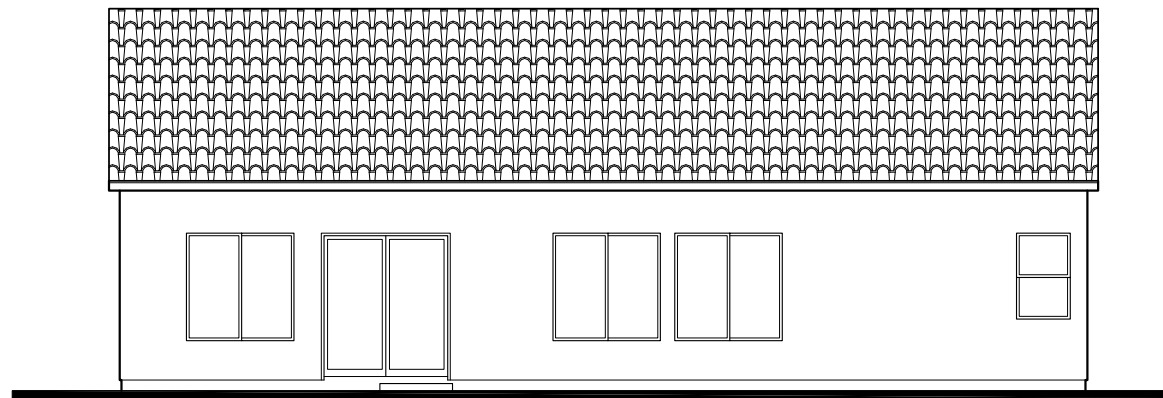
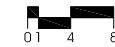
GFR Enterprises
 434 N. Second Ave.
 Upland, CA 91786
 909.949.1400



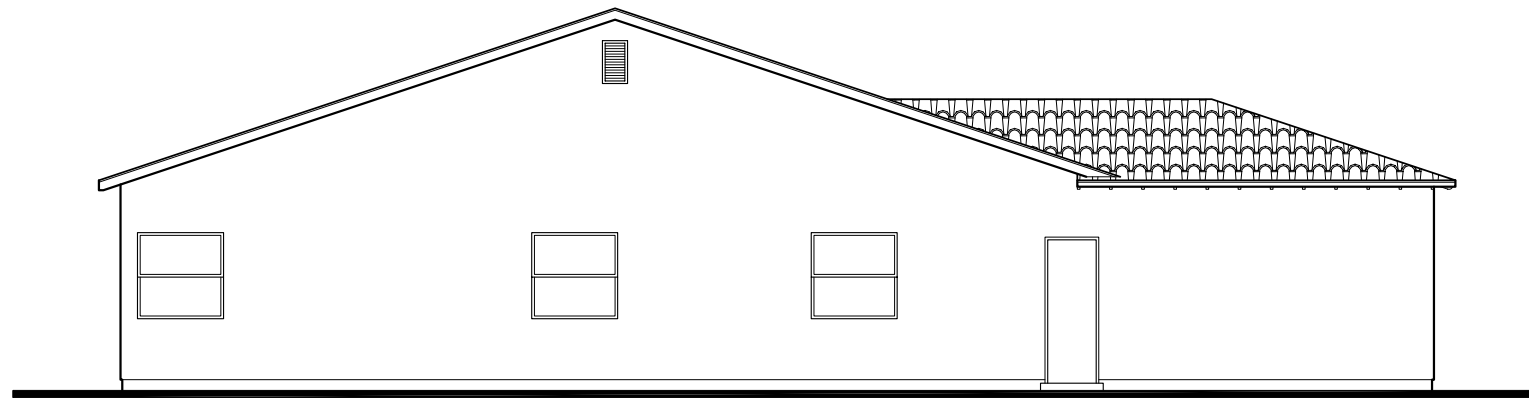
RIGHT SIDE



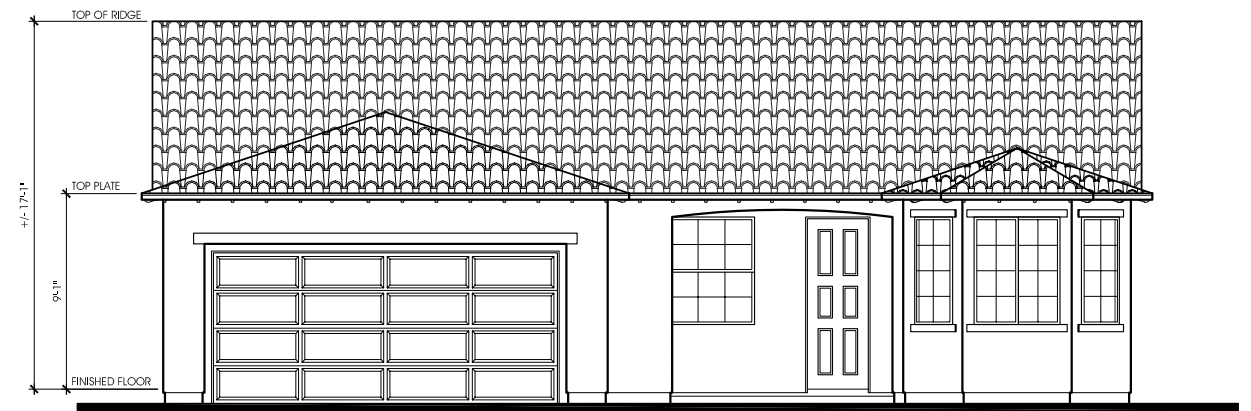
ROOF PLAN



REAR



LEFT SIDE



FRONT

PLAN THREE
SPANISH COLONIAL



PLYLEY & PLYLEY LLC

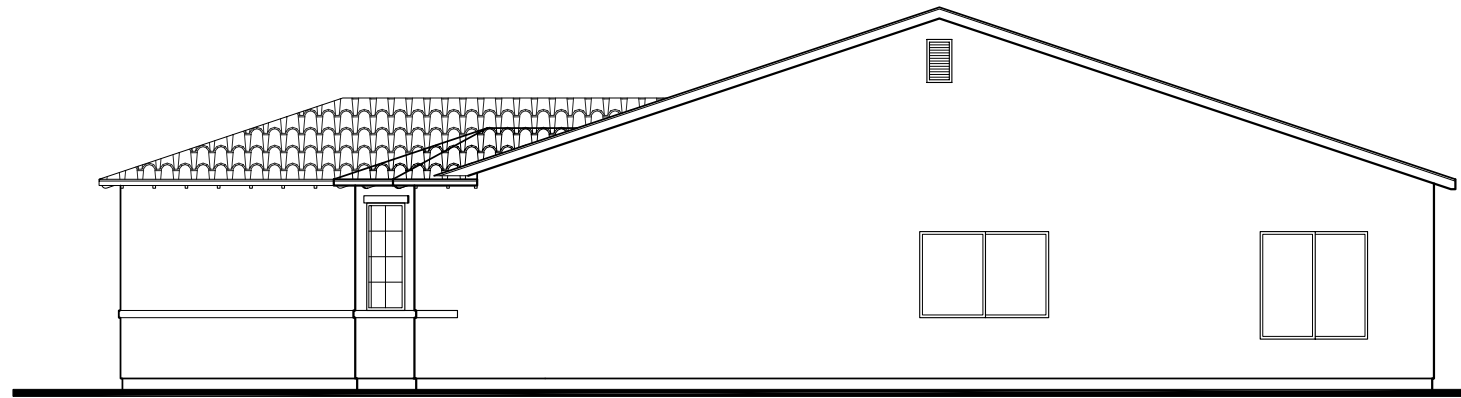
434 N. Second Ave.
Upland, CA 91786
909.949.1400



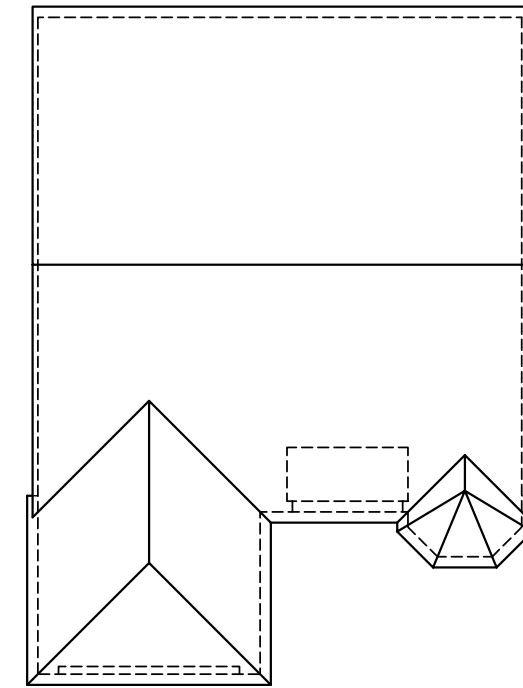
HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11

THE TRINITY

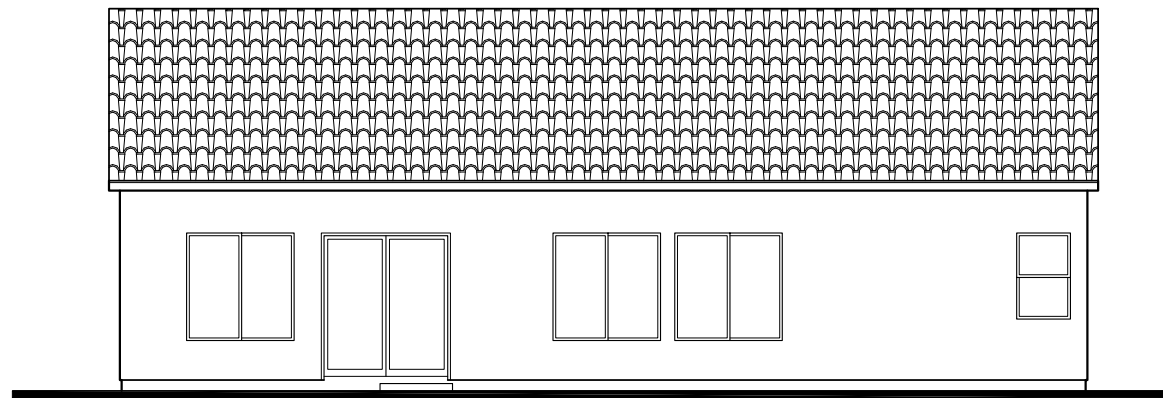
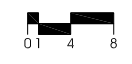
MORENO VALLEY, CA



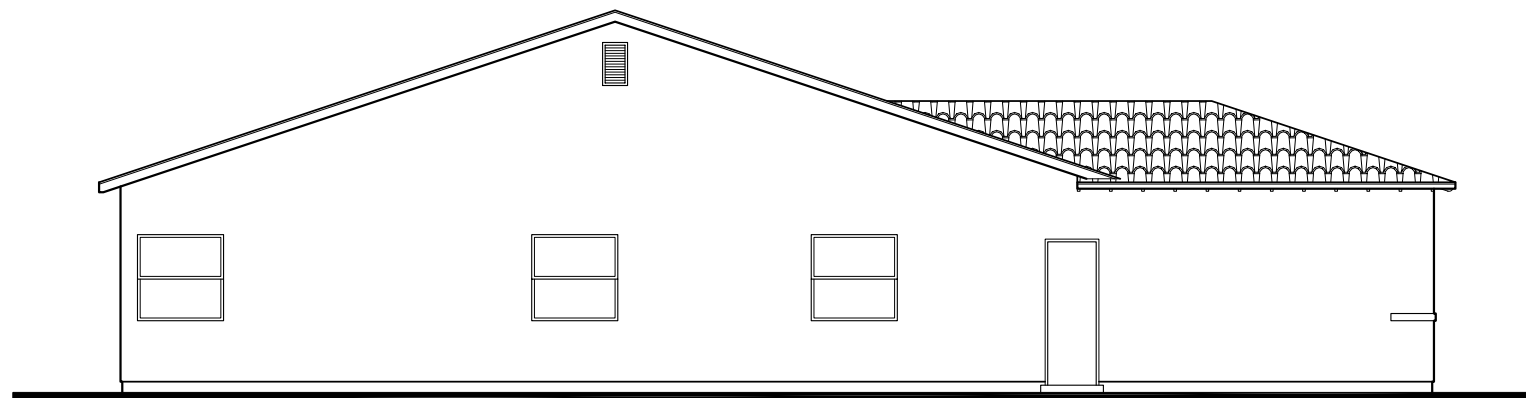
RIGHT SIDE



ROOF PLAN



REAR



LEFT SIDE



FRONT

PLAN THREE
SANTA BARBARA



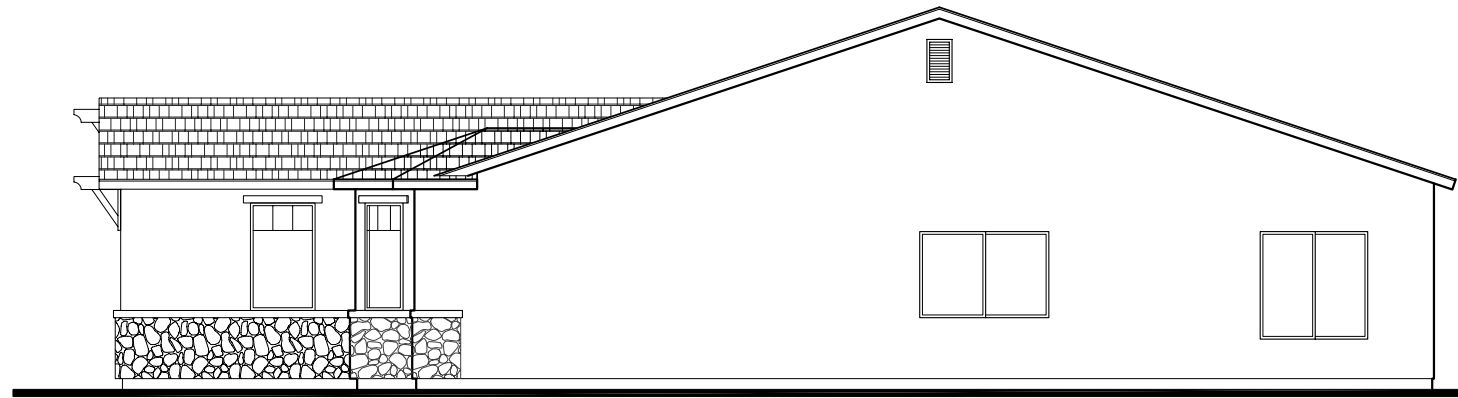
HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11

THE TRINITY

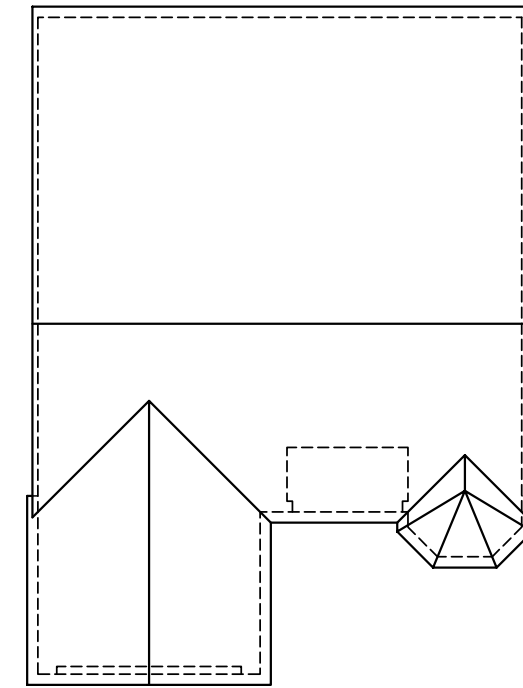
MORENO VALLEY, CA

PLYLEY & PLYLEY LLC

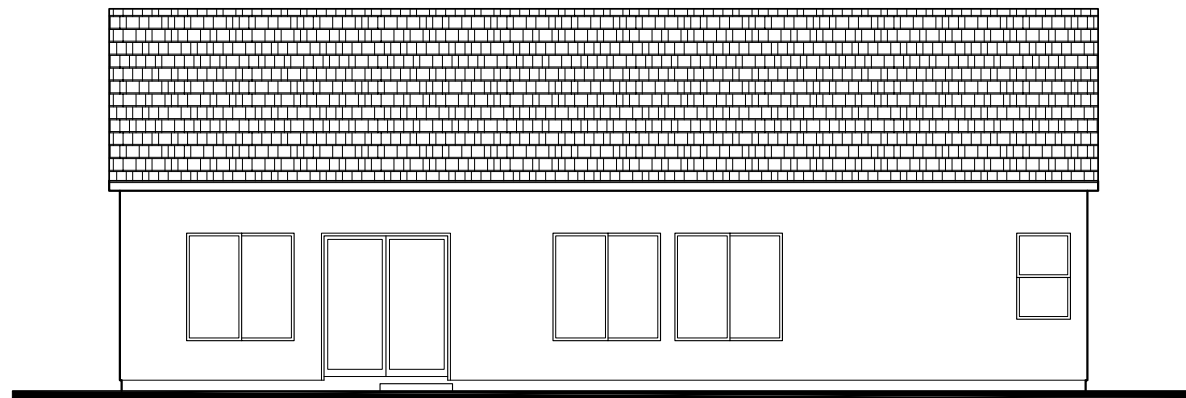
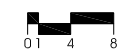
434 N. Second Ave.
Upland, CA 91786
909.949.1400



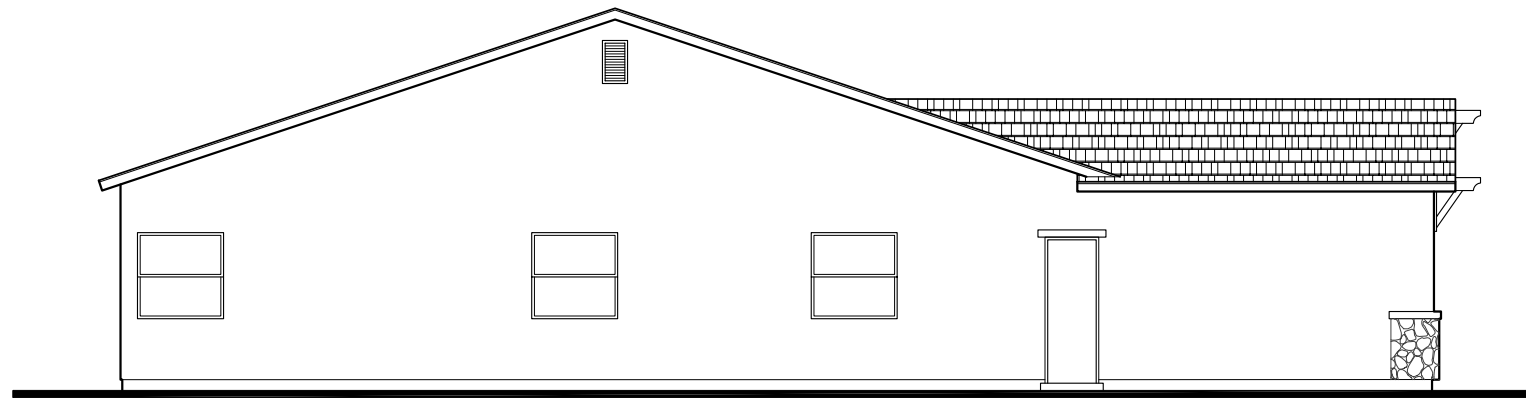
RIGHT SIDE



ROOF PLAN



REAR



LEFT SIDE



FRONT

PLAN THREE
CRAFTSMAN



HANNOUCHE
ARCHITECTS
20250 SW ACACIA ST. #260 NEWPORT BEACH, CA 92660
PROJECT # 2011013 DATE: 03/01/11

THE TRINITY

MORENO VALLEY, CA

PLYLEY & PLYLEY LLC
434 N. Second Ave.
Upland, CA 91786
909.949.1400



SPANISH COLONIAL



SANTA BARBARA



CRAFTSMAN



SPANISH COLONIAL



SANTA BARBARA



CRAFTSMAN



THE TRINITY

MORENO VALLEY, CA

PLAN TWO



PLYLEY & PLYLEY LLC
 434 N. Second Ave.
 Upland, CA 91766
 909.249.1400



SPANISH COLONIAL



SANTA BARBARA



CRAFTSMAN



PLAN 2



PLAN 3



Tract Number 3 31414

Proposed GFR Homes		APPROVED STEVEN WALKER		
Plan	Square Footage (Standard - No Options)	Plan	Square Footage (Standard - No Options)	Variance Percentage (Rounded up)
1	1,845	1	2,275	-19%
3	1,900	2	2,567	-26%
2	1,981	3	2,705	-27%

GFR Homes proposed				EXISTING STEVEN WALKER		
	Lot	Plan Type	Square Footage	Lot	Plan Type	Square Footage
1	13	2	1,981	1	3AR	2,705
2	14	3	1,900	2	2C	2,567
3	15	3	1,900	3	2B	2,567
4	16	1	1,845	4	3B	2,705
5	17	2	1,981	5	2AR	2,567
6	18	1	1,845	6	3CR	2,705
7	19	2	1,981	7	2BR	2,567
8	20	3	1,900	8	3AR	2,705
9	21	2	1,981	9	3BR	2,705
10	22	1	1,845	10	1A	2,275
11	23	2	1,981	11	2AR	2,567
12	24	3	1,900	12	3B	2,705
13	25	1	1,845	28	1BR	2,275
14	26	2	1,981	29	1AR	2,275
15	27	1	1,845	30	2AR	2,567
16				31	1B	2,275
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						
TOTAL SQUARE FEET:			28,711	TOTAL SQUARE FOOT:		40,732
15 Lots which average			1,914	16 Lots which average		2,546

WEIGHTED AVG DIFFERENCE: 24.8%

March 30, 2011

RE: Majestic Hills Estates

GFR Homes is proud to present our newest community of single family homes. This secluded enclave of 15 homes will feature all single story residences ranging from approximately 1,845 square feet to 1,980 square feet, 4 and 5 bedroom plans with an array of exterior architectural styles that include Spanish Colonial, Santa Barbara and Craftsman.

We invite you to come and see our homes and inquire about our move-in specials and referral programs for buyers who are brought to us by our neighbors.

We at GFR Homes welcome your comments regarding our newest project, coming soon to your area.

For further information and comments, please call 909-949-1400, ask for Chuck Crowell or Felix Robles, or for sales, contact Pete Krebs at 951-733-7915.

Sincerely,

Charles H. Crowell
Vice President of Operations



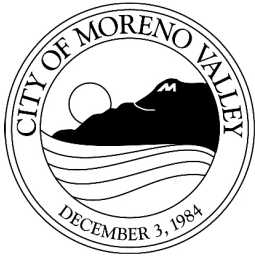
SPANISH COLONIAL



SANTA BARBARA



CRAFTSMAN



PLANNING COMMISSION STAFF REPORT

Cases: PA09-0031 Plot Plan
PA09-0032 Conditional Use Permit
P09-099 Variance

Date: June 9, 2011

Applicant: Gazretail Architects

Representative: Andrew Paszterko

Owner: Yoon Ku Byun

Location: NEC Alessandro Boulevard and Graham Street

Proposal: A Plot Plan for the construction of a commercial center to include an express car wash with vacuum stations, and an approximately 5,500 square feet retail building, including a proposed convenience store, and two additional retail/restaurant suites. The application includes a Conditional Use Permit for the sale of alcohol (Beer and wine for off premises consumption) and a Variance for the reduced front setback landscaping along Alessandro Boulevard due to the site constraints.

Redevelopment Area: Yes

Recommendation: Approval

SUMMARY

The applicant, Gazretail Architects has proposed a new retail commercial center to be located on the northeast corner of Alessandro Boulevard. The center will include an express car wash with a vacuum area and approximately 5,500 square feet of retail space.

PROJECT DESCRIPTION

Project

The project includes a Plot Plan for an express car wash and approximately 5,500 square feet of retail space. The retail space will be located on the corner of Alessandro and Graham with the car wash on the easterly portion of the site. A vacuum area will be located to the north of the retail building and employee parking area. The site is in the Neighborhood Commercial zone which allows the retail and car wash facilities.

The application includes a Conditional Use Permit for the sale of alcohol (Beer and wine) for off premises consumption for the retail use. The NC zoning allows alcohol sales with a Conditional Use Permit when the project is within 300 feet of residential.

The buildable land area of the parcel is triangular in shape resulting in a usable area for building on the site of 45% adjacent to the corner of Alessandro and Graham. The Aqua Duct easement runs diagonally through the mid portion of the site and can only be used for parking or landscape purposes with no structures allowed. Due to the existing site constraints, a Variance application was submitted as the landscape requirements south of the car wash and parking stall depth along Alessandro Boulevard cannot be met. Decorative paving and enhanced landscaping has been conditioned along Alessandro Boulevard to mitigate any adverse impact of the reduced setbacks.

Site/ Surrounding Area

The project site is located on the northeast corner of Alessandro Boulevard and Graham Street within the Neighborhood Commercial (NC) zone. Properties to the north and west are zoned Residential 5 (R5) with existing single family homes. Properties to the south include Community Commercial (CC) directly across the street with a developed fueling station and convenience store, and vacant land on the southwest corner zoned Business Park Mixed Use (BPX). The property to the east is zoned Neighborhood Commercial (NC) and the site of the U. S. Post Office.

Access/Parking

Access to the proposed retail/car wash site will be from Alessandro Boulevard and Graham Street. Graham Street will have two driveways with the access to the car wash facility adjacent to the northerly driveway. The drive asile parralle to Graham Street will provide a connection for vehicles entering the site from Alessandro and the southerly Graham driveway to reach the car wash loading lane.

The project when developed will be required to meet the parking standards for general retail uses which requires one parking space per 225 square feet of building area. Eleven spaces are required for the car wash. The project exceeds the parking City requirements with additional parking between the car wash vacuum areas available to

allow restaurant uses in a portion of the retail building. A total of 36 spaces are required with 60 spaces available including the car wash vacuum spaces.

Design/Landscaping

The design of the project is in conformance with the design guidelines for commercial development. The design for the project is contemporary and will complement the adjacent Post Office building. The car wash building is a focal point with a glass front building. The retail buildings will be stucco with scoring, metal accents and tile for visual interest.

The site will be landscaped per the Municipal Code requirements with additional landscaping adjacent to the car wash building and the area north of the vacuum/parking area. Large trees are not permitted in the aqueduct area.

REVIEW PROCESS

The project was submitted on October 21, 2009. A project review staff meeting was held on November 24, 2009 where revisions were requested by staff. The applicant addressed the comments and resubmitted the plans for review in October of 2010 and in April 2011. All relevant issues have been adequately corrected to the satisfaction of all parties.

ENVIRONMENTAL

The project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all potentially affected reviewing agencies.

<u>Agency</u>	<u>Response Date</u>	<u>Comments</u>
Eastern Municipal Water District	November 19, 2009	Contact EMWD for infrastructure needs.
Riverside County Flood Control	December 1, 2009	Project is within the limits of the District's Sunnymead Area Drainage Plan for which drainage fees have been adopted. NPDES permit may be required. Contact Riverside Count Flood Control.

Planning Commission Staff Report
Page 4

Southern California Edison	November 17, 2009	No issues.
Riverside Transit Agency	November 24, 2009	No issues.
March Joint Powers	November 16, 2009	The project is not located within the Airport Influence Area.

STAFF RECOMMENDATION

That the Planning Commission **APPROVE** Resolution No. 2011-18 and thereby:

1. **RECOGNIZE** that PA09-0031 (Plot Plan), PA09-0032 (Conditional Use Permit) and P09-099 (Variance) qualify as an exemption in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development Projects); and,
2. **APPROVE** PA09-0031 (Plot Plan), PA09-0032 (Conditional Use Permit) and P09-099 (Variance) subject to the attached conditions of approval included as Exhibit A.

Prepared by:

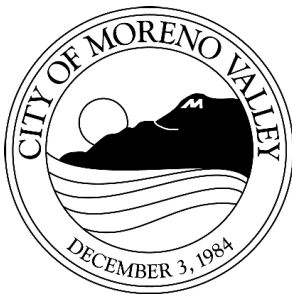
Julia Descoteaux
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-18 with Conditions of Approval
3. Zoning Map
4. Aerial Photograph
5. Project Plans



Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASES: PA09-0031 (Plot Plan)
PA09-0032 (Conditional Use Permit)
P09-099 (Variance)

APPLICANT: Gazretail Architects

OWNER: Yoon Ku Byun

REPRESENTATIVE: Andrew Paszterko, Architect

LOCATION: NEC Alessandro Blvd and Graham Street
(APN: 296-280-018)

PROPOSAL: A Plot Plan for the construction of a commercial center to include an express car wash with vacuum stations, and an approximately 5,150 square feet retail building, including a proposed convenience store, and two additional retail/restaurant suites. The application includes a Conditional Use Permit for the sale of alcohol (Beer and wine for off premises consumption) and a Variance for the reduced front setback landscaping along Alessandro Boulevard due to the site constraints.

ENVIRONMENTAL DETERMINATION: The project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development.

COUNCIL DISTRICT: 5

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community and Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items 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.



LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: June 9, 2011 at 7 PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

RESOLUTION NO. 2011-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA09-0031 A PLOT PLAN FOR THE CONSTRUCTION OF A COMMERCIAL CENTER WITH RETAIL AND A CAR WASH, PA09-0032 A CONDITIONAL USE PERMIT FOR THE SALE OF ALCOHOL (BEER AND WINE FOR OFF PREMISES CONSUMPTION) AND P09-099 A VARIANCE FOR THE REDUCED FRONT LANDSCAPING SETBACK LOCATED ON THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND GRAHAM STREET PARCEL NUMBER 296-280-018

Section 1 Variance

WHEREAS, the applicant, Gazretail Architects has filed an application for the approval of PA09-0031 a Plot Plan, PA09-0032 a Conditional Use Permit and P09-099 a Variance as described in the title of this Resolution.

WHEREAS, on June 9, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

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

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on June 9, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 2

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity;

FACT: That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship for the property owner. The buildable land area of the parcel is triangular in shape resulting in a usable area for building on the site of 45% adjacent to the corner of Alessandro and Graham. The California Aqueduct easement runs diagonally through the mid portion of the site and can only be used for parking or landscape purposes with no structures or large trees allowed. Due to the existing site constraints, a Variance application was submitted as the landscape requirements south of the car wash and parking stall depth along Alessandro Boulevard cannot be met. Decorative paving and enhanced landscaping has been conditioned along Alessandro Boulevard to mitigate any adverse impact of the reduced setbacks.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification;

FACT: There are exceptional or extraordinary circumstances regarding the property. The California Aqueduct easement runs diagonally through the mid portion of the site which limits the usable area for building.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification;

FACT: The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity. The project meets the zoning requirement which allows the retail center in the Neighborhood Commercial (NC) zone. Properties to the north are zoned Residential 5 (R5) with properties to the east zoned Neighborhood Commercial (NC) and Community Commercial (CC) and Business Park Mixed Use (BPX) to the south.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on the other properties in the vicinity and under the same zoning classification;

FACT: The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on the other properties in the vicinity and under the same zoning classification. A majority of the adjacent parcels do not have the aqueduct on site.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

FACT: As proposed, the variance would not cause serious public health problems, safety or welfare, or materially injury to properties or improvements in the vicinity. There are no known hazardous conditions associated with the property, the design of the land division or type of improvements. The proposed retail project will not have a significant impact on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development.

6. That the granting of a variance is consistent with the objectives and policies of the general plan and the intent of this title;

FACT: The proposed variance is consistent with the General Plan and the standards of the General Plan. The granting of a variance would be consistent with the objectives and policies of the project site's General Plan designation.

Section 2 Plot Plan and Conditional Use Permit

WHEREAS, the applicant, Gazretail Architects has filed an application for the approval of PA09-0031 a Plot Plan, PA09-0032 a Conditional Use Permit and P09-099 a Variance as described in the title of this Resolution as described in the title of this Resolution.

WHEREAS, on June 9, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

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

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

C. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

D. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on June 9, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The Plot Plan and Conditional Use Permit for the development of a commercial center including a retail building and car wash is consistent with the project site's existing Commercial General Plan land use designation. As designed and conditioned, the proposal is consistent with existing goals, objectives, policies and programs of the general plan.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: The project site is located in the Neighborhood Commercial (NC) zone and is located within 300 feet of a residential zone. The proposed project as described is a permitted use in the Neighborhood Commercial zone.

The sale of alcohol (beer and wine for off premises consumption) is a permitted use with the approval of a Conditional Use Permit if the site is within 300 feet of residential. The project is designed in accordance with the provisions the City's Municipal Code

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed commercial center would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding area. The project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The design of the proposed commercial center is in conformance with the Neighborhood Commercial (NC) zoning. As designed, the center will have a retail building and a car wash with a vacuum area. The retail building will be located on the southwest corner of the site with the car wash at a diagonal on the southeast portion of the site. Both structures will face Alessandro Boulevard. Access to the site will be from Alessandro Boulevard and Graham Street.

The Conditional Use Permit would allow for the sale of alcohol (beer and wine for off premises consumption) as the site is within 300 feet of a residential zone. The proposed use including the alcohol sales would be in conformance with the existing surrounding development and is consistent with all applicable goals, objectives, policies and programs of the General Plan and the City's Municipal Code.

5. **Conformance with City Redevelopment Plans** – The proposed use conforms with any applicable provisions of any city redevelopment plan.

FACT: This project is located within the boundaries of the City of Moreno Valley Redevelopment Project Area and is in conformance with the redevelopment plan.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-18 approving PA09-0031 a Plot Plan, PA09-0032 a Conditional Use Permit and P09-099 a Variance located on the northeast corner of Alessandro Boulevard and Graham Street parcel number 296-280-018, subject to the attached conditions of approval included as Exhibit A.

APPROVED this 9th day of June, 2011.

Ray L. Baker
Vice Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
APN: 296-280-018**

**APPROVAL DATE:
EXPIRATION DATE:**

**June 9, 2011
June 9, 2014**

- X Planning (P), including School District (S), Post Office (PO), Building (B)**
- X Fire Prevention Bureau (F)**
- X Public Works, Land Development (LD)**
- X Public Works, Special Districts (SD)**
- X Public Works – Transportation Engineering (TE)**
- X Police (PD)**
- X Moreno Valley Utilities**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

- P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
- P2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 2**

- P3. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)
- P4. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P5. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.
- P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P7. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)
- P8. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

- P9. **The site has been approved for the construction of a commercial center to include an express car wash with vacuum stations, and an approximately 5,500 square feet retail building, including a proposed convenience store, and two additional retail/restaurant suites. The application includes a Conditional Use Permit for the sale of alcohol (Beer and wine for off premises consumption) and a Variance for the reduced front setback landscaping/parking stall depth along Alessandro Boulevard due to the site constraints. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit.**
- P10. **Elevation plans shall be revised to reflect the design of the color renderings.**
- P11. **Noise impacts shall be below the level of 55 dBA at one time beyond the boundaries of the property.**

- P12. **Delivery operations will be conducted between the hours of 7 am and 8 pm. Loading or unloading activities shall be conducted from designated loading area. (MC 9.10.140, CEQA)**
- P13. **The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards of a minimum of one (1) foot candle and a minimum of eight (8) foot candle.**
- P14. **The operating hours for the car wash shall be not more than 7 am to 8pm Sunday through Saturday.**
- P15. **Outdoor trash receptacles shall be provided on site for the retail center and the car wash.**
- P16. **Any convenience store selling alcoholic beverages shall post the premises with signs prohibiting the consumption of alcoholic beverages on-site.**

Prior to Issuance of Grading Permits

- P17. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

- P18. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
- P19. **The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.**

- P20. (GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect retail buildings with parking areas and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)**
- P21. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.**
- P22. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**
- A. A maximum 3 foot high decorative wall, hedge or berm shall be placed in the setback area adjacent to a parking lot for screening of vehicle lights.**
 - B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.**

PRIOR TO BUILDING PERMITS

- P23. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)**
- P24. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)**

CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 5

- P25. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)
- P26. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)
- P27. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:**
- A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public right-of-way.**
 - B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)**
 - C. All diamond planters shall be included at an interval of one per 3 parking stalls.**
 - D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.**
 - E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension for the portions of the building visible from parking lot or ROW and 1 tree per thirty (30) linear-feet of parking lot adjacent to the interior of the property. Trees may be massed for pleasing aesthetic effects.**
 - F. Street trees shall be planted at an equivalent of one (1) tree per forty linear feet on center along the street frontage except within the**

aqueduct right of way. Trees designated for this area shall be planted elsewhere on the site.

- G. Enhanced landscaping shall be included at all driveway and corner Locations.**
- H. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).**
- I. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)**
- J. Landscaping on three sides of trash enclosure shall be provided.**
- K. Enhanced landscaping with trees will be required at the easterly driveway from the car wash.**

P28. (BP) Prior to the issuance of building permits, the site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Department.

P29. (BP) Prior to the issuance of building permits, the elevation plans shall be revised to include decorative lighting sconces integrated within all sides of the buildings of the complex to provide up-lighting opportunities and shadowing on the structures. Include drawings of the sconce details for each building within the elevation plans

P30. (BP) Prior to the issuance of building permits, the plot plan shall include decorative concrete pavers for all driveway ingress/egress locations for the project.

PRIOR TO CERTIFICATE OF OCCUPANCY

P31. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

P32. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070).

P33. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community Development & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

Building and Safety Division

- B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building & Safety Division as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.
- B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.
- B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

- S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

- PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Complete and return attached fire flow letter.**
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 1500 GPM for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) .
- F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 1/2" x 2 1/2") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)
- F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
- F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 9**

- F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)
- F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)
- F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)
- F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)
- F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)
- F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)
- F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
- F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
- a) Be signed by a registered civil engineer or a certified fire protection engineer;
 - b) Contain a Fire Prevention Bureau approval signature block; and
 - c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 10**

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

- F14. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)
- F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)
- F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)
- F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)
- F18. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
- F19. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 11**

- F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F21. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)
- F22. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)
- F23. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)
- F24. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F25. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)
- F26. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)
- F27. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 12**

- F28. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)
- F29. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)
- F30. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)
- F31. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)
- F32. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:	10/18/10	Address:	
Case Number:	PA09-0031 PA09-0032	A.P.N.:	296-280-003

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 1500 G.P.M. for duration of 2-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/
Developer: _____

By: _____ Date: _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____ Date: _____

By: _____ Title: _____

NOTE: THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA09-0031 – Plot Plan for Convenience Store and Car Wash
PA09-0032 – Conditional Use Permit
P09-099 - Variance
APN 296-280-018

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC).
- LD2. (G) As it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.
- LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD4. (G) **In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or**

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 15**

offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

- LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.
- LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Public Works Department.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

- LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 16**

LD8. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD9. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD10. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

- a. The project lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
- b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
- c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
- d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)
- e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD11. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 17**

- LD12. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.
- LD13. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.
- LD14. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)
- LD15. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.
- LD16. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Improvement Plan Approval or Construction Permit

- LD17. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD18. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)
- LD19. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.
- LD20. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 18**

an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD21. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD22. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD23. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD24. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD25. (BP) Prior to issuance of a building permit, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (**NPDES**) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of permit issuance. Following are the requirements:

- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 19**

- b. Notify the Special Districts Division of the intent to obtain a building permit 90 days prior to the City's issuance of a building permit and the financial option selected. (California Government Code & Municipal Code)

LD26. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD27. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD28. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD29. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD30. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

- a. Street improvements including, but not limited to: drive approaches, pedestrian ramps, under sidewalk drains, landscaping and irrigation.
- b. Sewer and water systems including, but not limited to: sanitary sewer and potable water.

LD31. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD32. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

- LD33.** Prior to grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site.
- LD34.** Prior to grading plan approval, the plans shall show proposed mechanisms to treat onsite runoff before it enters into the public storm drain system. The plans shall show locations of proposed structural best management practices. The developer shall submit to the City for review and approval, those structural best management practices proposed onsite to control predictable pollutant runoff. The developer shall select those structural best management practices identified in Supplement A and Supplement A Attachment to the Riverside County Drainage Area Management Plans. www.floodcontrol.co.riverside.ca.us The developer shall first maximize the use of site design and source control best management practices.
- LD35.** Prior to grading plan approval, the developer shall submit to the City a letter from the Department of Water Resources, Eastern Municipal Water District, and Riverside County Flood Control & Water Conservation District that provides any grading or improvement restrictions within, over, or beneath their respective easement.
- LD36.** Prior to grading plan approval, the following shall be shown on the plans and dedications made, via separate instrument and submitted to the City for review and approval: a four-foot pedestrian right-of-way dedication behind proposed driveway approaches per City Standard 118C, on Alessandro Boulevard and Graham Street, along the project frontage. No decorative pavers are to be located within the right-of-way.
- LD37.** Prior to grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.
- LD38.** Prior to grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for

Accessible Design”, Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City’s Building and Safety Division.

LD39. Prior to grading plan approval, the developer shall submit for review and approval the following right-of-way dedication legal descriptions and plats:

- a. A six-foot road right-of-way dedication on the north side of Alessandro Boulevard along project frontage for street and public utility purposes to accommodate a future dedicated right-turn lane.
- b. A four-foot road right-of-way dedication around each of the proposed project entrances per City Standard 118C for pedestrian access purposes.
- c. An additional width road right-of-way dedication at the northeast corner of Alessandro Boulevard and Graham Street for corner cutback purposes per City Standard 208.

LD40. Prior to building permit issuance, the developer shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements that do not meet current City standards including handicap access ramps and related cross walk striping that do not meet current American with Disabilities Act (ADA) standards.

LD41. Prior to building permit issuance, pavement core samples of existing pavement on Alessandro Boulevard and Graham Street may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal along project frontage depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City’s pavement structural section standard.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL

Case No: PA09-0031 (PP for a convenience store, additional retail space, and an express carwash) and PA09-0032 (CUP)
APN: 296-280-018
11.18.09

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval **for PA09-0031 and PA09-0032**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.
- SD-2 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

- SD-3 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 23**

protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD-4 (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Alessandro Blvd.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

- a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
- b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD-5 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD-6 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and

Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

Prior to Certificate of Occupancy

- SD-7 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.
- SD-8 (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT

Transportation Engineering Division Conditions of Approval

Prior to the issuance of certificate of occupancy:

- 1 Adequate sight distance shall be provided for vehicles exiting the proposed driveways in accordance with City Standard Plans 125a, 125b, and 125c. to the satisfaction of the City Traffic Engineer.
- 2 Applicant shall install an R6-1 (One-Way) sign within the existing Alessandro Boulevard median for southbound traffic exiting the site driveway. Sign shall be installed in accordance with City standards 407 and 408 to the satisfaction of the City Traffic Engineer.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA09-0031 (Plot Plan) & PA09-0032 (CUP)
(Related Case: P09-099 – Variance)
APN: 296-280-018

PUBLIC WORKS DEPARTMENT

Moreno Valley Utility

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) **PA09-0031 & PA09-0032**; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution:** Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching

**CONDITIONS OF APPROVAL
PA09-0031 PLOT PLAN
PA09-0032 CONDITIONAL USE PERMIT
P09-099 VARIANCE
PAGE 27**

operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

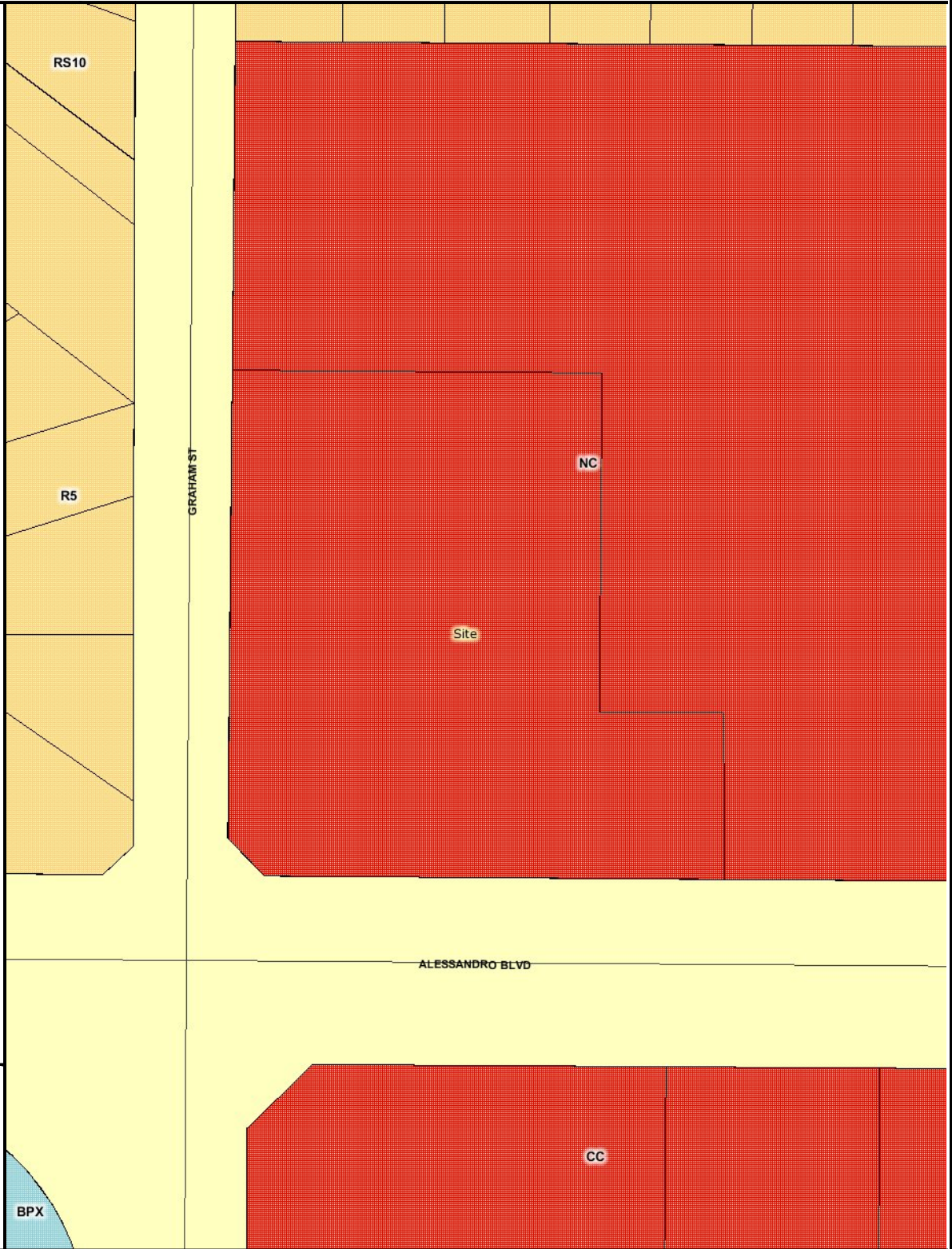
The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

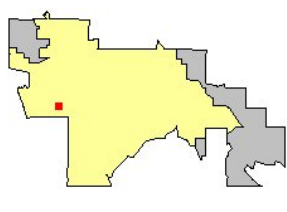
PA09-0031 PA09-0032 P09-099jd

Legend

-  Highways
-  Parcels
-  Roads
- Zoning**
-  Commercial
-  Industrial/Business Park
-  Large Lot Residential
-  Multi-family
-  Office
-  Open Space/Park
-  Planned Development
-  Public Facilities
-  Residential 2 Dwellings/Acre
-  Residential Agriculture 2 Dwellings/Acre
-  Suburban Residential
-  Waterbodies
- City Boundaries**
-  Calimesa
-  Moreno Valley
-  Perris
-  Riverside

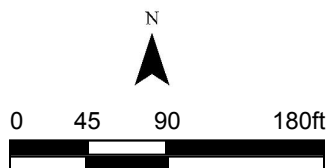


Powered By GeoSmart.net



City of Moreno Valley
 14177 Frederick St
 Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.



Printed: 6/2/2011 12:36:15 PM

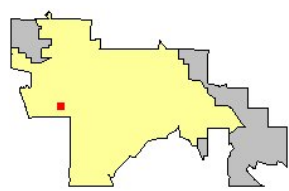
PA09-0031 PA09-0032 P09-099jd

Legend

-  Highways
-  Parcels
-  Roads
-  Waterbodies
- City Boundaries**
-  Calimesa
-  Moreno Valley
-  Perris
-  Riverside

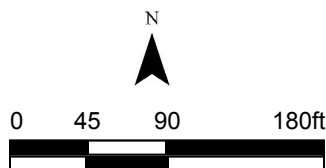


Powered By GeoSmart.net



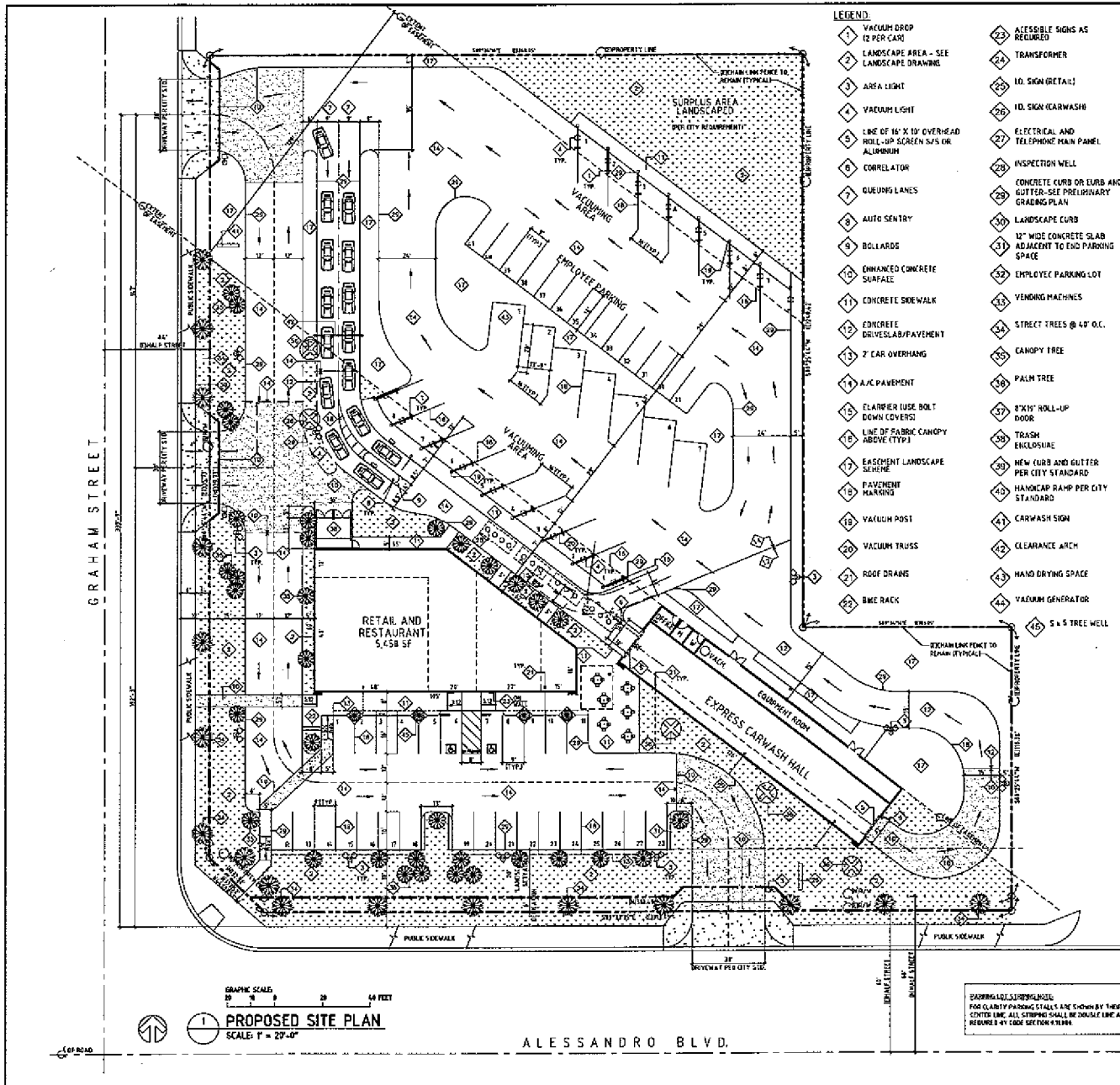
City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

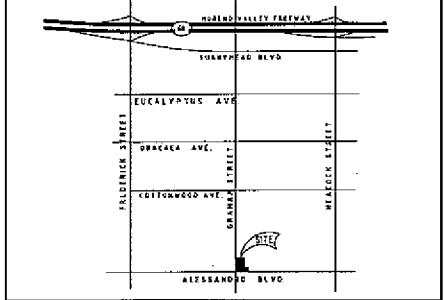


Printed: 6/2/2011 12:34:29 PM

ATTACHMENT 4



- LEGEND**
- 1 VACUUM DROP (2 PER CAR)
 - 2 LANDSCAPE AREA - SEE LANDSCAPE DRAWING
 - 3 AREA LIGHT
 - 4 VACUUM LIGHT
 - 5 LINE OF 16" X 10" OVERHEAD HULL-UP SCREEN S/S OR ALUMINUM
 - 6 CORRELATOR
 - 7 CURBING LANES
 - 8 AUTO SENTRY
 - 9 BOLLARDS
 - 10 DIMANDED CONCRETE SURFACE
 - 11 CONCRETE SIDEWALK
 - 12 CONCRETE DRIVESLAB/PAVEMENT
 - 13 7 CAR OVERHANG
 - 14 A/C PAVEMENT
 - 15 CLAMP/FR LUGE BOLT DOWN COVERS
 - 16 LINE OF FABRIC CANOPY ABOVE (TYP)
 - 17 EXISTING LANDSCAPE SCENE
 - 18 PAVEMENT MARKING
 - 19 VACUUM POST
 - 20 VACUUM TRUSS
 - 21 ROOF DRAINS
 - 22 RME RACK
 - 23 ACCESSIBLE SIGNS AS REQUIRED
 - 24 TRANSFORMER
 - 25 10. SKAN (DETAIL)
 - 26 10. SKAN (CARWASH)
 - 27 ELECTRICAL AND TELEPHONE MAIN PANEL
 - 28 INSPECTION WELL
 - 29 CONCRETE CURB OR CURB AND GUTTER-SEE PRELIMINARY GRADING PLAN
 - 30 LANDSCAPE CURB
 - 31 12" WIDE CONCRETE SLAB ADJACENT TO END PARKING SPACE
 - 32 EMPLOYEE PARKING LOT
 - 33 VENDING MACHINES
 - 34 STREET TREES @ 40' O.C.
 - 35 CANOPY TREE
 - 36 PALM TREE
 - 37 8"X11" HULL-UP ROOF
 - 38 TRASH ENCLOSURE
 - 39 NEW CURB AND GUTTER PER CITY STANDARD
 - 40 HANDICAP RAMP PER CITY STANDARD
 - 41 CARWASH SIGN
 - 42 CLEARANCE ARCH
 - 43 HAND DRYING SPACE
 - 44 VACUUM GENERATOR
 - 45 5 X 5 TREE WELL



2 VICINITY MAP
R.T.S.

THOMAS BROTHERS COORDINATES
PAGE 714 GRID 05- RIVERSIDE COUNTY

PROJECT DATA:
PROJECT ADDRESS:
1111 ALESSANDRO BOULEVARD,
RIVERSIDE, CA 92503
COUNTY OF RIVERSIDE

LEGAL DESCRIPTION:
SEE PRELIMINARY GRADING PLAN SHEET
1500 FEET AND BOUND DESCRIPTIONS.
PRESENT USE:
VACANT (VACANT LOT)

PROPOSED USE:
CARWASH, RETAIL AND RESTAURANT
THOMAS BROTHERS COORDINATES:
PAGE 714 GRID 05- RIVERSIDE COUNTY

ASSESSOR'S PARCEL NUMBER:
294-288-008

ZONING: COMMERCIAL

GENERAL PLAN DESIGNATION: COMMERCIAL

LOT SIZE:
99,291 SF BEFORE DEDICATION
97,274 SF (AFTER DEDICATION)

LOT COVERAGE:
9,111 sq ft = 10% OF LOT AREA
FLOOR AREA RATIO
9,136 SF = TOTAL COVERED BUILDING AREA
97,274 SF = LOT SIZE
= 0.69 FLOOR AREA RATIO

LANDSCAPE AREA:
A1 15,848 SF = 16% OF LOT AREA INSIDE STATE EASEMENT
B1 6,825 SF = 7% OF LOT AREA INSIDE STATE EASEMENT
TOTAL 22,673 SF = 23% OF LOT AREA

PAVEMENT AREA:
63,847 SF = 65% OF LOT AREA

TYPE OF CONSTRUCTION:
CARWASH V-8
RETAIL & RESTAURANT V-6

SECURITY CLASS:
CARWASH 8
RETAIL 4
RESTAURANT A-1

FIRE SPRINKLERS:
YES
BUILDING CODE:
PER CBC 2001

PARKING CALCULATIONS:

BUILDING DESCRIPTION	SQUARE FOOTAGE	PARKING RATIO	PARKING REQ'D
CARWASH	3,758 SQ. FT.		12.0
C-STORE	3,749 SQ. FT.	0.225	12.0
RESTAURANT - FAST FOOD INTR. U.	1,335 SQ. FT.	0.480	11.5
RETAIL, INTR. U.	1,433 SQ. FT.	0.225	6.6
TOTAL:	9,335 SQ. FT.		30.3

NOTES:
1. PROJECTION ONLY SUBJECT TO ACTUAL LEASE

PARKING ANALYSIS:

PARKING	REQUIRED	PROVIDED
CARWASH	12	26 (8 IN VACUUM POSITIONS AND 2 IN EMPLOYEE LOT)
C-STORE/ RETAIL/RESTAURANT	31	68 (28 NEAR STREET AND 40 IN EMPLOYEE LOT)

PROJECT TEAM:
OWNER:
YOON BYU BYUN
1926 HOODEN TRAIL PL.
WALLHUT, CA 91789
PH: 909.255.3293
TX: 213.822.8594
EMAIL: yoonbyu@pacifyteam.com

ARCHITECT / APPRAISER:
GASPER RETAIL PARTNERS CONSULTING
2155 W. ALVARADO ST.
LOS ANGELES, CA 90019
ATTN: ANDREW PASZERRO
CA LIC. NO. 6-12253
PH: 323.645.1844
FAX: 323.645.1723
EMAIL: and@pacifyteam.com

CIVIL ENGINEER:
WEBER ENGINEERING, INC.
2451 CHAPMAN AVENUE, SUITE 111
FULLERTON, CA 92831-3738
ATTN: HODER GRAHAM
PH: 714.889.9811
FAX: 714.819.9171
EMAIL: hoder@engineerweb.com

LANDSCAPE ARCHITECT:
USCALING LEAVES
LANDSCAPE & IRRIGATION DESIGN
531 N. Mount Drive
Hawthorne, CA 91808
ATTN: NERESA PARSONS
PH: 616.345.1335
FAX: 616.341.1197
EMAIL: nersa_p@uscaling.com

PROJECT TITLE:
NEW COMMERCIAL CENTER
EXPRESS CARWASH, RETAIL & RESTAURANT SPACE

ADDRESS:
1111 ALESSANDRO BOULEVARD, RIVERSIDE, CA 92503
COUNTY OF RIVERSIDE

PROJECT TEAM:
DESIGNED BY:
YOON BYU BYUN
GASPER RETAIL PARTNERS CONSULTING
ATTN: ANDREW PASZERRO - ARCHITECT
CA LIC. NO. 6-12253
1926 HOODEN TRAIL, WALLHUT, CA 91789
PH: 909.255.3293
TX: 213.822.8594
EMAIL: yoonbyu@pacifyteam.com

CLIENT:
YOON BYU BYUN
1926 HOODEN TRAIL PL.
WALLHUT, CA 91789
PH: 909.255.3293
TX: 213.822.8594
EMAIL: yoonbyu@pacifyteam.com

DESIGNER:
GASPER RETAIL PARTNERS CONSULTING
2155 W. ALVARADO ST.
LOS ANGELES, CA 90019
ATTN: ANDREW PASZERRO
CA LIC. NO. 6-12253
PH: 323.645.1844
FAX: 323.645.1723
EMAIL: and@pacifyteam.com

ENGINEER:
WEBER ENGINEERING, INC.
2451 CHAPMAN AVENUE, SUITE 111
FULLERTON, CA 92831-3738
ATTN: HODER GRAHAM
PH: 714.889.9811
FAX: 714.819.9171
EMAIL: hoder@engineerweb.com

LANDSCAPE ARCHITECT:
USCALING LEAVES
LANDSCAPE & IRRIGATION DESIGN
531 N. Mount Drive
Hawthorne, CA 91808
ATTN: NERESA PARSONS
PH: 616.345.1335
FAX: 616.341.1197
EMAIL: nersa_p@uscaling.com

UTILITY REQUIREMENTS:
POWER:
CARWASH: 275/100 30 800 AMP
RESTAURANT: N/A APPR. 600 AMP
RETAIL: N/A APPR. 600 AMP

WATER:
CARWASH: 2" SEPARATE METER
LANDSCAPING: 1/2" O
RETAIL/RESTAURANT: 1/2" O

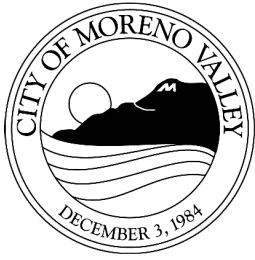
NATURAL GAS:
CARWASH: NONE
RETAIL/RESTAURANT: YES

SHEET CONTAINS:
PROPOSED SITE PLAN,
PROJECT DATA

Date: 3.05.11
Scale: AS SHOWN
Drawn:
Checked: GRCP 5819
Title: 10/26/11

REVISIONS:

NO.	DESCRIPTION
1	AS-1



PLANNING COMMISSION STAFF REPORT

Case: PA11-0009 (Plot Plan)
P11-016 (Master Plot Plan)

Date: June 9, 2011

Applicant/Owner: Kaiser Permanente

Representative: Skyler Dennison

Location: North side of Iris Avenue, west of Oliver Street and the existing Kaiser Permanente Hospital (APN: 486-310-024)

Proposal: A Plot Plan for a 74,425 square foot three story medical office building to be constructed west of the existing Kaiser Medical Center and a Master Plot Plan to incorporate the new building into the Medical Center complex. The project site is in the Office Commercial zone (OC) within the Medical Use Overlay District (MUO).

Redevelopment Area: No

Recommendation: Approval

SUMMARY

The applicant, Kaiser Permanente has submitted a Plot Plan for a 74,425 square foot medical office building to be constructed west of the existing Kaiser Hospital and Master Plot Plan to incorporate the new building into the Medical Center complex.

Project

The proposed project includes a plot plan for a 74,425 square foot three story medical office building located west of the existing hospital, and a master plot plan to incorporate the new office building into the Medical Center complex.

The project is located within the Office Commercial (OC) zone within the Medical Use Overlay District (MUO). The purpose of the MUO District is to implement the General Plan goal of creating a medical corridor by limiting land uses to those that support and or compatible with the city's two existing hospitals. The project as designed and conditioned meets the objectives and requirements of OC zone and the MUO District.

Site/ Surrounding Area

The project site is located on the north side of Iris Avenue, west of Oliver and adjacent to the existing Kaiser Hospital site. Properties to the north and west are zoned LM (Low/Medium Residential) within the AquaBella Specific Plan 218 (SP218). To the south are existing single family residential within the Moreno Valley Ranch Specific Plan 193 (SP193). Properties to the east include the existing hospital zoned Community Commercial, and the two vacant properties east of the hospital zoned Neighborhood Commercial and Office, all within the MUO District.

Access/Parking

The project will have access from Iris Avenue at the location of the existing driveway (west of the existing hospital) with an additional driveway added along the western property line. The existing driveway will be redesigned with a traffic circle to accommodate vehicles visiting the existing hospital and the new medical office building. A drop off area for visitors is provided west of the traffic circle. Pedestrian access is provided by sidewalks adjacent to each driveway.

Parking was calculated at one space per 225 square foot per the City's Municipal Code for Office use. A total of 331 spaces are required for an office use with 74,425 square feet and the applicant has proposed 382 parking spaces. Customer parking is provided south of the building with employee parking provided to the north of the building. Bicycle parking will be provided per the City's Municipal Code requirements.

Design/Landscaping

The design of the proposed office building is in conformance with the Office Commercial design standards and is consistent and complementary with the existing hospital.

The building is a contemporary design using glass, spandrel glass and metal to accent the front of the building. Several levels of metal overhangs including a canopy at the loading/unloading area provide dimension to the building with several earth colors adding depth. The rear of the building provides several rooflines for visual interest. The colors include earth tones which are consistent with the existing hospital's color palette.

The site has been designed with a courtyard area between the new office building and the existing hospital site to create the campus-like environment. The courtyard area will have tree planters and benches, including bollards and landscaping accents adjacent to the traffic circle to accommodate both daily needs and larger special hospital sponsored events.

The building will be set back several hundred feet from Iris Avenue with 45 feet of landscaping adjacent to the public right-of-way and six rows of parking stalls with landscape areas between each row. The site design and architecture of the project meet and generally exceed City requirements.

REVIEW PROCESS

A Pre-Application Review was submitted and reviewed in November 2010, with staff providing comments to the applicant. The applicant formally submitted the project in February 2011. The Project Review Staff meeting was subsequently held where a few minor revisions were requested by staff. The applicant addressed the comments and resubmitted the plans for review and approval. All relevant issues have been adequately corrected to the satisfaction of all parties.

ENVIRONMENTAL

An Addendum to the adopted Negative Declaration per the California Environmental Quality Act (CEQA), 15164 (b) is justified as the projects PA11-0009 and P11-016 are within the scope of the Negative Declaration approved for PA06-0133 (Plot Plan), previously approved for the same site. The Negative Declaration adequately describes the project for the purpose of the California Environmental Quality Act (CEQA) with no changes or additions to the original approval PA06-0133 per 15164 (b) and/or Section 15162.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all potentially affected reviewing agencies.

<u>Agency</u>	<u>Response Date</u>	<u>Comments</u>
Riverside County Flood Control	March 16, 2011	The project is located within the limits of the District's Moreno Area Drainage Plan. Fees have been adopted.

STAFF RECOMMENDATION

That the Planning Commission **APPROVE** Resolution No. 2011-17 and thereby:

1. **RECOGNIZE** that PA11-0009 (Plot Plan) and P11-016 (Master Plot Plan) qualify for an Addendum to the adopted Negative Declaration per the California Environmental Quality Act (CEQA), 15164 (b) as the project is within the scope of the Negative Declaration approved for PA06-0133 (Plot Plan); and,
2. **APPROVE** PA11-0009 (Plot Plan) and P11-016 (Master Plot Plan) subject to the attached conditions of approval included as Exhibit A.

Prepared by:

Approved by:

Julia Descoteaux
Associate Planner

John C. Terrell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-17
with Conditions of Approval
3. Zoning Map
4. Aerial Map
5. Project Plan



Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASES: PA11-0009 (Plot Plan)
P11-016 (Master Plot Plan)

APPLICANT: Kaiser Permanente

OWNER: Kaiser Foundation Hospitals

REPRESENTATIVE: Skyler Dennison

LOCATION: 27300 Iris Avenue
(APN: 486-310-024)

PROPOSAL: A Plot Plan for a 74,425 square foot three story medical office building to be constructed west of the existing Kaiser Medical Center and a Master Plot Plan to incorporate the new building into the Medical Center complex. The project site is in the Office Commercial zone (OC) within the Medical Office Overlay District (MOU).

ENVIRONMENTAL DETERMINATION: An Addendum to the Negative Declaration has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that call for preparation of a subsequent Negative Declaration have occurred. Also, no changes or additions are required to the Negative Declaration.

COUNCIL DISTRICT: 3

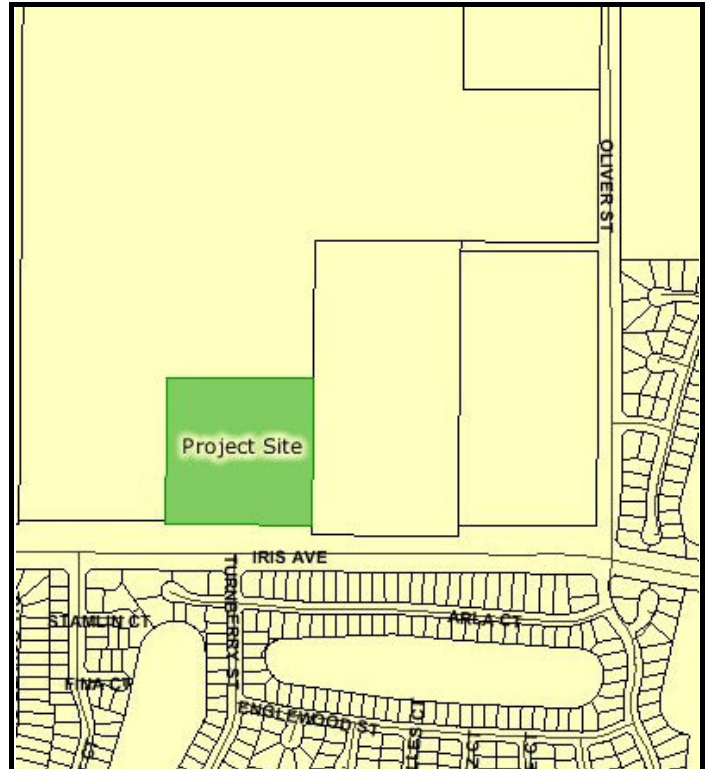
STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items 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.



LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: June 9, 2011 at 7 PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

PLANNING COMMISSION RESOLUTION NO. 2011-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA11-0009 (PLOT PLAN) AND P11-016 (MASTER PLOT PLAN) FOR THE CONSTRUCTION OF A 74,425 SQUARE FOOT THREE STORY MEDICAL OFFICE BUILDING LOCATED ON THE NORTH SIDE OF IRIS AVENUE, WEST OF OLIVER STREET ON PARCEL 486-310-024.

WHEREAS, Kaiser Permanente has filed an application for the approval of PA11-0009 (Plot Plan) and P11-016 (Master Plot Plan) for a medical office complex on as described in the title of this Resolution.

WHEREAS, on June 9, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

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

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

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

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

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

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on June 9, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The proposal for the medical office complex is consistent with the General Plan, its goals, objectives, policies and programs.

The proposed medical office complex is located within the Medical Use Overlay District (MUO) which was designed to create a medical corridor. The MUO corridor limits land uses to those that are supportive of and compatible with the City's two existing hospitals. The proposed project is adjacent and supportive to the existing Kaiser Hospital.

2. **Conformance with Zoning Regulations** – The proposed use complies with all applicable zoning and other regulations.

FACT: The proposed project is zoned Office Commercial (OC). The proposed medical office is consistent with the goals and objectives of the Office Commercial zoning.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed medical office building would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding area. An Addendum to the adopted Negative Declaration per the California Environmental Quality Act (CEQA), Section 15164 (b) is justified as the projects PA11-0009 and P11-016 are within the scope of the Negative Declaration approved for Plot Plan (PA06-0133), previously approved for the same site. The Negative Declaration adequately describes the project and pursuant to the California Environmental Quality Act (CEQA), no new issues are raised that would require additional environmental review pursuant to Section 15162.

As designed and conditioned, the project will not be detrimental to public health, safety or welfare and will not result in significant environmental impacts.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The design of the proposed medical office building is in conformance with the Office Commercial zoning and the Medical Use Overlay District. As designed, the medical office building will consist of a three story, 74,425 square foot building. The building will be set back from Iris Avenue and provide parking and landscaping. Additionally, the project is designed with a courtyard area between the existing hospital and the proposed building

creating a campus like environment. The proposed use would be in conformance with the existing surrounding development and is consistent with all applicable goals, objectives, policies and programs of the General Plan and the City's Municipal Code.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA11-0009 and P11-016, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d) (1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and

failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-17 approving PA11-0009 (Plot Plan) and P11-016 (Master Plot Plan) for the medical office located on parcel 486-310-024 subject to the attached conditions of approval included as Exhibit A.

APPROVED this 9th day of June, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

**CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA11-0009 PLOT PLAN
P11-016 MASTER PLOT PLAN
APN: 486-310-024**

**APPROVAL DATE:
EXPIRATION DATE:**

**June 9, 2011
June 9, 2014**

- Planning (P), including School District (S), Post Office (PO), Building (B)**
- Public Works, Land Development (LD)**
- Public Works, Special Districts (SD)**
- Public Works – Transportation Engineering (TE)**
- Fire Prevention Bureau (F)**
- Moreno Valley Utilities**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

- P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

- P2. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

**CONDITIONS OF APPROVAL
PA11-0009 PLOT PLAN
P11-016 MASTER PLOT PLAN
PAGE 2**

- P3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P4. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.
- P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
- P6. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department - Planning Division. (MC 9.12.020)
- P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

- P8. **The site has been approved for a 74,425 square foot three story medical office building to be constructed west of the existing Kaiser Medical Center and a Master Plot Plan to incorporate the new building into the Medical Center complex. A change or modification shall require separate approval.**
- P9. **To reduce noise impacts to below the level of 55 dBA at one time beyond the boundaries of the property, delivery operations will be conducted between the hours of 8am and 5pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140, CEQA)**

Prior to Issuance of Grading Permits

- P10. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

CONDITIONS OF APPROVAL
PA11-0009 PLOT PLAN
P11-016 MASTER PLOT PLAN
PAGE 3

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

- P11. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
- P12. (GP) Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division, and Public Works Department – Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW- Special Districts.
- P13. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community & Economic Development Department - Planning Division for review and approval.
- P14. (GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
- P15. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.
- P16. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:
- A. A maximum 6 foot high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
 - B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
 - C. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zoned property. The height, placement and design will be based on a site specific review of the project. All walls are subject to the approval of the Community & Economic Development Director. (DC 9.08.070)

PRIOR TO BUILDING PERMITS

- P17. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)
- P18. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)
- P19. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)
- P20. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)
- P21. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

**CONDITIONS OF APPROVAL
PA11-0009 PLOT PLAN
P11-016 MASTER PLOT PLAN
PAGE 5**

- A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public right-of-way if needed to screen vehicle lights from the street.
- B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
- C. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
- D. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension for the portions of the building visible from parking lot or ROW and 1 tree per thirty (30) linear-feet of parking lot adjacent to the interior of the property. Trees may be massed for pleasing aesthetic effects.
- E. Street trees shall be planted at an equivalent of one (1) tree per forty (40) foot on center along the Iris Street frontage.
- F. Enhanced landscaping shall be included at all driveway and corner locations
- G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site.
- H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
- I. Landscaping on three sides of trash enclosure shall be provided.

P22. (BP) Prior to the issuance of building permits, the site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community Development.

PRIOR TO CERTIFICATE OF OCCUPANCY

P23. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

P24. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P25. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans, and shall include:

**CONDITIONS OF APPROVAL
PA11-0009 PLOT PLAN
P11-016 MASTER PLOT PLAN
PAGE 6**

- A. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16' in diameter, and include additional 12" concrete step-outs and curbing.
- B. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
- C. Street trees shall be planted at an equivalent of one (1) tree per forty (40) foot on center along the Iris Street frontage.
- D. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension for the portions of the building visible from parking lot or ROW and 1 tree per thirty (30) linear-feet of parking lot adjacent to the interior of the property. Trees may be massed for pleasing aesthetic effects.
- E. Enhanced landscaping shall be included at all driveway and corner locations.
- F. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan). (Ldscp)
- G. Landscaping for detention basins maintained by a Homeowner's Association.
- H. Site clean-up shall be completed.

Building and Safety Division

- B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building & Safety Division as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.
- B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.
- B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

**CONDITIONS OF APPROVAL
PA11-0009 PLOT PLAN
P11-016 MASTER PLOT PLAN
PAGE 7
SCHOOL DISTRICT**

- S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community & Economic Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

- PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA11-0009 – Plot Plan for a Three-Story Medical Office Building
APN 486-310-024

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

- LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC).
- LD2. (G) If it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.
- LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)
- LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)**

- LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.
- LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Public Works Department.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

- LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)
- LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.
- LD9. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on

twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD10. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD11. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
- b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
- c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.
- d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)
- e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD12. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD13. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
- b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
- c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
- d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
- e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD18. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at

the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

- LD19. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.
- LD20. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.
- LD21. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.
- LD22. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
- LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)
- LD24. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.
- LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Improvement Plan Approval or Construction Permit

- LD26. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.
- LD27. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

- LD28. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.
- LD29. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.
- LD30. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:
- a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.
- LD31. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.
- LD32. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.
- LD33. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)
- LD34. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.
- LD35. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.
- LD36. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

- LD37. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.
- LD38. (BP) Prior to issuance of building permits for non-subdivisions, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.
- LD39. (BP) Prior to issuance of a building permit, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (**NPDES**) as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of permit issuance. Following are the requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
 - b. Notify the Special Districts Division of the intent to obtain a building permit 90 days prior to the City's issuance of a building permit and the financial option selected. (California Government Code & Municipal Code)
- LD40. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

- LD41. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

- LD42. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.
- LD43. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.
- LD44. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:
- a. Street improvements including, but not limited to: sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, landscaping and irrigation, medians.
 - b. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
- LD45. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)
- LD46. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

SPECIAL CONDITIONS

- LD47. Prior to grading plan approval, the plans shall clearly show the extent of all existing easements on the property. All building structures shall be constructed outside of existing easements.**
- LD48. Prior to grading plan approval, written permission must be obtained from off-site property owner(s) for all off-site grading and easements. All on-site and off-site easements shall be shown on the grading plan.**
- LD49. Prior to grading plan approval, the developer shall secure any off-site drainage easements from the off-site property owner(s) to ensure the proper drainage for this project.**

- LD50.** Prior to grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction, including easements.
- LD51.** Prior to grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basin. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.
- LD52.** Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627, modified to include a fully covered, solid roof.
- LD53.** Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.
- LD54.** Prior to issuance of a building permit, a four-foot minimum right-of-way dedication for pedestrian purposes shall be submitted for review and approval for the west driveway approach per City Standard 118C and the east driveway approach if the east driveway approach is designed as a driveway and not as a street intersection. No decorative pavers shall be placed within the public right-of-way.
- LD55.** Prior to issuance of a building permit, additional right-of-way, as may be required, shall be dedicated and submitted for review and approval for the east project entrance including corner cutback areas per City Standard 208, to allow this entrance to be designed as a street intersection, including an easement for loop detector maintenance, if the intersection requires signalization.
- LD56.** Prior to issuance of a building permit, a two-foot public access easement for the portion of curb-separated sidewalk that will be located outside of the public right-of-way, along Cactus Avenue, shall be dedicated. The legal description

and plat shall be submitted for review and approval prior to issuance of a building permit.

- LD57.** Prior to issuance of a building permit, the developer shall schedule a walk through with a Public Works Inspector to inspect existing improvements within the public right-of-way along project frontage. The developer will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards. The developer shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
- LD58.** The developer shall prepare and submit for approval a project specific Final Water Quality Management Plan (F-WQMP) for this project. The F-WQMP shall be consistent with the approved P-WQMP and in full compliance with the document; “Riverside County Water Quality Management Plan for Urban Runoff” dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading or building permits. At a minimum, the F-WQMP shall include the following: Site Design Best Management Practices (BMPs); Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.
- LD59.** The developer shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include: nutrients, organic compounds, and pathogens (bacteria and viruses). Exhibit C of the document, “Riverside County Water Quality Management Plan for Urban Runoff” dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.
- LD60.** Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The developer has proposed to incorporate the use of two enhanced bioswales for treatment control. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document.
- LD61.** The developer shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD62. The developer shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

- a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications.**
- b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications.**
- c. That the developer is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and**
- d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL

Case No: PA11-0009 (PP for a 74,425 sq ft Medical Bldg) and P11-016 (Master PP)
APN: 486-310-024
03.22.11 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA11-0009**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), E (High-Service-Level Parkway Landscape Maintenance), and the NPDES (National Pollutant Discharge Elimination System) program. All assessable parcels therein shall be subject to annual Zone A, Zone C, Zone E, and NPDES charges for operations and capital improvements.
- SD-2 All landscaping behind the curb shall be the responsibility of the developer, including the existing strip of turf between the curb and the sidewalk. Special Districts currently maintains this area, but will relinquish responsibility to the applicant at the appropriate time. The developer shall coordinate modification of the irrigation system and tie-in with future on-site irrigation. Existing irrigation main-line supply to this area will be capped off outside of the project boundary when appropriate.
- SD-3 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone E**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public*

Works Department Landscape Design Guidelines. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

- SD-4 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone E**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.
- SD-5 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.
- SD-6 Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.
- SD-7 Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)
- SD-8 Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

Prior to Building Permit Issuance

- SD-9 (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

- SD-10 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)
- SD-11 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

- SD-12 (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

Transportation Engineering Division – Conditions of Approval

General Conditions:

TE1. All proposed on-site traffic control should be accordance with the 2010 California Manual on Uniform Traffic Control Devices (CAMUTCD).

Prior to the issuance of building permits:

TE2. Driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. 118C for commercial driveway approaches.

TE3. Sight distance at all proposed driveways shall conform to City of Moreno Valley Standard No. 125 & 126 at the time of preparation of final grading, landscape, and street improvement plans.

TE4. A traffic signal and lighting plan shall be prepared by a registered civil engineer for the intersection of Iris Avenue and the main site driveway. Additional on-site and off-site right-of-way and/or easements may be required to accommodate traffic signal equipment. Additional equipment may include, but not be limited to, the following: signal poles, controller cabinets, loop detectors, signage, pull-boxes, and conduits.

TE5. A street improvement plan shall be prepared by a registered civil engineer for the construction of raised median modifications on Iris Avenue at the main site driveway. Median improvements shall be constructed in accordance with an approved alignment study. The eastbound left turn lane at the main project driveway shall be modified to provide a minimum of 250 feet of vehicle storage.

TE6. A communication conduit plan shall be prepared by a registered civil engineer for the installation of communication conduits along the project frontage in accordance with City Standard Plans.

TE7. A signing and striping plan shall be prepared by a registered traffic or civil engineer for all required signing and striping improvements along the property frontage.

Prior to the issuance of certificate of occupancies:

TE8. Communication conduits shall be installed along the entire project frontage of Iris Avenue to the satisfaction of the City Traffic Engineer.

TE9. All required traffic signal, signing, striping, and median improvements along Iris Avenue shall be implemented and approved to the satisfaction of the City Traffic Engineer.

FIRE PREVENTION BUREAU

1. Complete and return attached fire flow letter.
2. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

- F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.
- F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 3625 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) . The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.
- F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 1/2" x 2 1/2") and super enhanced fire hydrants (6" x 4" x 4" x 2 1/2") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)
- F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

CONDITIONS OF APPROVAL
PA11-0009 PLOT PLAN
P11-016 MASTER PLOT PLAN
PAGE 24

- F5. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
- F6. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)
- F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)
- F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)
- F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)
- F10. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)
- F11. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)
- F12. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)
- F13. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
- F14. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
 - a) Be signed by a registered civil engineer or a certified fire protection engineer;
 - b) Contain a Fire Prevention Bureau approval signature block; and
 - c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

- F15. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)
- F16. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)
- F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)
- F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)
- F19. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
- F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any

other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

- F21. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)
- F22. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.
- F23. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)
- F24. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)
- F25. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)
- F26. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.
- F27. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the

premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

- F28. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)
- F29. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:
- a) Storage and use areas;
 - b) Maximum amount of each material stored or used in each area;
 - c) Range of container sizes;
 - d) Locations of emergency isolation and mitigation valves and devices;
 - e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
 - f) On and off positions of valves for valves which are of the self-indicating type;
 - g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
 - h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

- F30. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)
- F31. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)
- F32. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its

spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

- F33. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)
- F34. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)
- F35. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)
- F36. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)
- F37. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:	1/10/11	Address:	
Case Number:	PA11-0009/ P11-016	A.P.N.:	486-310-023

This is certification the water system is capable of meeting the following required fire flows as determined by the California Fire Code Appendix B.

Based on the information provided on the above referenced case. The fire flow required for this project will be 3625 G.P.M. for duration of 4-HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer: _____

By: _____ **Date:** _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency:	_____
Address:	_____
Telephone:	Date: _____
By:	Title: _____

NOTE: THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.

PUBLIC WORKS DEPARTMENT
Moreno Valley Utility

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA11-0009; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY

- MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
- MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution:** Prior to constructing the MVU Electric Utility System, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other

adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as “utility system” (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all “utility services” to each lot and unit within the Tentative Map. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development may be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City’s designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer’s sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. If the project is subject to a Reimbursement Agreement, payment(s) shall be required prior to issuance of building permit(s).

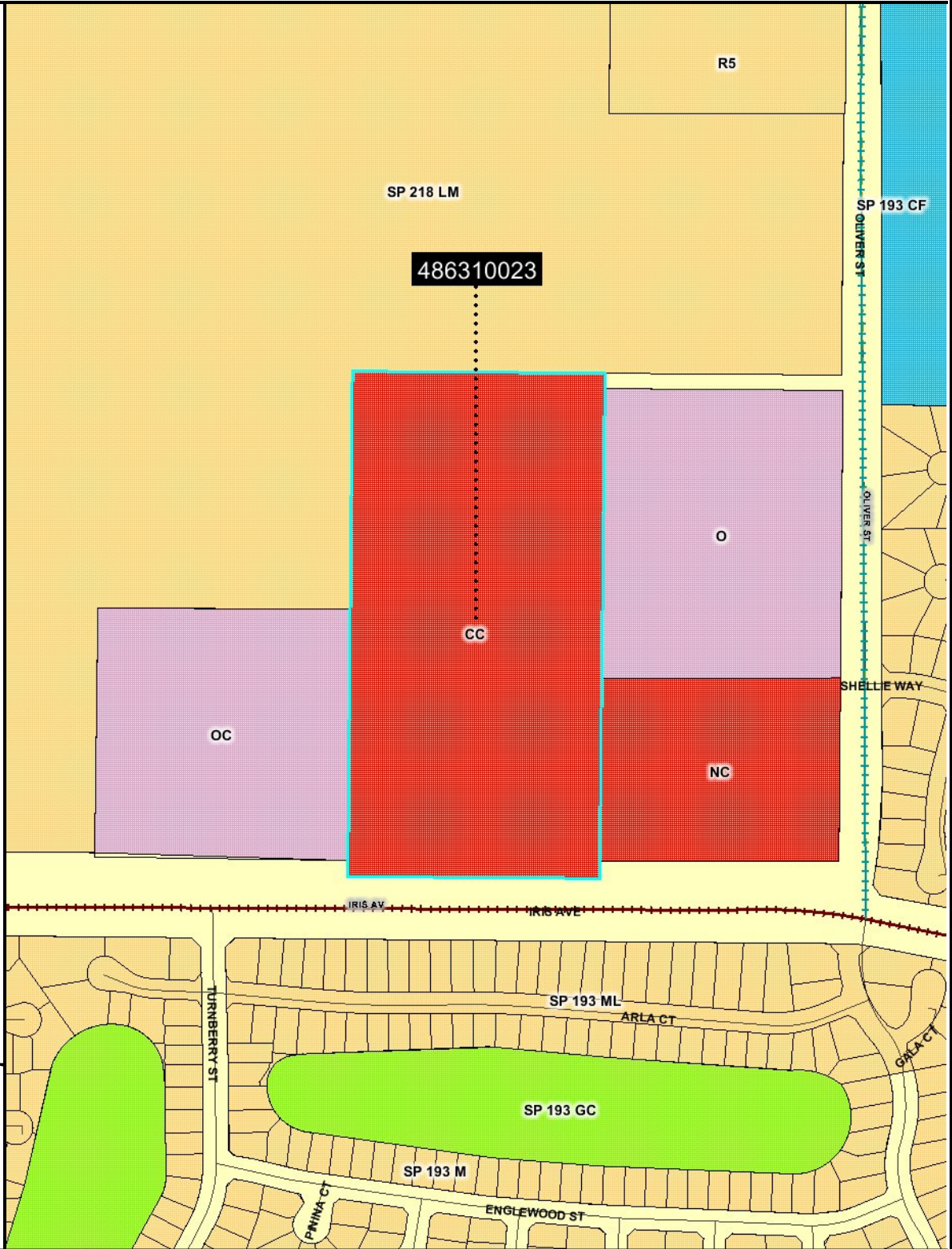
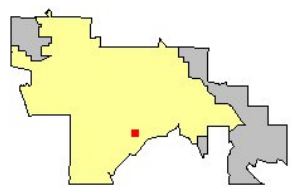
PA11-0009 & P11-016

Kaiser

Legend

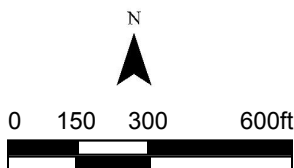
-  Selected Features
-  Highways
-  Bike Ways
-  Existing
-  Proposed
- Circulation Plan
-  Divided Major Arterial
-  Divided Major Arterial - Reduced Cross Section
-  Divided Arterial - 6 lane
-  Divided Arterial - 4 Lanes
-  Arterial
-  Minor Arterial
-  Minor Arterial - Pigeon Pass Cross Section
-  Collector
- Master Plan of Trails
-  Bridge
-  Improved
-  Multiuse
-  Proposed
-  Regional
-  State
- Parcels
- Roads
- Zoning
-  Commercial
-  Industrial/Business Park
-  Large Lot Residential
-  Multi-family
-  Office
-  Open Space/Park
-  Planned Development
-  Public Facilities
-  Residential 2 Dwellings/Acre
-  Residential Agriculture 2 Dwellings/Acre
-  Suburban Residential
-  Waterbodies
- City Boundaries

Powered By GeoSmart.net



City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.



Printed: 2/28/2011 12:19:19 PM

PA11-0009 & P11-016

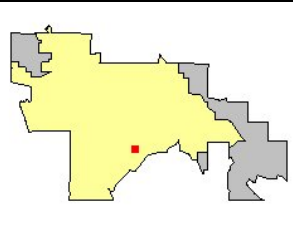
Kaiser

Legend

- Highways
- Bike Ways
- Existing
- Proposed
- Circulation Plan**
- Divided Major Arterial
- Divided Major Arterial - Reduced Cross Section
- Divided Arterial - 6 lane
- Divided Arterial - 4 Lanes
- Arterial
- Minor Arterial
- Minor Arterial - Pigeon Pass Cross Section
- Collector
- Master Plan of Trails**
- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State
- Parcels
- Roads
- Waterbodies
- City Boundaries**
- Calimesa
- Moreno Valley
- Perris
- Riverside



Powered By GeoSmart.net



City of Moreno Valley
 14177 Frederick St
 Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

N



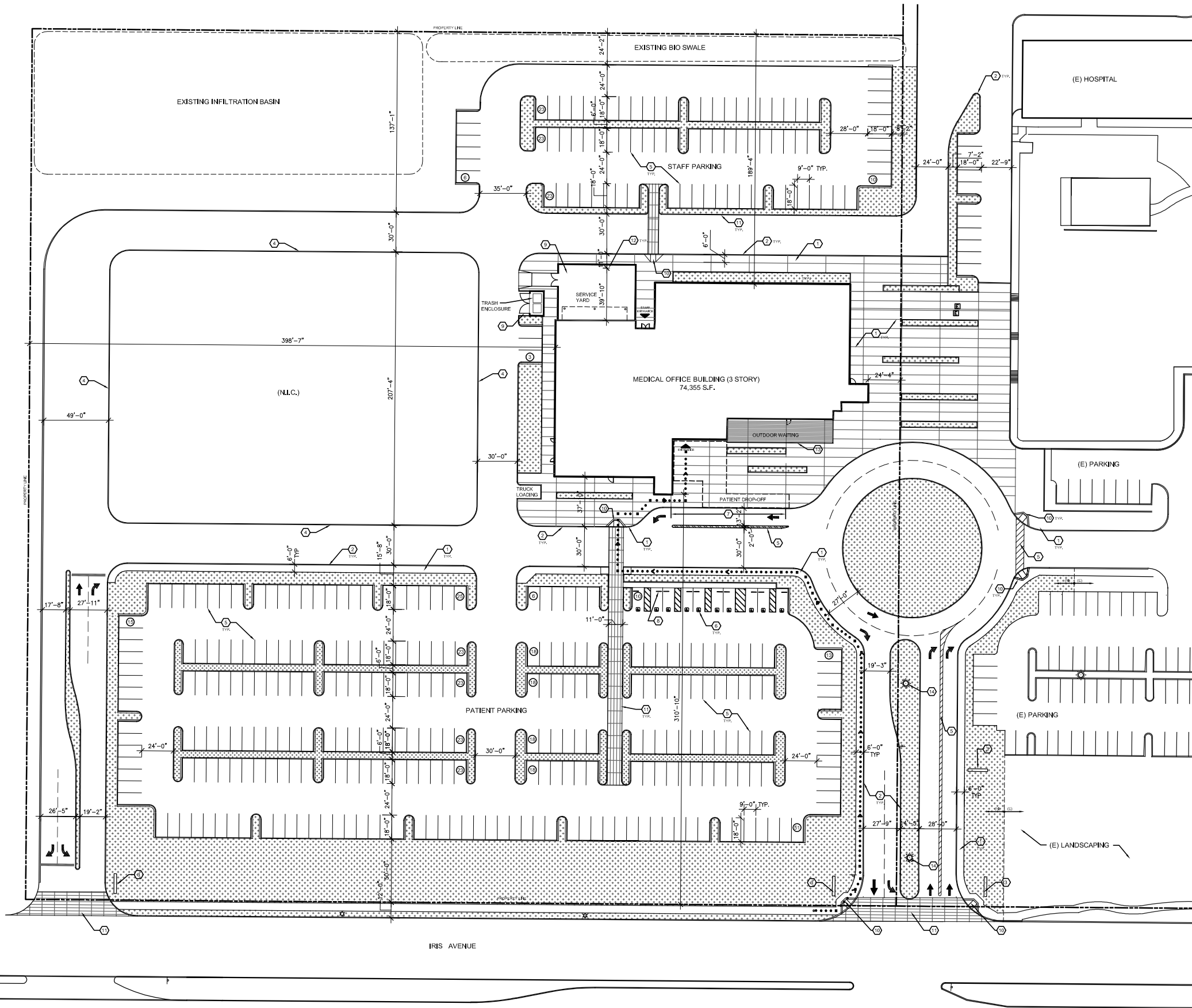
0 150 300 600ft



Printed: 2/28/2011 12:21:18 PM

ATTACHMENT 4





SITE LEGEND

- PROPERTY LINE
- [Pattern] LANDSCAPE AREA
- [Pattern] CONCRETE HARDSCAPE
- (E) EXISTING
- (N) NEW
- ADA ACCESSIBLE PATH OF TRAVEL

SITE PLAN KEYNOTES

- ① CONCRETE SIDEWALK/ WALKWAY/ HARDSCAPE.
- ② CONCRETE CURB AND GUTTER.
- ③ KAISER MONUMENT SIGN.
- ④ ASPHALT CURB AND GUTTER.
- ⑤ PARKING STRIPING/ PAVEMENT MARKINGS.
- ⑥ ACCESSIBLE PARKING STRIPING, MARKINGS AND SIGNAGE.
- ⑦ 0" FAVED CURB.
- ⑧ CONCRETE WHEEL STOP.
- ⑨ METAL GATE.
- ⑩ CURB RAMP.
- ⑪ DECORATIVE CONCRETE PAVING.
- ⑫ CMU WALL.
- ⑬ ORNAMENTAL FENCE.
- ⑭ LIGHT STANDARD.
- ⑮ 12" WIDE CONCRETE STEP-OUT.

SITE DATA

PARKING REQUIREMENTS

PARKING REQUIRED PER CITY OF MORENO VALLEY MUNICIPAL ORDINANCE CODE 9.11

1 SPACE PER 225 S.F. 74,355 S.F. / 225 = 330 SPACES REQUIRED

TOTAL PARKING PROVIDED:

STANDARD PARKING:	362 SPACES
ACCESSIBLE PARKING:	10 SPACES
TOTAL:	372 SPACES PROVIDED



CITY OF MORENO VALLEY
Community & Economic Development Department
Planning Division

MEMORANDUM

To: Vice Chair Baker and Members of the Planning Commission
From: Jeff Bradshaw, Associate Planner
Date: May 25, 2011
Subject: Denial Resolution for PA08-0098 (Change of Zone)

On May 12, 2011, the Planning Commission conducted a public hearing for the West Ridge Commerce Center project which included application PA08-0098 for a Change of Zone from Business Park (BP) to Light Industrial (LI). By a vote of 3/2, the Commission denied the proposed Change of Zone.

Attached, is a resolution of denial reflecting the Planning Commission's decision on May 12th.

Approved by:

John Terrell, AICP, Planning Official

JB

Attachment

PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

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

- A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.
- B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:
 - 1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

Attachment 1

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

City Attorney